



California Special
Districts Association

Districts Stronger Together



NEW LAWS OF 2026

Introduction

In 2025 alone, Governor Gavin Newsom signed 794 bills into law, meanwhile the court system rendered numerous significant rulings establishing new case law. CSDA is the voice of all special districts, advocating for the interests of our members and the communities they serve. This report serves as a reference for special districts working to keep up with the laws that affect their essential services.

Most notably, this publication compiles CSDA's annual New Laws Series of concise articles from leading legal and public policy experts covering some of the most significant new laws taking effect in the year ahead. You will also find included CSDA's Year-End Legislative Report highlighting top advocacy efforts and a linked overview of over 100 bills affecting special districts that CSDA actively lobbied.

Finally, because many of the laws local agencies must follow are determined in court rooms, see our quick summary of court cases in which CSDA engaged through amicus briefs on behalf of special districts.

Members can view CSDA's past New Laws publications at csda.net:

[New Laws of 2025](#)



[New Laws of 2024](#)



[New Laws of 2023](#)



[New Laws of 2022](#)



[New Laws of 2021](#)



[New Laws of 2020](#)



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**California Special
Districts Association**
Districts Stronger Together



2025 Year-End Legislative Report

The Voice of Special Districts

Comprehensive Bill Reports

CSDA is honored to advocate for and represent special districts in the pursuit of providing members with the necessary resources to best serve their communities. In addition to the highlights and bill statistics provided in this report, view CSDA's 2025 year-end bill reports [here](#). (csda.net/advocate/bill-tracking)

The California State Legislature introduced and CSDA reviewed 2,833 measures during the 2025 Legislative Year. At the direction of CSDA's Legislative Committee, CSDA actively tracked 1,411 bills, and maintained priority positions on 131 measures. Of the 57 bills opposed by CSDA, only 6 became laws. Of the 74 bills supported by CSDA, 31 became laws.

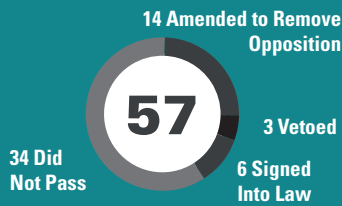
2025 State Legislative Year Statistics

Of the 74 Bills Supported by CSDA...



31 Became Laws.

Of the 57 Bills Opposed by CSDA...



Only 6 Became Laws.

2,833

Reviewed State Bills

1,411

Actively Tracked Bills

131

Priority Positions Adopted

Major Advocacy Accomplishments



CSDA's Special Districts Legislative Days: Legislative panel discussion

From left: Kyle Packham - Chief Advocacy & External Affairs Officer, Anthony Tannehill - Legislative Representative, Marcus Detwiler - Legislative Representative, Aaron Avery - Director of State Legislative Affairs

Local Control

Brown Act Revamp (SB 707 and AB 259)

Achieved critical amendments within the most significant Brown Act legislation in decades that will drastically narrow mandates and improve implementation.

Secured an extension to "just cause" and "emergency circumstances" remote meeting provisions sponsored by CSDA.

.Gov Website and Email Mandate (AB 810)

Successfully opposed: Would require special districts to use a .gov or .ca.gov website URL and email addresses. (2-year bill)

Workplace Technology (AB 1331)

Successfully opposed: Would unjustifiably limit the ability of employers to use certain workplace surveillance systems. (2-year bill)

Local Services

ZEV Mandate Reform (SB 496 and CARB Regulation Update)

Sponsored legislation to reform the CARB Advanced Clean Fleets regulation that unanimously passed two policy committees before being held in fiscal committee.

Organized a city, county and special district comment letter for regulation updates.

Union Notification and Contracting Delay (AB 339)

Served as a leader in the local government coalition opposed to legislation that could have rendered contracting for services unworkable. (Signed by Governor)

Surplus Land Act (SB 79)

Resolved concerns over amendments that could have undermined special districts' ability to use district property.

Local Revenue

Property Tax Revenue for "Small" Homes (AB 317)

Successfully opposed: Would have eliminated property tax revenue on new homes measuring less than 1,500 square feet.

Development Related Fee Revenue for Affordable Housing (AB 874)

Successfully opposed: Would eliminate development related fee revenue for certain affordable housing developments. (2-year bill)

Wildfire Relief

Successfully supported: backfills to affected special districts for property tax revenue losses and supported budget requests for unique impacts from wildfires.



\$180,000+

Unclaimed Property Returned

CSDA partnered with State Controller Malia M. Cohen to return over \$180,000 in unclaimed property to 166 special districts.



3

New CSDA-Affiliated Chapters

29 Affiliated Chapters:

New! Special Districts Association of San Gabriel Valley, Special Districts Association of Santa Cruz and San Benito Counties, and Calaveras County Special Districts Association.



Local Affordability

Pension Un-reform (AB 1383)

Successfully opposed, with coalition partners: Would undermine pension reform and dramatically increase pension costs. (2-year bill)

Information Practices Act Mandate (AB 1337)

Successfully opposed: Would impose numerous, onerous data retention, handling, and collection mandates on local agencies. (2-year bill)

New Technologies (AB 1018 and SB 7)

Successfully opposed: AB 1018 (2-year bill)

Successfully led the local government coalition opposed to SB 7 (Vetoed by Governor):

- Both of which would unduly limit the ability of local governments to use certain developing automated decision systems technologies.



Grassroots

600+

Grassroots Mobilization Program Participants

CSDA has identified hundreds of members maintaining legislative relationships who are willing to activate when needed to impact public policy.

156

Average Responses to Formal CSDA Calls-to-Action

When CSDA issues a formal call for support or opposition on a top priority bill, special districts take action.



Special District Legislative Days

216

 Local Leaders Joined Together

30

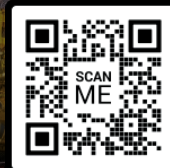
 Regional Groups Represented

91

 Capitol Office Visits with Legislators And Staff

Save the Date

Special Districts Legislative Days 2026 April 7–8 in Sacramento



LegislativeDays.csda.net

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REVIEW OF TOP NEW LAWS

CA Supreme Court Denies Elected Officials Right to Sue as “Employees” Under Whistleblower Statute

By: Alexander Volberding, Partner, and Nicole A. Powell, Associate, Liebert Cassidy Whitmore

On July 7, 2025, the California Supreme Court issued a decision in [Brown v. City of Inglewood](#), ruling that elected officials are not considered “employees” under California’s whistleblower statute, Labor Code Section 1102.5. The ruling affirms the holding of the Court of Appeal, which concluded that elected officials may not seek whistleblower relief under Labor Code Section 1102.5 because they are not “employees” under that statute.

The case stems from Plaintiff Wanda Brown, the former elected City Treasurer for the City of Inglewood (“City”), reporting concerns about financial improprieties involving City funds to the City Council. After Brown reported her concerns to the City Council, the City Council voted to reduce Brown’s job duties and her salary.

Brown then sued the City and individual members of the City Council, alleging that the City retaliated against her in violation of Labor Code section 1102.5. Section 1102.5 prohibits retaliation against an employee who reports conduct by the employer that the employee reasonably believes to be illegal.

The trial court denied the Defendants City and the City Council member’s joint motion to strike the complaint, allowing Brown’s retaliation claim to proceed.

The Defendants appealed that decision to the Court of Appeal, which held that Brown could not seek relief for retaliation under Labor Code section 1102.5 because Brown, as an elected official, was not an employee of the City.

The Court of Appeal concluded that the Legislature did not reference elected officials as being within the scope of the term “employee” for the purposes of Labor Code section 1102.5 as the Legislature did in other sections of the Labor Code. The Court of Appeal concluded that the Legislature’s exclusion of elected officials from the Labor Code section 1102.5 definition of employee evinced a legislative intent to exclude elected officials from the definition of employee and to deny their right to sue public agencies under that section.

By affirming the Court of Appeal decision, the Supreme Court held that elected officials do not have standing to

sue under Labor Code Section 1102.5 because they are not considered employees under that statute. In the Court's decision, the Court noted that the legislative history behind the enactment of Labor Code Section 1106, which defines "employee" as it is used in Labor Code Section 1102.5, suggests a "particular purpose of protecting rank-and-file employees from supervisors and managers," not protecting elected officials.

Elected officials differ from other public employees in notable ways, for instance elected officials report to the electorate rather than to managers and supervisors, which provides elected officials unique access to platforms from which to speak and have their voices and concerns about possible unlawful acts amplified.

The Court concluded that, if it expanded the definition of the term employee under the statute to include elected officials, it would improperly expand the role of the judiciary and interfere with the legislative process.

The *Brown v. City of Inglewood* decision clarifies that elected officials are not "employees" for the purposes of Labor Code section 1102.5 and cannot seek relief under that section for allegedly retaliatory conduct engaged in by the agency for which the elected official serves.

Public agencies should review their retaliation policy to ensure that the policy does not represent that elected officials may sue the agency under Labor Code section 1102.5.

This article was contributed by [Alexander Volberding](#) and [Nicole A. Powell](#), from [Liebert Cassidy Whitmore \(LCW\)](#), a CSDA Business Affiliate. CSDA members can contact LCW through the [CSDA Buyer's Guide](#) at [csda.net](#).

Additional CEQA Exemptions and Reforms

By: Harold M. Freiman, Partner, and Sarah Salvini, Associate, Lozano Smith

On June 30, 2025, Governor Gavin Newsom signed two budget trailer bills, AB 130 and SB 131, that include substantial and immediately effective changes to the California Environmental Quality Act (CEQA). These bills add new express exemptions and revise existing exemptions, streamline review procedures for certain projects, and narrow the scope of the administrative record for a CEQA project. The new exemptions are in addition to existing exemptions that remain available under CEQA for various projects.

On October 11, 2025, the Governor signed an additional bill, SB 158, that made further changes to CEQA, including cleaning up parts of the provisions added by AB 130 and SB 131, and appropriating \$2,106,000 from the General Fund to the Governor's Office of Land Use and Climate Innovation to support implementation of SB 131.

Updates to state law resulting from the most recently signed SB 158 are identified in bold below to distinguish them from the earlier enacted AB 130 and SB 130 provisions.

