



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

CITY MANAGER APPROVAL: Ken Strippler

DATE: March 14, 2023

SUBJECT: STATE LEGISLATION: AB 23, AB 1631, SB 13, SB 14, and SB 489

DEPARTMENT: City Manager's Office

PRESENTER: Masis Hagobian

RECOMMENDED ACTION

City Council:

1. Support AB 23 (Muratsuchi), AB 1631 (Schiavo), SB 13 (Ochoa Bogh), SB 14 (Grove), and SB 489 (Wilk).
2. Transmit position statements to the authors of the bills, Santa Clarita’s state legislative delegation, appropriate legislative committees, Governor Newsom, the League of California Cities, and other stakeholder organizations.

BACKGROUND

The following state legislative items were presented to the City Council Legislative Committee on March 1, 2023. Included as part of this report is a brief summary of each piece of legislation and its current status in the state legislative process.

Assembly Bill 23

Authored by Assembly Member Al Muratsuchi (D-66-Torrance), Assembly Bill 23 amends state law that was established by Proposition 47 (2014) by reducing the threshold amount for petty theft and shoplifting from \$950 to \$400.

Subsequent to passage by the state legislature and approval by the Governor, this bill would become effective only if approved by voters through a ballot initiative.

Proposition 47 (2014), titled, “The Safe Neighborhoods and Schools Act,” was approved by voters (59.6 percent - 40.4 percent) on November 4, 2014, and went into effect on November 5, 2014. At the City level, the measure failed with 47.19 percent in favor and 52.81 against.

Proposition 47 (2014) reduced penalties for certain nonserious and nonviolent property and drug offenses from felonies or wobblers, which could be charged as either a felony or misdemeanor, to misdemeanors. Under previous state law, shoplifting property worth \$950 or less, a type of petty theft, was a misdemeanor. However, such crimes could also be charged as burglary, instead, if the shoplifter intended to shoplift upon entering the store, which could be prosecuted as a felony and sentenced up to three years in prison.

With the approval of Proposition 47 (2014), shoplifting property worth \$950 or less is a misdemeanor, regardless of intent, and holds a sentence of up to one year in county jail and/or a fine up to \$1,000.

According to the California Department of Justice, larceny-theft increased by approximately 10.7 percent and shoplifting increased by approximately 11.7 percent statewide, a year after Proposition 47 (2014) went into effect. Similarly, in Los Angeles County, larceny-theft increased by approximately 10.3 percent and shoplifting increased by approximately 10.9 percent over that same period of time.

Assembly Bill 1631

Authored by Assembly Member Pilar Schiavo (D-40-Chatsworth), Assembly Bill 1631 requires the State Water Resources Control Board (Board) to issue a new notice and provide an opportunity for a public hearing on water appropriation applications for a beneficial use or uses that include mining use that have been pending for more than 30 years.

The City of Santa Clarita (City) is a sponsor of this bill.

Under existing law, the Board administers a water rights program where it grants permits and licenses to appropriate water. This administrative process allows for a protest period and the Board is required to hold a hearing as long as a protest remains unresolved or there is a disputed material fact.

However, existing law does not require the Board to allow for additional public review on applications it has not rendered a final determination, even if decades have passed since the original filing date. This results in cases where long-standing water appropriation applications lack current information and withhold any opportunity for public comment, in some cases for several decades, limiting the Board's ability to fully vet an application with an understanding of the current environmental circumstances and public engagement prior to a final determination.

The original water appropriation permit application for the proposed Soledad Canyon mining project is over three decades old, having been filed in June 1991. If this bill is passed, it would be effective January 1, 2024, and would immediately apply to the proposed Soledad Canyon mining project.

Senate Bill 13

Authored by Senator Rosilicie Ochoa Bogh (R-23-Yucaipa), Senate Bill 13 requires a person

who is convicted of, or who pleads guilty or no contest to, the possession or purchase for the purpose of selling or administering various controlled substances, including fentanyl, to receive a written advisory of the danger of manufacturing or distribution of controlled substances and that, if a person dies as a result of that action, the manufacturer or distributor can be charged with voluntary manslaughter or murder.

The opioid epidemic has become a nationwide issue, affecting communities across the country, including in the City. In 2021, more than 71,000 people died from a synthetic opioid-related drug overdose in the United States, according to provisional data from the Centers for Disease Control and Prevention (CDC). Recent data suggest that number continues to increase each year.