New Exemptions

Urban Area Housing Development:

Public Resources Code section 21080.66 exempts a housing development project if it meets all of the following conditions:

- ▶ The site is within an incorporated city or "urban area."
- ▶ The site is not more than 20 acres.
- ▶ The site was previously developed for urban use or at least 75 percent of the surrounding properties are developed with urban uses.
- ▶ The project is consistent with the local general plan and local zoning code standards.
- ▶ The project's density must be at least 50 percent of the jurisdiction's default density standard, which, in California, usually ranges from 10 units to 30 units per acre.
- ▶ The project does not require removal of historic buildings and formal invitation for consultation with Native American tribes is provided.
- ▶ No hazardous substances are found on the site.
- ▶ Projects within 500 feet of a freeway must meet additional air filtration and air quality requirements and cannot have balconies facing a freeway.

- ▶ Prevailing wages must be paid if the project is for all lower income housing.
- ▶ Housing projects exceeding 85 feet in height must comply with prevailing wage and “skilled and trained workforce” standards.

Rezoning

Public Resources Code section 21080.085 exempts rezoning land, including farmland, if the rezoning is necessary for a local agency to address the community’s housing needs.

Agricultural Employee Housing

Public Resources Code section 21080.44 exempts construction of agricultural employee housing is now exempt from CEQA if funding for that housing comes from specific sources.

Wildfire Risk Reduction

Public Resources Code section 21080.49 exempts projects that clear defensible space, create fuel breaks, and implement home hardening actions if they comply with specified size and distance requirements. These projects include:

- ▶ Prescribed fire or fuel reduction projects that are up to 50 contiguous acres in size and are located within one-half mile of a subdivision of 30 or more dwelling units, subject to consultation with the Department of Fish and Wildlife, and avoiding riparian, water quality, and tribal cultural resource impacts.
- ▶ Clearance of vegetation up to 100 feet from the center line of a roadway used as an evacuation route for 30 or more dwelling units.
- ▶ Residential home hardening or creating defensible space within 200 feet of a legal structure located in a high or very high wildfire hazard zone.
- ▶ Creating fuel breaks that extend up to 200 feet from structures.

Linear Broadband Deployment

Public Resources Code section 21080.551 expands the existing CEQA exemption for broadband deployment is expanded to remove existing funding requirements and Public Utilities Commission approval. Additionally, the exemption clarifies which local entities can impose conditions and that a right-of-way includes local streets and roads.

State Climate Adaptation Strategy

Public Resources Code section 21080.55 exempts updates to the State Climate Adaptation Strategy by the Natural Resources Agency are now exempt from CEQA.

Parks and Trails

Public Resources Code section 21080.57 exempts activities and approvals for the planning, design, site acquisition, construction, operation and maintenance of parks and nonmotorized trail facilities funded in whole or in part by the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024, which commences with Public Resources Code section 90000.

Advanced Manufacturing Facilities

Public Resources Code section 21080.69 exempts advanced manufacturing facilities, as defined in the Public Resources Code section 26003. “Advanced manufacturing” means manufacturing processes that improve existing or create entirely new materials, products, and processes through the use of science, engineering, or information technologies, high-precision tools and methods, a high-performance workforce, and innovative business or organizational models utilizing any of the specific technology areas, such as microelectronics and nanoelectronics, including semiconductors.

Day Care Centers

Public Resources Code section 21080.69 exempts day care centers that are not located in residential areas. This exemption applied to day care centers as defined in Section 1596.76 of the Health and Safety Code, which

includes child day care facilities other than a family day care home such as infant centers, preschools, extended day care facilities, school age child care centers, and child care centers licensed pursuant to Section 1596.951.

Food Banks and Pantries

Public Resources Code section 21080.69 also exempts food banks and pantries operated by non-profits are now exempt from CEQA if the site is zoned exclusively for industrial use.

Rural Health Clinics

Public Resources Code section 21080.69 also exempts rural health clinics or health centers if they are less than 50,000 square feet.

High Speed Rail Project

Public Resources Code section 21080.70 exempts the development, construction, and modification of stations and maintenance facilities for the California High Speed Rail Project.

Procedural Changes and Other Reforms

Streamlining for Large Infill Housing Projects

Large infill housing projects that will cost over \$100 million can qualify as “Environmental Leadership Development Projects,” which allows for a streamlined CEQA process, if they meet certain affordability, labor, and environmental conditions.

Narrowed Analysis for Housing Projects with a Single Condition

If particular, designated types of housing development projects would be eligible for an existing statutory or regulatory categorical exemption but for a single issue or aspect of the project that could have an environmental impact, the lead agency shall perform the initial study or environmental impact report focusing solely on that issue, and shall not include an analysis of project alternative, cumulative, or growth-inducing impacts. **In addition to**

the categories of housing developments added by the Legislature that are eligible for this narrowed analysis, SB 158 clarifies that this narrowed analysis is for projects with a parcel size of four acres or less, as well as for projects with a parcel size over four acres that have not relied on certain other delineated statutory provisions for streamlining of projects.

Mapping Urban Infill Sites

The Office of Land Use and Climate Innovation (LCI) must prepare a map of eligible infill sites within every urbanized area of the State by July 1, 2027.

Updating CEQA Guidelines

LCI is also required to prepare updated guidelines on CEQA that will “address any rigid requirements, lack of clarity in vague terminology, and the potential for excessive exposure to frivolous litigation over lead agency determinations to make tiering under Section 21094.5 work more effectively in compliance with this division.”

Agency Communications Exempted From “Record of Proceedings”

The definition of “record of proceedings” used by CEQA litigants now exempts “electronic internal agency communications, including emails, that were not presented to the final decision-making body, other than those communications and documents consulted, or reviewed by the lead agency executive or a local agency executive, as defined in subdivision (d) of section 3511.1, or other administrative official in a supervisory role who is reviewing the project.” This is a change from prior court decisions that took a more expansive view on which email records must be included in the record of proceedings. You can find information on those court decisions in our Client News Brief, [Public Agencies Required to Maintain Emails Related to CEQA Determinations](#).

New Definition of “Natural and Protected Lands”

The term, “natural and protected lands,” is used throughout CEQA, including as a means to limit when

certain exemptions or conditions apply, including the narrow analysis for housing projects with a single condition, discussed above. Prior to SB 158, the term was defined as sites located within specified locations, including lands protected as preserve areas or nature reserve lands. Going forward, the new definition for “natural and protected lands” now includes lands that are identified for conservation in an adopted natural community conservation plan, as provided, or other adopted natural resource protection plan.

Reconciliation of timelines

SB 158 reconciles the timeline for an agency decision to approve or disapprove a housing development project under the Housing Accountability Act with the timeline required for tribal consultation under the Permit Streamlining Act.

Appropriation from the General Fund to Implement SB 131

SB 158 appropriates the sum of \$2,106,000 from the General Fund to the Governor’s Office of Land Use and Climate Innovation to support implementation of SB 131.

This article was contributed by [Harold M. Freiman](#) and [Sarah Salvini](#), from Lozano Smith, a CSDA Business Affiliate. CSDA Members can contact Lozano Smith at [LozanoSmith.com](#), or through the [CSDA Buyer’s Guide](#) at [csda.net](#).

Certified Payroll Records Requests on Prevailing Wage Public Works Projects (AB 538)

By: Deborah Wilder, President, Contractor Compliance and Monitoring, Inc.

[AB 538 \(Berman\)](#), signed by Governor Gavin Newsom on October 11, 2025, imposes new obligations on special districts and other public agencies that award public works contracts.

Starting January 1, 2026, upon receiving a request from the public for certified payroll records (CPRs) on a prevailing wage public works project, the public agency must solicit the CPRs from its contractor, redact appropriate information, and make them available to the requesting entity.

A contractor must comply with requests for CPRs within 10 days of receiving written notice from a public agency that awarded their contract. If a contractor or subcontractor fails to comply within that time-period, the public agency must notify the California Department of Industrial Relations, Division of Labor Standards Enforcement (DLSE) who may request penalties be withheld from progress payments. The DLSE has 18 months after completion of the project to issue any findings and penalties. So, the project may be complete and paid in full before the DLSE acts. In that instance, the DLSE will seek enforcement directly against the prime contractor and any applicable subcontractors.

Current Law

Under current law, a member of the public, or a watchdog group or other individual can request copies of CPRs on a prevailing wage project. The person or entity requesting must clearly identify the contractor and the dates of the certified payroll. A public agency, however, does not have to provide all certified payrolls from all contractors on a given project. The requesting party must identify the specific contractor by name and state a given time-period for the CPRs.

Occasionally, requesting parties will ask the public agency to continue to provide updates on CPRs as the project progresses. At present, there is no obligation to continue to provide updates or send additional CPRs. If additional CPRs are wanted, there needs to be an additional request.

Protected Information

If a public agency is already collecting CPRs, then it needs only to redact the workers' protected information. "Protected information" depends on who is asking for the CPR. If a joint labor management committee is asking for the CPR, then only the workers' social security numbers

need to be redacted. If the request is from someone other than a joint labor management committee, then each employee's name, address, and social security number must be redacted. It is critical that the public agency does not disclose a worker's social security number to any third party. Special rules can apply in limited circumstances, such as a Taft-Hartley Trust request.

Requesting CPRs from the Contractor

If a public agency does not already have CPRs, it must request those documents directly from the contractor. If the CPRs are for a subcontractor, then the agency must send the request to the prime contractor with a reminder that the subcontractor has 10 days to deliver the full CPRs to the public agency. For the purpose of responding to a request for CPRs from anyone other than the California Department of Industrial Relations (DIR), the only thing required to be provided to the requesting party is a copy of the actual CPRs; there is no requirement to provide apprenticeship forms (DAS-140 or DAS-142), proof that training contributions were made, or copies of fringe benefit statements. Sometimes fringe benefit information (PW 26) is accessible and provided, but it is not necessarily required.

Under past practices, some agencies would forward a public request for documents to the contractor and tell the contractor to submit the information directly to the requesting party. Starting January 1, 2026, under AB 538, public agencies are instead required to collect CPRs from the contractor, redact employee protected information and then respond directly to the requesting party.

10-Day Deadline for Contractors to Provide Requested CPRs

If a contractor does not respond within 10 days to a request for CPRs, then the public agency has an obligation

to report the situation to DIR so the Department can open an investigation and fine the contractor.

Example:

1. A public agency receives a request.
2. The public agency must forward the request to the prime contractor.
3. Concurrently, the public agency has an obligation to communicate with the requesting party that the public agency has requested CPRs from the contractor and will respond to the request once it has received the CPRs and redacted protected information as per California Labor Code Section 1776.
4. The prime contractor forwards the request from the public agency to their subcontractor.
5. The subcontractor then has 10 days to provide the documents to the public agency.
6. Once the CPRs are delivered to the public agency, it is then obligated to redact appropriate information and fulfill the request.
7. If the contractor does not respond within 10 days, then the public agency has an obligation to report the situation to DIR.

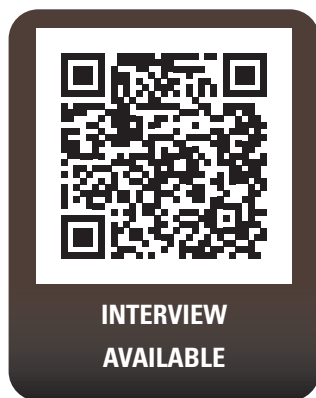
Best Practices for Compliance

Public agencies should be aware that there are many opportunities in this process to run afoul of AB 538 and other prevailing wage laws if the public agency is not well-organized.

A public agency has an affirmative obligation to report a contractor who does not respond in a timely manner. It is recommended that staff within a public agency be designated as the prevailing wage information officer(s) whose job will include overseeing its process for documentation gathering, redacting, and delivering.

Best practices dictate the prevailing wage information officer(s) follow-up with the prime contractor if document requests have not been received within 10 days to see if there is a legitimate reason why the CPRs have not been provided.

This article was contributed by Deborah Wilder, President of [Contractor Compliance and Monitoring Inc.](#), a CSDA Business Affiliate. CSDA members can contact Deborah and her team through the [CSDA Buyer's Guide](#) at [csda.net](#).



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Clarifying Timing for Collection of Development Related Fees (SB 499)

By: Sara Mares, Chief Operating Officer, NBS - Local Government Consultants

SB 499, authored by State Senator Henry Stern and sponsored by the California Association of Recreation and Park Districts, refines the rules under the Mitigation Fee Act related to when local governments may collect certain development impact fees during the construction process.

Enacted in 1987, the Mitigation Fee Act (Government Code §66000 et seq.) establishes the framework governing how local agencies impose fees on development projects to mitigate the impacts of growth. The Act requires local governments to identify the purpose and use of each fee, demonstrate a reasonable relationship (or “nexus”) between the fee and the development’s impact, and use collected funds for their intended public improvements within five years.

Over time, the Act has become a cornerstone of local infrastructure financing, particularly after property tax limitations imposed by Proposition 13 (1978) and subsequent measures constrained local revenue options. Because of these fiscal limits, local governments increasingly relied on development impact fees to fund infrastructure such as roads, schools, parks, and emergency facilities necessary to support new housing.

In 2024, SB 937 (Wiener) introduced significant restrictions on when and how local agencies can collect impact fees

for designated residential development projects. The bill generally deferred payment of most impact fees until the issuance of the first certificate of occupancy to reduce developers’ upfront costs and support housing production. However, SB 937 allowed exceptions for fees funding certain facilities, including those related to fire, public safety, and emergency services, recognizing their essential role in community protection.

Park and Recreational Facilities

Building on SB 937, SB 499 clarifies and slightly expands the types of public improvements that qualify for early collection of fees. Specifically, it authorizes local agencies to require earlier payment of impact fees for parkland and recreational facilities when those facilities are identified for emergency purposes in either:

- The agency’s safety element of its general plan; or
- The local hazard mitigation plan (for the next five years).

The new law ensures that these facilities—used as evacuation centers, emergency staging areas, or wildfire fuel breaks—can be funded and constructed in advance of project completion, strengthening local preparedness and resilience.

As California continues to rebuild and develop in wildfire-prone and climate-impacted regions, park and recreation facilities play an increasingly critical role in emergency response. They often serve as cooling or heating centers, coordination sites for evacuations, and key components of wildfire mitigation strategies. By clarifying their eligibility for early impact fee collection, SB 499 enables faster investment in these dual-purpose facilities—supporting both recreation and public safety.

Utility Connection Fees and Capacity Charges

SB 499 also clarifies some inconsistencies in law that were created with the specific language in SB 937, ensuring that both utility connection fees and capacity charges may continue to be collected by water and sewer agencies. This clarification is technical in nature, but it provides certainty to the public agencies that provide water and sewer services and allows them to continue to collect these critical revenues without interruption or delay.

Supporters, including CSDA, partner statewide associations, numerous park and fire protection districts, and other local governments, view SB 499 as an essential step toward strengthening community resilience and disaster readiness. This new law represents a targeted adjustment to California's evolving development related fee framework. It recognizes that any housing development needs infrastructure, including water and wastewater connections, and that park and recreational facilities can serve as vital emergency infrastructure, balancing the state's dual priorities of expanding housing supply and enhancing community safety in the face of growing wildfire and climate risks.

This article was contributed by [Sara Mares](#) from [NBS - Local Government Consultants](#), a CSDA Business Affiliate. CSDA members can contact Deborah and her team through the [CSDA Buyer's Guide](#) at [csda.net](#).

Biggest Brown Act Revamp in Decades (SB 707)

By: Jeff Hoskinson and Nicolle Falcis, Atkinson, Andelson, Loya, Ruud & Romo

Governor Gavin Newsom signed SB 707 (Durazo) into law on October 3, 2025, with most provisions set to go in effect on January 1, 2026. SB 707 makes extensive updates to the Ralph M. Brown Act (Government Code section 54950 et seq.), the primary open meeting law governing local agency legislative bodies. The legislation both restores and restructures various provisions set to expire in 2026, makes permanent certain transparency-related reforms, and establishes new requirements to expand public access and participation in local government proceedings.

The Brown Act generally requires all meetings of a legislative body (e.g., the board of directors) of a local agency to be open and public, and it prohibits the body's members from taking action outside an authorized meeting. SB 707 significantly revises these provisions to take into consideration technological and accessibility evolutions since the enactment of the Brown Act in 1953.

Social Media Communication

Among many technical changes, SB 707 repeals the expiration date in Government Code section 54952.2, thereby permanently allowing members of a legislative body to use internet-based social media platforms to engage with the public on matters within their jurisdiction, so long as they do not deliberate or discuss business among themselves on such platforms.

Providing Board Members with a Copy of the Brown Act

Government Code section 54952.7 now also mandates the local agency to provide a copy of the Brown Act provisions to any serving members on the legislative body of the local agency.

Meeting Decorum and Disruptions

SB 707 updates the enforcement provisions relating to meeting decorum and disruptions. Through new Sections 54957.95 and 54957.96, the legislation expressly affirms that local agencies may remove or restrict participation by individuals engaging in disruptive behavior during teleconferenced or hybrid meetings, ensuring that the orderly conduct of public meetings is maintained even in virtual settings.

Accessibility Accommodations

The legislation permanently amends the traditional teleconferencing statute, Government Code section 54953, to codify accessibility accommodations and expand teleconferencing options. Members of a legislative body with disabilities may now participate in meetings remotely as a reasonable accommodation. These members must participate using both audio and video technology unless their disability requires an exception. They must

also disclose whether any other individuals over the age of eighteen are present in the room in their remote location and the general nature of their relationship to those individuals. Participation by members under these circumstances is deemed equivalent to in-person attendance for all legal purposes, including the quorum requirements.

This amendment to Section 54953 appears to codify the California Attorney General’s 2024 opinion, 107 Ops.Cal. Atty.Gen. 107.

Board Member Remote Meeting Participation Options

SB 707 also substantially reorganizes and expands the Brown Act’s teleconferencing framework through new Sections 54953.8 through 54953.8.7. These provisions create a unified structure of remote participation and teleconferencing as an alternative and in addition to the traditional teleconferencing provision under Section 54953. For clarity, the teleconference framework through the new Sections 54953.8 through 54953.8.7 are available for legislative bodies of any local agency to employ and are not limited to “eligible legislative bodies” described below, which must meet additional requirements.

Teleconferencing under Section 54953, sometimes referred to as the “Traditional Teleconferencing Rules,” remains available for members of a legislative body. Under Section 54953, at least a quorum of the members of the legislative body must be present within the jurisdictional boundaries of the local agency during a teleconference meeting. Any teleconferencing location is also required to be accessible to the public, with teleconference meeting locations identified in the meeting agenda.

In contrast to the “traditional teleconferencing rules,” SB 707 restructures alternative teleconferencing provisions, found at Section 54953.8, to authorize teleconferencing under limited and specific circumstances (as described in

Sections 54953.8.1 to 54953.8.7), without the traditional quorum and location requirements. However, the legislative body must comply with various other requirements including: providing a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body; complying with a process in the event of a disruption to the meeting broadcast; establishing a list of locations available for use by legislative bodies to conduct their meetings; and more. Depending on the type of local agency and the circumstances in which teleconferencing is being used pursuant to Sections 54953.8.1 through 54953.8.7, different quorum, location, and public accessibility requirements may be imposed. In Section 54953.8.3, the legislation also revised the list of “just cause” that permits members to participate remotely for reasons including, but not limited to, childcare responsibilities, illness, family medical emergencies, or military service.

In particular, any special district that is a multijurisdictional body (as defined in 54953.8.7) or that has any “eligible subsidiary bodies” (as defined in 54953.8.6), should review the provisions applicable to them added by SB 707 to use alternative teleconferencing procedures.

Enhanced Requirements for Eligible Legislative Bodies (Including the Largest Special Districts)

Perhaps the most significant addition in SB 707 is the new Government Code section 54953.4, which imposes broad new requirements on “eligible legislative bodies” (a newly defined term) to promote public accessibility, language equity, and community outreach in local governance. Eligible legislative bodies include city councils and county boards of supervisors in jurisdictions with populations of 30,000 or more, as well as large special districts meeting certain thresholds regarding full-time equivalent employees and annual revenues.

(Refer to Figure 1 - Special District Eligible Legislative Body Flow-Chart on page 22)

(Refer to Figure 2 - Special Districts Revenue Threshold Table on page 23)

Operative starting on July 1, 2026, eligible legislative bodies must provide the public with the ability to attend all open and public meetings via a two-way telephonic service or two-way audiovisual platform (e.g., Zoom). Prior to that July date, each eligible legislative body must also adopt, at a noticed public meeting, a written policy for responding to disruptions in the telephonic or internet service that prevent public members from attending or observing the meeting. In the event of such a disruption, the body must recess its open session and engage in a good faith attempt to restore service. The session must stay in recess for at least an hour or until the disruption has been addressed and remedied, whichever is earlier.

The new Section 54953.4 further requires the translation of meeting agendas and public meeting webpages into all “applicable languages,” which is generally defined as languages spoken jointly by 20 percent or more of the relevant population provided that 20 percent or more of the population that speaks that language speaks English less than “very well,” as determined by data from the American Community Survey (U.S. Census).