Fentanyl is a synthetic opioid that is up to 50 times stronger than heroin and 100 times stronger than morphine, making it a major contributor to drug overdose deaths. Based on preliminary 2021 data from the CDC, there were 6,843 opioid-related overdose deaths in California; 5,722 of these deaths were related to fentanyl. Moreover, in 2021, there were 224 fentanyl-related overdose deaths among teens, ages 15-19 years old, in California.

In 2022, the Los Angeles County Sheriff's Department reported 32 overdoses in the Santa Clarita Valley as a result of fentanyl.

Senate Bill 14

Authored by Senator Shannon Grove (R-12-Bakersfield), Senate Bill 14 adds human trafficking within the definition of a serious felony for all purposes, including for purposes of the Three Strike Law. Senator Scott Wilk (R-23-Santa Clarita) is a co-author.

Current law defines the term "serious felony" for various purposes, including, among others, enhancing the punishment for felonies according to existing sentencing provisions commonly known as the Three Strikes Law. The Three Strikes Law imposes a state prison sentence of up to 25 years to life on a defendant who is convicted of a third violent or serious felony offense.

Existing serious felonies include murder, rape, arson, and kidnapping.

Senate Bill 489

Authored by Senator Scott Wilk (R-23-Santa Clarita), Senate Bill 489 authorizes a city official to directly issue public and confidential marriage licenses.

The City is a sponsor of this bill.

Under existing state law, issuance of marriage licenses is delegated to county jurisdictions, with the exception of confidential marriage licenses, which state law allows for licensed notaries to purchase from a County office and issue. However, public marriage licenses are exclusively delegated to counties.

On February 14, 2020, the City began a new program, entitled *City Hall Ceremonies*. The premise of this international award-winning program was to bring marriage services to the local

community by delivering a more personal, convenient, and cost-efficient service. City staff in the City Clerk's Office obtained their notary license and completed a training in order to be able to issue confidential marriage licenses at City Hall.

To date, through *City Hall Ceremonies*, the Santa Clarita City Clerk's Office has issued 547 confidential marriage licenses and officiated 324 marriage ceremonies. Because of the cost, convenience, and customer service, the Santa Clarita *City Hall Ceremonies* was awarded the International Institute of Municipal Clerks Introduction of Innovative Customer Service 2022 Program Excellence in Governance Award.

In Los Angeles County, the Registrar-Recorder/County Clerk's Office is the office authorized to issue marriage licenses. There are six Register-Recorder/County Clerk's Offices in Los Angeles County and appointments may be made up to three weeks in advance, within a shortened workday schedule, and available on a first-come, first-serve basis.

Additionally, licensed notaries at the City can only issue confidential marriage licenses purchased from the County at the same fee the County charges its customers and while a marriage license purchased by a couple from the County is valid 90 days from the date of issuance, licenses purchased by couples at Santa Clarita City Hall are only valid 90 days from the date the notary purchases the license from the County.

During the COVID-19 pandemic, Santa Clarita City Hall remained open and continued to offer confidential marriage license services. Several couples came to City Hall because their appointments had been cancelled by Los Angeles County or surrounding county offices. Being a local service for the community, the program is nimble enough to allow Santa Clarita staff to make appointment exceptions for emergency situations, such as unplanned cesarean sections and armed services deployment situations.

Authorizing cities to directly issue both public and confidential licenses brings this much sought-after service to the community who seek those services, fairly compensates municipalities for services offered, keeps commuters off busy Southern California freeways, and ultimately lowers the cost of marriage services for our constituents.

All of the bills listed in this report are pending their first policy committee hearing.

Additionally, the recommendation to support the bills listed in this report is consistent with the City of Santa Clarita 2023 Executive and Legislative Platform.

ALTERNATIVE ACTION

Other direction, as provided by the City Council.

FISCAL IMPACT

The resources required to implement the recommended action are contained within the City of Santa Clarita's adopted FY 2022-23 budget.

ATTACHMENTS

Assembly Bill 23 - Bill Text

Assembly Bill 1631 - Bill Text

Senate Bill 13 - Bill Text

Senate Bill 14 - Bill Text

Senate Bill 489 - Bill Text