Furthermore, under Section 54953.4, eligible legislative bodies must also take reasonable steps to encourage participation by residents who have not traditionally engaged in public meetings, including outreach to community-based and non-English-speaking organizations, and ensuring that requests for agendas and documents can be made electronically. Eligible legislative bodies must also create and maintain an accessible internet webpage dedicated to public meetings that includes, or provides a link to specified information.

In recognition of these stringent requirements imposed by this new section, the legislation affords local agencies

some protection by prohibiting any actions to be commenced against a local agency regarding the content or accuracy of any translation or the purported failure to engage in community outreach under Section 54953.4.

(Refer to Figure 3 - Implementation Dates for Provisions of SB 707 (Durazo) on page 23)

Conclusion

SB 707 represents a significant modernization of California’s open meeting laws. The legislation seeks to balance technological flexibility with transparency and public access. Given the nuanced technical changes, this article is not intended to be exhaustive of all changes or amendments in SB 707. It is strongly recommended that any local agencies subject to the Brown Act consult with legal counsel to ensure future compliance and readiness with the Act’s expanded requirements.

This article was contributed by [Jeff Hoskinson](#) and [Nicolle Falcis](#) from [Atkinson, Andelson, Loya, Ruud & Romo \(AALRR\)](#), a CSDA Business Affiliate. CSDA Members can contact AALRR at aalrr.com, or through the [CSDA Buyer’s Guide](#) at csda.net.

FIGURE 1 - Special District Eligible Legislative Body Flow-Chart

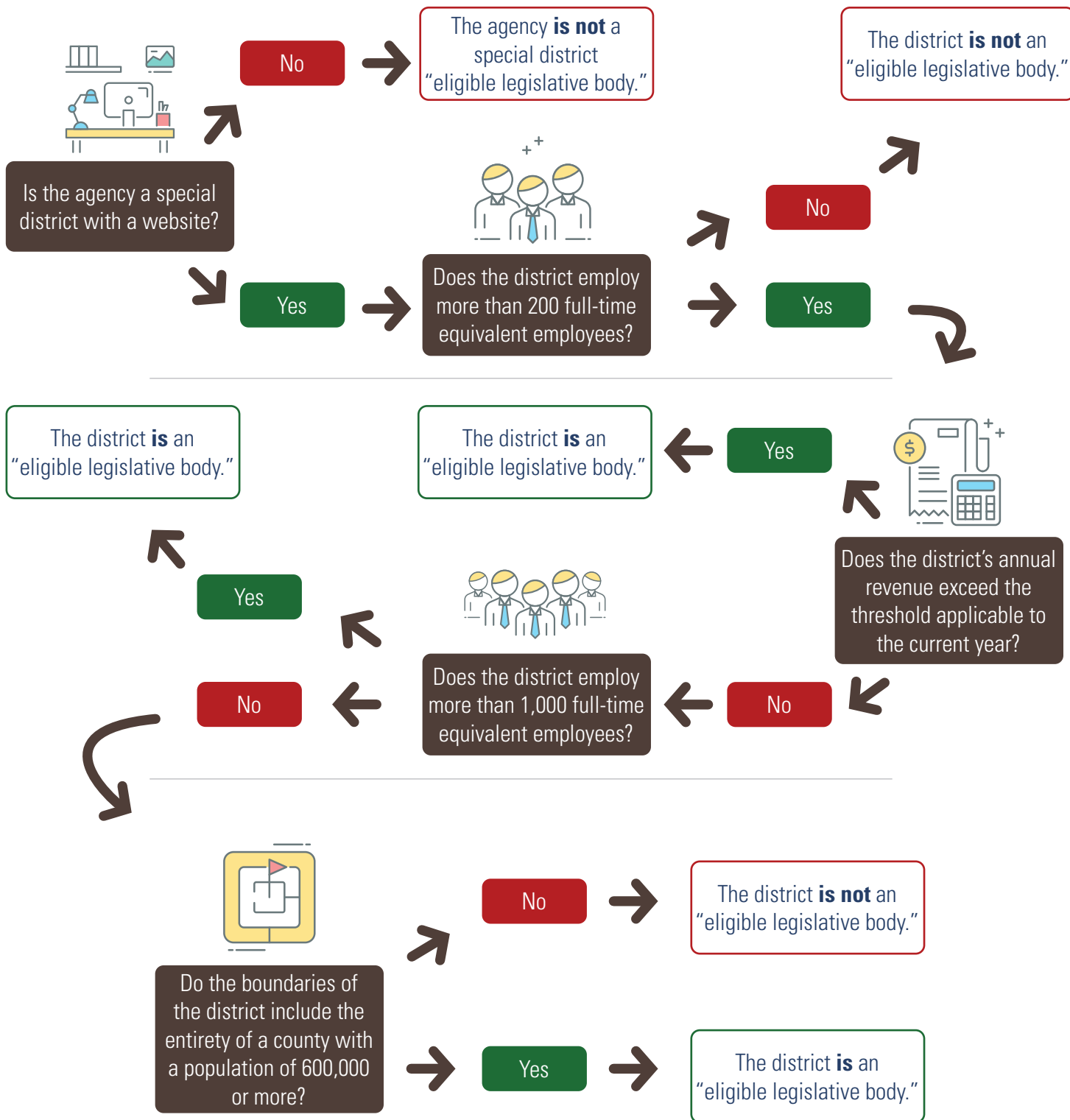


FIGURE 2 - Special Districts Revenue Threshold Table - Eligible Legislative Bodies

Year in Effect	Published Financial Transaction Report Data	Revenue Threshold
2026	2023 - 2024	\$400m
2027	2024 - 2025	\$400m plus inflation
2028	2025 - 2026	\$400m plus compound inflation
2029	2026 - 2027	\$400m plus compound inflation
2030	2027 - 2028	\$400m plus compound inflation

FIGURE 3 - Implementation Dates for Provisions of SB 707 (Durazo)

SB 707 provisions generally applicable to all special districts come into effect January 1, 2026
SB 707 provisions exclusively applicable to “eligible legislative bodies” come into effect July 1, 2026 †
† “Eligible legislative bodies” must enact a resolution related to disruption protocols on or before July 1, 2026.

Positioning Special Districts for Success Under New Permitting and Planning Laws

By: Taylor M. Anderson, Esq. and Gary B. Bell, Esq., Colantuono, Highsmith & Whatley, PC

The California State Legislature shows no signs of slowing its overhaul of housing laws. This year, two laws—SB 489 and AB 712—aim to expedite housing development but bring downstream consequences for special districts responsible for delivering critical infrastructure and services.

Special districts are sometimes consulted in the development process too late or not at all by other public agencies entitling these projects. Without land use authority to condition projects, special districts lack a mechanism used by cities and counties to ensure their development requirements are met. Yet these projects cannot be built without the water, sewer, solid waste, fire, parks and other essential services provided by special districts.

SB 489: Expanding Transparency Requirements

The Permit Streamlining Act – designed to speed up review of development projects – applies to any public agency including a “public district ... or other political subdivision” and was recently amended to apply to both discretionary and ministerial “housing development projects” as

defined in the Housing Accountability Act (i.e., a project consisting of residential units or a mixed use development with at least 2/3rds of the square footage designated for residential use).

The Act requires each public agency to compile lists that specify in detail the information that will be required from any applicant for a development project. Because this requirement applies to applicants for development projects, including housing development projects, most special districts do not create these lists.

A public agency reviewing an application for a development project must limit its completeness review to only those items included on the lists in advance and may not ask an applicant for any new or additional information not specified on the lists.

SB 489 amends the Act to require, for any list created for applications for housing development projects, that the list include the criteria the public agency will apply to determine completeness, including the name of the type of approval, and be posted online. Other public agencies entitling housing development projects – primarily counties and cities – are currently revising their lists to meet the January 1, 2026 effective date for the new law.

Special districts with requirements for housing development projects—including water, sewer, solid waste, fire, parks and other essential services—should proactively engage with counties and cities **now** to ensure their requirements are included in these lists. This could include express requirements from the special district’s code, concurrent submission of plans to the special district, or incorporation of special district requirements into the county and city planning process.

Excluding special district requirements from these lists may leave critical development requirements to later negotiation with developers or enforcement with uncertain results.

AB 712: New Fines and Penalties for Housing Reform Law Violations

AB 712 adds new enforcement “teeth” by providing fines and attorney’s fees for violations of “housing reform laws”—defined broadly to include any law for the benefit of applicants for housing development projects.

Applicants for housing development projects can now recover attorney’s fees and costs if a public agency violates housing reform laws. The penalties escalate quickly. If an applicant prevails and the local agency was previously warned in writing by the Attorney General or the Department of Housing and Community Development (HCD) about the violation but failed to correct it within 60 days, the local agency faces substantial fines: \$10,000 per unit for projects with five or more units, or a minimum of \$50,000 per violation for smaller projects. If the local agency violates the same housing law more than once during the same housing element cycle, the court must multiply the fine by five.

The law also prohibits public agencies from requiring developers to indemnify or defend the agency against lawsuits related to housing reform laws.

Moving Forward

Special districts should be aware of AB 489 and AB 712 and the immense pressure being placed on public agencies to approve housing development projects. These new fines and attorney’s fees mean counties and cities will be approving housing development projects swiftly and based solely on the lists created in advance, which are included in the housing reform laws now subject to new and significant enforcement tools.

Given these new laws, special districts should:

- ▶ **Engage proactively with counties and cities in your service area.** Don’t wait to be consulted—reach out now to communicate your special district’s role in the development process and what requirements should be included in the planning process.
- ▶ **Adopt or revise your codes.** Special districts might consider adopting or revising their codes to require an agreement or other approval in conjunction with “will serve” letters for development projects to ensure their requirements are met.
- ▶ **Review and update your standards.** Most cities and counties must apply objective standards to housing development projects. To include your standards in county and city lists for development projects, consider revising your standards to be objective.
- ▶ **Update your contracts if necessary.** Consider when and how risk can be shifted to those performing the work through indemnification and insurance.
- ▶ **Stay informed on housing law updates.** Understand these requirements to help your special district support timely approvals while limiting liability. The regulatory landscape is changing rapidly, and keeping current is essential.

- ▶ **Assess your infrastructure capacity.** Monitor whether your infrastructure can support anticipated housing growth and identify gaps early so you can plan accordingly.

This Article was contributed by [Taylor M. Anderson, Esq.](#) and [Gary B. Bell, Esq.](#) with [Colantuono, Highsmith & Whatley, PC](#), a CSDA Business Affiliate. CSDA members can contact Colantuono, Highsmith & Whatley, PC through the [CSDA Buyer's Guide](#) at [csda.net](#).

45-Day Notification Prior to Contracting for Services (AB 339)

By: Jason M. Ewert, Partner, Cole Huber LLP

When a local government decides to contract out the work of their public employees, the Meyers-Milias-Brown Act (MMBA) and controlling decisions by the Public Employment Relations Board (PERB) require the agency to notify its union and bargain over either the decision or its impacts. Despite the existing legal framework for addressing any perceived failure to meet and confer with recognized unions prior to contracting out bargaining unit work, on October 13, 2025, Governor Gavin Newsom signed AB 339 (Ortega) over the opposition of local government groups. AB 339 amends the MMBA by adding Section 3504.1 to the California Government Code pertaining to contracting notices.

AB 339 only applies to public agencies with a recognized employee organization (a public employee union).

This new law explicitly requires local public agencies to provide recognized employee organizations at least 45 days' written notice before issuing a request for proposal (RFP), request for a quote (RFQ), or renewing or extending any existing contract to perform services that are within the scope of work of most represented job classifications. Notably, contracts generally associated with public works (i.e. construction, alteration, demolition, installation, repair, maintenance and other highly specialized services related to the aforementioned categories of work) are exempt from the new notice requirements, as specified.

Additionally, contracts that pertain to architecture, engineering, environmental services, land surveying or that

are directly related to public works or other infrastructure projects that are subject to uniform codes or standards also fall outside the scope of the new notice obligations. The exemption of these categories of work likely stems from the common understanding that delaying these services is not in the best interest of the public. However, all other contract work that is within the scope of existing represented job classifications now requires local agencies to provide significant advanced notice with detailed information regarding the proposed services and the reasons for the proposal. This essentially means the vast majority of contracts will be subject to the new notice requirement.

While some may argue that this amendment to the MMBA does not significantly modify the duties and obligations of public agencies because of the existing requirements to meet and confer prior to issuing a RFP, RFQ, or renewing or extending any existing contract, the legislative change will undoubtedly result in delays in obtaining certain essential services that are routinely provided through contractual agreements. For example, some professional services (i.e. consultants, auditors, attorneys, engineers and other individuals or organizations possessing a high degree of professional, unique, specialized, technical skill or expertise) are performed by employees of public agencies. Many agencies that employ these professionals also choose to contract for services (with the consent of the recognized union) that are of an extraordinary professional, technical and temporary nature.

The California Court of Appeal has confirmed that one purpose of competitively bidding jobs that public employees could do is that those jobs should go to public employees. However, the aforementioned professional services are generally exempt from the standard competitive bidding requirements when the service cannot be performed adequately, competently or satisfactorily by internal agency employees and it is impossible to recruit such personnel to perform such service for the period of time it is required by the agency. In these cases, agencies were previously allowed to quickly hire the right person, or people to get the job done according to established best practices in the most efficient manner possible. Now, agencies with time sensitive projects that require a high level of skill may be required to provide recognized unions with information concerning the duration, scope, estimated cost (including breakdown of major cost components), any available drafts regarding the solicitation of the contract, and an explanation of the reason for entering into the contract. This requirement also applies to any renewals or extensions of existing contracts.

Understandably, unions will likely scrutinize the agencies' decisions in much greater detail than they would have prior to the new statutory mandate. In addition to the new 45-day notice requirement, the existing requirements under the MMBA to meet and confer remain unchanged. All this means that contracting for these services will take much more time and result in higher costs. According to the California State Senate Appropriations Committee, the magnitude of those costs is unknown.

So, what happens if there is an emergency that requires an immediate solution that is only available through contracting out the service? The MMBA currently contains an exemption from the notice requirements for modifications of matters within the scope of representation in cases of emergency. In those unique situations, the governing body or the boards and commissions must provide notice and opportunity to meet at the earliest practicable time. AB 339 also contains certain exceptions

during "emergencies" or other "exigent circumstances" where the public agency is only required to provide as much advance notice as is practicable under the circumstances. However, the new statute does not define what constitutes an emergency or exigent circumstance.

As many who work in local government know, emergencies are rarely as easy to define as they were during the COVID-19 pandemic. The Legislature's failure to define what constitutes an emergency or exigent circumstance will undoubtedly result in disagreements and litigation with labor partners during times when local agencies need to focus available resources on response and recovery.

With the state and local agencies grappling with a substantial and growing decline in support from the federal government for a variety of programs and services, AB 339 undermines local agencies' efforts to continue to provide a safety net and quality of life services to their communities. In addition to imposing considerable costs on local agencies in the immediate future, this new law will lead to increased conflict and eventual litigation with labor partners, and significant delays in executing programs that are essential in maximizing federal, state, and local resources to ensure that services are provided in a timely manner to those who need them most.

This article was contributed by [Jason M. Ewert](#) from [Cole Huber LLP](#), a CSDA Business Affiliate. CSDA members can contact Cole Huber through the [CSDA Buyer's Guide](#) at [csda.net](#).

New Mandatory Trainings for Local Government Board Members and Staff (SB 827)

Authored by: Nicholas Norvell, Partner and Stephanie Cook, Associate, Best Best & Krieger LLP

Current law requires certain elected and appointed local public officials to receive training on ethics principles and laws relevant to the official's public service for a minimum of two hours every two years. Starting in 2026, an additional two-hour fiscal and financial training will be required and certain local government staff will be required to take the respective trainings.

In October of 2025, Governor Gavin Newsom signed into law SB 827, a bill authored by State Senate Majority Leader Lena Gonzalez. The new law builds upon current ethics training requirements, commonly known as "AB 1234 training," by adding a new "fiscal and financial training" requirement aimed at providing local officials with the tools and knowledge necessary to practice good governance and effective stewardship of public funds. While the requirements of SB 827 are largely similar to the ethics training requirements of AB 1234, there are a few notable differences that local agencies will need to become familiar with before impending deadlines.

New Fiscal and Financial Training for Board Members and Certain Employees

The legislative history of SB 827 notes that local officials hold a fiduciary duty to the public and a requirement to

act as responsible stewards in guiding and managing local funds. Further, because this duty involves extensive and complex fiscal management responsibilities—including tracking multiple revenue streams, creating restrictions on how funds may be used, and broadly acting to ensure the management of funds is carried out in the public interest—an expansion of current ethics training requirements to include a fiscal component helps ensure local officials are adequately educated on the fiscal responsibilities relevant to their public office, and, thereby, can effectively execute their duties, avoid mismanagement of funds, and, additionally, promote transparency and bolster public confidence.

Under current law, a member of a local agency legislative body or an elected local agency official who receives any type of compensation, salary, or stipend or reimbursement for actual and necessary expenses incurred in the performance of official duties is deemed to be a "local agency official," and all local agency officials are currently required to complete biennial ethics trainings under AB 1234 (Salinas, 2005). SB 827 builds on this requirement by additionally mandating completion of "fiscal and financial training."

The newly required fiscal and financial trainings must include education on at least the following subjects:

1. laws and principles relating to financial administration and short- and long-term fiscal management, including, but not limited to, the role and responsibilities of financial administration, financial policies, municipal budgets and budget processes, and financial reporting and auditing;
2. laws and principles relating to, but not limited to, capital financing and debt management, mechanisms for local agency revenues, pensions and other postemployment benefits, cash management and investments, the prudent investor standard, and the ethics of safeguarding public resources; and
3. general fiscal and financial planning principles and any pertinent laws relevant to the local agency official's public service and role in overseeing the local agency's operations and relevant to the local agency's procurement and contracting practices and responsibilities.

As is the requirement under AB 1234, all local agency officials must complete the new fiscal and financial training every two years. To address initial implementation of this new training, all local agency officials in the service of the local agency before January 1, 2026 will be required to comply with the fiscal and financial training requirements no later than January 1, 2028. However an exception to this requirement applies to local agency officials whose term of office ends before January 9, 2028. Unlike AB 1234, which historically granted local agency officials one year from the start of their service to comply with ethics trainings, AB 827 requires that all local agency officials who begin their service on, or after, January 1, 2026 complete the fiscal and financial training no later than six months following the start of their service.

SB 827 provides only limited guidance on how local agencies can provide the training to their officials. Under the new law, local agencies may broadly "contract or otherwise collaborate" with a training course provider.

However, the new law specifically requires that training courses and materials must be developed "in consultation with widely recognized experts in local government finances, including local government associations." Trainings must be provided in the form of a course, or self-study materials with tests, and the training may be completed in person or online.

Details as to the training course or materials must be made available to local agency officials at least annually, and participants must be provided with proof of participation upon completion of the training requirements. Similar to prior law on ethics training, if an official serves on more than one local agency, they are only required to comply with the requirement once within the required time period, but must provide a copy of proof of their participation to all local agencies that they serve.

Aligned with the AB 1234 record-keeping requirements, SB 827 requires local agencies to maintain records demonstrating both the date the local agency official completed the fiscal and financial training as well as the entity that provided the training. The local agency must maintain the records for at least five years after the official's completion of the training, and these records are public records subject to disclosure under California's Public Records Act. However, SB 827 adds an additional requirement with regard to record-keeping for both fiscal and financial training and ethics training; specifically, local agencies must post clear instructions and contact information on their websites, if the agency has one, for the purpose of assisting the public to request or access both fiscal and financial training records and ethics training records. This posting requirement goes into effect on July 1, 2026 thereby providing local agencies with additional time to compile training records and post the required information on their agency website.

Expansion of AB 1234 Ethics Training to Department Heads and Similar Employees

Finally, in addition to imposing a new two-hour fiscal and financial training requirement, SB 827 also expands the types of officials required to receive AB 1234 ethics training. Previously, the law provided most types of public agencies with discretion on which employees would be required to receive AB 1234 ethics training. Under the new law, “department heads and other similar administrative officers of a local agency” are now required to comply with ethics training requirements.

Who Must Take Statutorily Required Trainings for Local Officials?

Ethics Training	Fiscal and Financial Training
A member of a local agency legislative body or an elected officer of a local agency who receives any type of compensation, salary, or stipend or reimbursement for actual and necessary expenses incurred in the performance of official duties	Any member of a local agency legislative body or any elected officer of a local agency
Any department head or other similar administrative officer	Any official who is appointed by the governing body who, as part of their official duties, makes decisions or recommendations regarding financial administration, budgeting, or the use of public resources
Any additional employees designated by the board	A local agency executive, as defined in subdivision (d) of Section 3511.1, or other similar administrative officer of a local agency*
	Any additional employees designated by the board

*Subdivision (d) of Government Code Section 3511.1 defines “Local agency executive” to mean any person employed by a local agency who is not subject to the Meyers-Milias-Brown Act (Chapter 10 (commencing with Section 3500)), Chapter 5 (commencing with Section 45100) of Part 25 of Division 3 of Title 2 of the Education Code, or Chapter 4 (commencing with Section 88000) of Part 51 of Division 7 of Title 3 of the Education Code, and who meets any of the following requirements:

- (1) The person is the chief executive officer, a deputy chief executive officer, or an assistant chief executive officer of the local agency.
- (2) The person is the head of a department of a local agency.
- (3) The person’s position within the local agency is held by an employment contract between the local agency and that person.

Deadlines for Completing Statutorily Required Trainings

Training	If Began Service Before January 1, 2026	If Began Service On/After January 1, 2026	Retake
Ethics	Within one year of commencing service	Within six months of commencing service	Every two years
Fiscal and Financial	Before January 1, 2028 (Unless service term ends before January 9, 2028)	Within six months of commencing service	Every two years

This article was contributed by [Nicholaus Norvell](#) and [Stephanie Cook](#) from [Best Best & Krieger LLP \(BBK\)](#), a CSDA Business Affiliate. CSDA Members can contact BBK through the [CSDA Buyer’s Guide](#) at [csda.net](#).

New Workers' Comp Laws Coming into Effect in 2026 and Beyond

By: Pilar Mitchell, Senior Partner, Michael Sullivan & Associates LLP

Fall of 2025 saw significant legislative activity on workers' compensation policy, as Governor Gavin Newsom signed several bills focused on expanding coverage and making changes to processes. This overview will focus on a few noteworthy new laws, the most significant being [SB 487 \(Grayson\)](#), which was opposed by the employer community.

SB 487 extends additional benefits to certain public safety officers by limiting the reimbursement an employer can claim in third-party recovery actions. Traditionally, the workers' compensation system has allowed employers to seek reimbursement through subrogation when an employee receives both workers' compensation benefits and damage from a third-party lawsuit. This is to prevent double recovery.

However, SB 487 significantly restricts this recovery, ensuring a specified peace officer or firefighter is entitled to at least two-thirds of the available liability insurance, provided that: 1) the employee establishes that their total damages exceed the net recovery available after satisfaction of the employer's claim; and 2) the total liability insurance limits available are insufficient to fully compensate the employer and employee's proven damages. The bill describes this new limit as fair and

equitable considering the employee's total damages, attorney's fees, and cost of suit involved in the third-party action.

In addition to this new minimum recovery threshold for public safety officers, the law also restricts the employer's subrogation rights to this threshold. It prohibits employers from using any recovery by the injured employee as a credit or offset against future workers' compensation and requires that any settlement or release limit the employer's claim for reimbursement.

SB 487 significantly shifts the balance in favor of specified public safety officers, limiting their employers' ability to recover subrogation amounts and increasing their financial exposure. This development is a setback for public employers, as it restricts recovery options and imposes additional burdens on them.

Another notable expansion of workers' compensation benefits will come through the enactment of [SB 230 \(Laird\)](#), which expands the scope of public safety rebuttable presumptions for firefighters. The bill extends presumptions for conditions, such as cancer and PTSD, to active firefighting members of a fire department that provides fire protection to a commercial airport.

Additionally, it broadens the rebuttable presumption for other injuries, including pneumonia, to active firefighting members of a fire department that provides fire protection to a commercial airport, a NASA installation, or a U.S. Department of Defense installation.

[SB 447 \(Umberg\)](#) extends health benefits for minor dependents of certain public safety personnel, including specified firefighters, peace officers, and Orange County Sheriff's Special Officers, who die in the line of duty. Previously, California law provided that minor dependents of peace officers and firefighters killed in the line of duty are eligible to receive employer provided health benefits until the age of 21. While the Affordable Care Act, passed in 2010, extended the federal age limit to 26, California law had not been updated to reflect the federal change. Although many employers voluntarily honored the federal 26-year age threshold, it was not a legal requirement, potentially leaving the children of fallen officers without health benefits after the age of 21. This bill, which addresses the gap, passed without opposition.

[AB 799 \(Rodriguez, Celeste\)](#) requires the California Department of Corrections and Rehabilitation to pay a death benefit for the death of any incarcerated individual hand crew members assigned to the California Conservation Camp program who die because of their duties on an active deployment or during training exercises, notwithstanding specified workers' compensation provision. The death benefit is limited to the sum of \$50,000 and an amount equal to 50 percent of the annual compensation earned by the deceased crew member during the 12 months immediately preceding their fatality.

[AB 1125 \(Nguyen\)](#) extends the heart injury presumption to peace officers employed by the State Department of State Hospitals, offering the same benefits as have been previously made available to Atascadero State Hospital under the presumption.

Shifting focus, [AB 1293 \(Wallis\)](#) addresses a different aspect of workers' compensation law—specifically, its trends towards creating standards for documents produced as part of the claim. The bill requires the state to create a template for Qualified Medical Examiner (QME) reports, which will incorporate all necessary statutory and regulatory requirements. While the use of these forms does not constitute prima facie evidence that a report is complete, accurate, or compliant with applicable statutory or regulatory requirements, they will be made available for parties and evaluators with the goal of enhancing the quality and consistency of reporting in workers' compensation claims. The bill also requires the state to create a medical evaluation request form for communicating with a panel qualified medical evaluator, as specified.

While the above bill focuses on standardizing QME report documentation, AB 1398 (Valencia) addresses the issue of fraud within the workers' compensation system. AB 1398 builds on existing conflict of interest law by adding a new requirement that all interested parties shall disclose to a third-party payer, or other entity to whom a claim for payment is presented for services furnished pursuant to a referral, any financial interest in an entity providing services. "Interested party" means, among others, an injured employee, the employer of an injured employee, and, if the employer is insured, its insurer, and a claims administrator, including a self-administered, self-insured employer, as well as a joint powers authority.

Governor Newsom's recent legislative actions reflect efforts to enhance protections for public safety officers, adjust workers' compensation processes, and address fraud. As the most significant and consequential development of the 2025 legislative season, SB 487, solidifies and reinforces ongoing efforts to favor a special class of public employees whose service is deemed vital to the public's interest. While bills like AB 1293 aim to

improve systemic efficiency, the overarching theme of the 2025 legislative session is clear: a continued and significant expansion of protections and benefits for public safety officers, signaling a legislative priority that public employers must now strategically navigate.

Implementation Summary

- **January 1, 2026:** SB 487 (Grayson), SB 230 (Laird), SB 447 (Umberg), AB 799 (Rodriguez), AB 1125 (Nguyen), AB 1398 (Valencia)
- **January 1, 2027:** AB 1293 (Wallis)

This article was contributed by Pilar Mitchell from Michael Sullivan & Associates LLP. Readers can contact [Pilar Mitchell](#) at SullivanAttorneys.com.

New Employment Laws Special Districts Should Know

By: Alexander C. Volberding, Partner, Liebert Cassidy Whitmore

California lawmakers advanced a wide slate of workplace laws that touch on important subjects for special districts, including personnel records, pay transparency, training, wage-judgment enforcement, Civil Rights Department (CRD) procedures, leave, independent-contractor issues, contract restrictions, county retirement systems, and public-employee misconduct. Below is a quick rundown of significant bills, with the code sections implicated by the new laws.

SB 513 (Durazo) – Personnel Records: Education & Training

California's Labor Code gives current and former employees or their representatives the right to inspect and obtain copies of personnel records related to performance and grievances. Employers must produce those records and violations can be criminal.

What SB 513 does

Amends Labor Code section 1198.5 to bring education and training files into the scope of inspectable personnel records. For employers that maintain such files, the records must include the following information:

- ▶ Employee name
- ▶ Training provider
- ▶ Training duration and date

- ▶ Core competencies (including equipment or software skills)
- ▶ Resulting certification or qualification

SB 303 (Smallwood-Cuevas) – Bias Mitigation Training

The CRD enforces the Fair Employment and Housing Act (FEHA) prohibitions on employment and housing discrimination.

What SB 303 does

Adds Government Code section 12940.2 to the FEHA to provide that, when an employee, in good faith, is asked or required during a bias-mitigation training to assess, test, admit, or acknowledge their own personal biases, that acknowledgment does not, by itself, constitute unlawful discrimination.

SB 642 (Limón) – Pay Scale & Wage Ranges

The Labor Code requires employers to provide applicants with a pay scale upon request and to include pay ranges in job postings for employers with more than 15 employees. Equal-pay provisions prohibit paying employees less than employees of another sex, race, or ethnicity for substantially similar work.

What SB 642 does

Amends Labor Code sections 432.3 and 1197.5 to do the following:

- ▶ Redefines “pay scale” as a good-faith estimate of the expected salary or hourly wage range an employer reasonably expects to pay upon hire for a position. Job postings must continue to include this pay scale.
- ▶ Gender terminology: Replaces “opposite sex” with “another sex.”
- ▶ Limitations period: Extends the time to file a civil action for alleged violations from two to three years after the last date the cause of action occurs and allows recovery for the entire period of the violation, up to six years. A cause of action occurs when any of the following occur: (1) an allegedly unlawful compensation decision or practice is adopted; (2) an individual becomes subject to it; or (3) an individual is affected by its application.

SB 294 (Reyes) – The Workplace Know Your Rights Act

The Division of Labor Standards Enforcement (DLSE) enforces state labor laws.

What SB 294 does

Adds Part 5.6 (commencing with Section 1550) to the Labor Code, which creates a stand-alone annual employee notice requirement to all current employees by February 1, 2026, and annually thereafter, covering specified worker rights.

The notice must, at a minimum, cover the following: (1) Workers’ compensation rights and Division of Workers’ Compensation contact info; (2) Notice of immigration agency inspections; (3) Protection from unfair immigration-related practices; (4) Right to organize/join a union and engage in concerted activity; and (5) Constitutional rights at work when interacting with law enforcement (unreasonable searches; self-incrimination).

Employers must provide the notice by personal service, mail, email, text, or another method reasonably expected to be received within one business day. Employers must issue the notice in the language normally used to communicate with employees and maintain compliance records for three years.

The Labor Commissioner will post a template by January 1, 2026, update the notice annually, and offer it in multiple languages.

Employers must, by March 30, 2026, offer employees the chance to name an emergency contact and indicate whether the employer should notify that contact if the employee is arrested or detained on-site, during work hours, or while performing job duties off-site (where the employer has actual knowledge). Employees may update the emergency contact at any time.

SB 294 prohibits retaliation and authorizes the Labor Commissioner and public prosecutors to enforce the law and impose penalties up to \$500 per employee per violation per day, and up to \$10,000 per employee for emergency-contact-provision violations. SB 294 states that the requirements under the new law may only be waived by a collective bargaining agreement if the agreement clearly and expressly waives the requirements provided for under the law.

At present, it is not clear whether the bill is intended to apply to public employers. Special districts should consult with their own counsel regarding compliance with the new law.

SB 477 (Blakespear) – CRD (FEHA) Enforcement Procedures

The CRD enforces the FEHA, which prohibits employment discrimination based on protected characteristics. CRD investigates complaints of alleged violations of discrimination by employers and pursues enforcement actions against employers.

What SB 477 does

Amends Government Code section 12926, 12960, 12965, 12981 to clarify the CRD complaint processing, deadlines, and right-to-sue rules.

- ▶ **Group/class complaint defined:** Declares the accuracy of the definition under existing law that a group/class complaint is a complaint alleging a pattern or practice of discrimination.
- ▶ **Right-to-sue deadlines:** CRD must issue a right-to-sue no later than one year for an individual complaint and two years for a group/class complaint.
- ▶ **Related-complaint notices:** For complaints related to the CRD Director’s complaint or a group/class complaint, CRD issues a right-to-sue upon the aggrieved person’s request or, if no request, after final disposition and all related proceedings, actions, and appeals have terminated.
- ▶ **Tolling:** Time to file a civil action is tolled (paused) when a complainant timely appeals a closure, signs a written agreement with CRD, or when CRD extends the investigation due to a petition to compel cooperation.

SB 590 (Durazo) – Paid Family Leave for a “Designated Person”

California’s Paid Family Leave program provides up to eight weeks of wage replacement for specified family-care reasons.

What SB 590 does

Amends Unemployment Insurance Code sections 3301, 3302, and 3303 to expand eligibility to care for a “designated person” - someone related by blood or whose association is the equivalent of a family relationship. First-time claimants must identify the designated person and, under penalty of perjury, attest to the blood relation or the family-equivalent relationship.

This law does not take effect until July 1, 2028.

SB 809 (Durazo) – Employment Status & Vehicle-Use Reimbursements

Courts apply the “ABC” test to determine employee/independent-contractor status in wage and benefit matters. Employers must reimburse employees (not independent contractors) for necessary work-related expenses.

What SB 809 does

Adds Labor Code sections 2750.9, 2775.5, and 2802.2.

- ▶ **Status clarification:** Ownership of a personal or commercial vehicle used to perform labor on behalf of an employer is not determinative of employee/independent-contractor status.
- ▶ **Reimbursement scope:** Clarifies that reimbursable “necessary expenditures” for employees include costs associated with the use of personal and commercial vehicles.
- ▶ **Construction trucking:** Employers must reimburse commercial drivers who are employees and own their trucks/tractors/trailers for use, maintenance, and depreciation.
- ▶ **Rate setting:** Employers and affected drivers who are employees (or their union) must negotiate reimbursement as a flat or per-mile rate, not less than either: (1) the employee’s actual expenses; or (2) the Internal Revenue Service (IRS) standard mileage rate.

At present, this bill does not appear to apply to public employers, but special districts should consult with their own counsel.

AB 692 (Kalra) – Ban on “Employee Repayment” Contract Clauses

California voids contracts restraining lawful professions except as authorized.

What AB 692 does

Adds Business & Professions Code section 16608 and Labor Code section to prohibit employment or work-related agreements that either: (1) require a worker to repay an employer, training provider, or debt collector if the work relationship ends; or (2) impose a penalty, fee, or cost because of termination.

AB 692 exempts certain repayment requirements imposed by employers, including the following: (1) Government loan-repayment or forgiveness programs; (2) Tuition repayment for transferable educational credentials (meeting specified conditions); (3) Approved apprenticeship programs; (4) Repayment terms tied to a signing bonus or other discretionary/unearned upfront payment; and (5) Residential lease/financing/purchase agreements.

Note that the application of this law to special districts is not clear as the Business & Professions Code does not apply to most public employers. However, special districts should consult with their own counsel.

AB 692 authorizes employees or representatives to sue for actual damages or \$5,000 per affected employee (whichever is greater), plus injunctive relief, attorney’s fees, and costs.

SB 301 (Grayson) – CERL Membership: No Improper Exclusions

The County Employees Retirement Law of 1937 (CERL) governs county retirement systems.

What SB 301 does

Adds Government Code section 31566, described as reflecting existing law, to prohibit counties/districts from excluding any employee, group, or classification from CERL membership except “excludable officers and employees,” defined as either of the following: (1) those with tenures that are temporary, seasonal, intermittent, or part-time (as determined by the retirement board), or (2) those excluded under Government Code sections 31552 or 31553.

AB 1067 (Quirk-Silva) – Public-Employee Misconduct & PEPRA

The Public Employees’ Pension Reform Act of 2013 (PEPRA) requires forfeiture of public retirement rights for certain felony convictions tied to official duties or benefit-related misconduct.

What AB 1067 does

Adds Government Code section 7522.76 to provide the following:

- ▶ If a public employer’s investigation suggests potential criminal conduct tied to official duties or benefits, the employer must continue the investigation even if the employee retires.
- ▶ The employer must refer the matter to appropriate law enforcement and may then close the administrative investigation.
- ▶ If a court later convicts the employee of a qualifying felony, the employee forfeits retirement rights and benefits as provided by PEPRA.

This article was contributed by [Alexander C. Volberding](#) from [Liebert Cassidy Whitmore](#), a CSDA Business Affiliate. CSDA members can contact [Liebert Cassidy Whitmore](#) through the [CSDA Buyer’s Guide](#) at csda.net.

COURT CASES OF INTEREST

CSDA Legal Advisory Working Group

Cases of Interest 2025 Year-End Report

Case Name and Venue	Subject Area	What's At Stake?	CSDA Action	Updates
<p><i>City of Gilroy v. Superior Court</i></p> <p><i>Law Foundation of Silicon Valley v. Superior Court (City of Gilroy)</i></p> <p>- Supreme Court of California</p>	<p>California Public Records Act; Records Retention Policies</p>	<p>In this case involving CPRA requests for “body-cam” video records, the issues involve how an agency may reasonably discern what is being sought in a records request, how a request intersects with the agency records retention policy, and how or if any relevant records should be preserved.</p> <p>The superior court denied the Foundation’s request for injunctive relief that would prevent the City from prospectively deleting records pursuant to its retention policies for 3 years after receiving any future CPRA requests. It further ruled that the City did not violate the CPRA by failing to preserve PDRD footage, which was automatically erased under the City’s preexisting 1-year document retention policy. However, the court awarded declaratory relief in favor of the Foundation to the effect that the City should have searched for PDRD footage in connection with the Foundation’s 2018 CPRA requests. The court also granted awards and reasonable fees to the Foundation finding that the City violated the CPRA.</p>	<p>On 10/18/22 CSDA and Cal Cities filed an amicus brief in each of the writ appeals in support of the City of Gilroy to the Sixth DCA.</p> <p>On 9/23/24 CSDA and Cal Cities filed an amicus brief with the Supreme Court in support of Gilroy, asking court to affirm DCA.</p>	<p>Court opinion issued 10/23/23.</p> <p>Favorable decision. The appeals court declined to rule in favor of the Foundation and vacated declaratory relief. In addition, court declined to interpret records retention statutory requirements in the CPRA.</p> <p>Petition for review granted 2/21/24.</p> <p>Oral argument submitted on 11/4/25.</p> <div data-bbox="1273 1430 1528 1493" style="background-color: #8B733D; color: white; text-align: center; padding: 5px;">Pending</div>

Case Name and Venue	Subject Area	What's At Stake?	CSDA Action	Updates
<p><i>Howard Jarvis Taxpayers Ass'n v. Coachella Valley Water District</i></p> <p>- Fourth District Court of Appeal</p>	<p>Proposition 218/ Revenues</p>	<p>This case involves a challenge by HJTA to canal water charges which distinguish between municipal and industrial (M&I) users with growing demand and need for expensive, marginal supplies, and agricultural users with declining demand.</p> <p>The trial court invalidated the rates and awarded the plaintiffs millions in refunds based on the difference between the rates paid and flat rates. CVWD asserts a host of errors in a case which tests many issues of first impression. Some of the issues include:</p> <ol style="list-style-type: none"> 1. Can a plaintiff challenge rates they do not pay, or should HJTA have been limited to a challenge to domestic rates? 2. Should this case have been limited to the administrative record? 3. the issues briefed in Patz, i.e., the evidentiary standard for ratemaking and the standard of judicial review; 4. The duty to pay under protest under HSC 5472; and 5. The appropriate remedies in a Prop. 218 / 26 case. (The amicus brief has yet to be narrowed in scope.) 	<p>CSDA filed an amicus brief along with coalition partners Cal Cities, CSAC, ACWA and CASA on 1/5/24.</p> <p>On 4/8/25, CSDA joined in a letter in support of the petition for review filed by CVWD. CSDA also sent a separate letter requesting depublication of the Fourth District decision on 4/1/25.</p>	<p>Court opinion issued 1/31/25.</p> <p>Unfavorable decision in this canal water rates case, in which the court held that HJTA has standing, that the rates violate Proposition 218 and 26, and that the refund remedy is appropriate.</p> <p>CSDA was asked to join a letter in support of a petition for review and a request for depublication.</p> <p>Petition for review denied on 5/2/25.</p>

Case Name and Venue	Subject Area	What's At Stake?	CSDA Action	Updates
<p><i>Howard Jarvis v. Coachella Valley Water District</i></p> <p>- Fourth District Court of Appeal</p>	<p>Proposition 26/Remedies</p>	<p>CVWD imposes replenishment assessment charges by statute on those who pump groundwater it replenishes. Plaintiff sues for a class of domestic customers challenging rates that no domestic customer pays directly. The trial court concluded the Coachella Basin cannot be divided in and that CVWD was obliged to recover its costs from all three areas of benefit equally. It therefore concluded CVWD had violated Prop. 26. It imposed a refund remedy of the difference between rates actually paid and what a uniform rate would have been, across all basins and for three years in issue. It ordered \$10s of millions in refunds without requiring HSC 5472 compliance (i.e., payment under protest) or even a GCA claim as to one year and issued a writ requiring CVWD to comply with Prop. 26 in the future, risking a contempt proceeding (rather than a new lawsuit) if plaintiffs disagree with future rates.</p>	<p>CSDA filed an amicus brief in support of CVWD along with coalition partners on 10/28/24.</p>	<p>Oral argument submitted on 10/7/25.</p> <p style="text-align: center;"><i>Pending</i></p>

Case Name and Venue	Subject Area	What's At Stake?	CSDA Action	Updates
<p><i>Sheetz v. County of El Dorado.</i></p> <p>- United States Supreme Court</p>	<p>Development Impact Fees/ Takings Clause</p>	<p>Pursuant to an impact fee ordinance enacted by the County, Sheetz was required to pay \$23,420 to finance road improvements. County demanded payment though it made no individualized determination that the exaction-a substantial sum for Mr. Sheetz-bore an “essential nexus” and “rough proportionality” to the purported impacts associated with his modest project as required in Nollan v. Cal. Coastal Comm’n and Dolan v. City of Tigard. A California trial court upheld the exaction because it was authorized by legislation, and immune from Nollan/Dolan review. The California Court of Appeal affirmed, and the California Supreme Court denied review. The question presented is whether a permit exaction is exempt from the unconstitutional-conditions doctrine as applied in Nollan and Dolan simply because it is authorized by legislation.</p>	<p>CSDA filed an amicus brief in support of El Dorado County on 12/15/23, along with coalition partners Cal Cities and CSAC. Oral argument was submitted on 1/9/24.</p>	<p>Court opinion issued 4/12/24.</p> <p>Unanimous decision held that the Takings Clause of U.S. Constitution does not distinguish between ad-hoc and legislative fee enactments. All impact fees must meet Nollan/Dolan test. Court declined to answer whether fees for broad class are constitutional.</p> <p>On remand, the Third District held on 7/29/25 that the TIM Fee is not an unlawful taking and withstands the Nollan/Dolan test.</p>

Case Name and Venue	Subject Area	What's At Stake?	CSDA Action	Updates
<p><i>Rogers v. City of Redlands</i></p> <p>- Fourth District Court of Appeal</p>	<p>Prop 218 Rate Setting/Cost of Service</p>	<p>Does a statute intended to protect commercial trucks from city-by-city weight fees bar local governments from charging customers the full cost of providing trash service under Proposition 218 (Cal. Const., art. XIII C, § 6), including the cost of repairing streets damaged by trash trucks?</p>	<p>CSDA joined Cal Cities and CSAC to file a brief on 8/27/24 in support of City of Redlands.</p> <p>CSDA filed a letter on 8/5/25 in support of the petition for review filed by Redlands.</p>	<p>Court opinion issued 6/4/25.</p> <p>Unfavorable decision held that Vehicle Code section 9400.8 is violated by rates for the City's solid waste collection which included a surcharge for a City program to repair roads. On the other hand, the court held that refunds were due to those who paid under protest pursuant to HSC § 5472.</p> <p>Petition for review filed on 7/14/25.</p> <p>Petition for review denied on 8/20/25.</p>

Case Name and Venue	Subject Area	What's At Stake?	CSDA Action	Updates
<p>Sandhu (RPI: Regional Government Services) v. CalPERS</p> <p>-Third District Court of Appeal</p>	<p>Public Employees Retirement Law (PERL)/ Independent Contracting</p>	<p>This appeal from denial of Administrative Mandamus under Code of Civil Procedure § 1094.5 presents questions of first impression regarding the requisite analytical framework for determining employment status where public agencies contract with a putative third-party employer to provide exigent, time-limited and project specific assistance. Appellant was a common law employee who provided short-term specialized budget and audit services to four different cities-at times simultaneously—where no qualified staff were available.</p> <p>CSDA will join Cal Cities in a brief that argues: (1) the need for clarity as to whether Government Code sections 37103, 53060, 54981 abrogated the common law employee test (Cargill) for purposes of engaging an annuitant in contract work for a local government; (2) the fact that CalPERS has not established any rules, regulations, or conditions that differentiate or define an “employee” or “independent contractor” under PERL as required by Government Code section 20125; and (3) emphasize policy arguments, such as the need for local governments to maintain operations and serve the public despite employees leaving or a sudden surge in work or similar situations.</p>	<p>CSDA joined Cal Cities to file a brief on 11/13/24 in support of Sandhu/RGS.</p>	<p>Court opinion issued 2/14/25.</p> <p>Unfavorable opinion held that the common law test for employment (“Borello”) applies to determine if the individual in question is an employee notwithstanding statutory provisions that permit contracting by agencies, and the individual here was an employee based on evidence and findings by the court.</p> <p>RGS filed a petition for review to the California Supreme Court.</p> <p>Petition for review denied on 4/30/25.</p> <div data-bbox="1281 1812 1520 1875" style="background-color: #8B733D; color: white; padding: 5px; text-align: center;">Pending</div>

Case Name and Venue	Subject Area	What's At Stake?	CSDA Action	Updates
<p><i>Hatfield v. Union Public Utility District</i></p> <p>-Third District Court of Appeal</p>	<p>Prop 218/ Rate Adoption and Validation, Statute of Limitations</p>	<p>The case at bar is the first appellate court decision considering SB 323 (Government Code § 53759), which imposes significant safeguards for agencies that set water or sewer rates, and if the Court of Appeal upholds the trial court's finding, it will potentially be the first citable precedent applying the statute.</p> <p>Union Public Utility District ("UPUD") adopted water rates in December 2022 under the protections of SB 323. Plaintiff, Michael Hatfield, is a UPUD ratepayer who brought suit in June of 2023. Plaintiff's complaint was filed beyond the statute of limitations, and additionally, it failed to comply with the procedural requirements of the validation statutes. Plaintiff amended the complaint twice, and in both instances, UPUD demurred. The trial court sustained UPUD's demurrers, and in the last instance, without leave to amend. Plaintiff now appeals.</p>	<p>CSDA joined ACWA, CASA, CMUA, Cal Cities to file a brief on 1/8/25 in support of UPUD.</p>	<p>Unpublished opinion issued 4/1/25.</p> <p>Unfavorable decision for Union PUD held that because the fee in question (UWPA fee) was not properly adopted in the 2022 resolution, the claim was not barred.</p>

Case Name and Venue	Subject Area	What's At Stake?	CSDA Action	Updates
<p><i>San Luis Obispo Coastkeeper, et al. v. County of San Luis Obispo</i></p> <p>- Ninth Circuit Court of Appeals</p>	<p>Endangered Special Act/ Standard for Injunctions</p>	<p>The case includes a single federal claim for illegal “take” of threatened steelhead under the Endangered Species Act (ESA) as well as a handful of state law claims. The claims arise from the County’s maintenance and operation of Lopez Dam and Reservoir, which provides a substantial portion of the drinking water for a handful of jurisdictions in the County (in some instances 100%), as well as recreational, wildlife, and flood control benefits.</p> <p>The Plaintiffs in this case are four California environmental groups who received a mandatory preliminary injunction order that includes a laundry list of required actions purportedly to benefit steelhead but are not narrowly tailored to address the unauthorized take of steelhead that could even conceivably be attributed to the County.</p> <p>The preliminary injunction is based on a faulty interpretation of ESA and pertinent case law as well as the underlying facts and has the potential to set a harmful precedent.</p>	<p>CSDA joined ACWA, and CSAC to file a brief on 1/31/25 in support of County of San Luis Obispo.</p>	<p>Pending</p>

Case Name and Venue	Subject Area	What's At Stake?	CSDA Action	Updates
<p>Hiller v. Marin Municipal Water District</p> <p>- First District Court of Appeal</p>	<p>Proposition 218; Validation Actions</p>	<p>In 2022, MMWD conducted a comprehensive cost of service analysis, and in May 2023, adopted Ordinance No. 464 setting new rates.</p> <p>Appellant filed a writ of mandate challenging Ordinance No. 464 and the rates. MMWD demurred on two grounds: (1) Appellant is barred from challenging the rates and fees because they were previously validated by court judgment pursuant to Gov. Code 53759 (SB 323); and (2) even if there were no validation judgment, the trial court lacked jurisdiction to hear Appellant's challenge because Appellant failed to comply with the mandatory reverse validation requirements by timely bringing her claims.</p> <p>The trial court sustained the demurrer on both grounds, without leave to amend. Plaintiff now appeals.</p>	<p>CSDA intends to join a brief to the First District in support of MMWD, due appx 11/28/25.</p>	<p><i>Pending</i></p>

Case Name and Venue	Subject Area	What's At Stake?	CSDA Action	Updates
<p><i>Berkeley People's Alliance v. City of Berkeley</i></p> <p>- First District Court of Appeal</p>	<p>Brown Act/ Meeting Disruptions</p>	<p>In response to significant disruptions during Berkeley City Council meetings in late 2023 and early 2024, the Council relied on Government Code section 54957.9 of the Brown Act, which permits clearing a meeting room and reconvening the meeting upon determining that order cannot be restored by removing just the disruptive individuals. In each instance, the mayor determined that the level of disruption and number of protesters meant the Council could not restore order by removing the disruptive individuals. The Council recessed and reconvened in an adjacent room, allowing press access and public participation via videoconference.</p> <p>Appellants assert that the City failed to follow Government Code Section 54957.9, arguing that the City was first required to attempt to individually remove disruptive persons – including by using physical force. Appellants contend that only after such an attempt is unsuccessful can the City order the room cleared. Second, Appellants argue that the Council must reconvene in the original meeting room. The Superior Court granted the City's demurrer and Plaintiffs appealed.</p>	<p>CSDA joined Cal Cities and CSAC to file an amicus brief to the First District in support of Berkeley on 5/30/25.</p>	<p>Court opinion issued 9/30/25.</p> <p>Unfavorable decision held that plain language of the relevant Brown Act statute does not permit a legislative body to move the meeting location in response to meeting disruptions.</p>

Case Name and Venue	Subject Area	What's At Stake?	CSDA Action	Updates
<p><i>United Water Conservation District v. United States</i></p> <p>- U.S. Court of Appeals Federal Circuit</p>	<p>Takings of Appropriative Water Rights</p>	<p>UWCD sued the federal government after being denied the right to divert tens of thousands of acre-feet of water from the Santa Clara River since 2017. This was due to bypass restrictions imposed by the National Marine Fisheries Service (NMFS) to benefit the endangered Southern California steelhead trout. UWCD asserts that NMFS violates UWCD's 5th Amendment right to compensation for water taken and used by NMFS. The court ruled that so long as UWCD was not entirely cut off from all water diversion, no "physical taking" occurred, and so no compensation is due—potentially giving the federal government the ability to take thousands of acre-feet of water without compensation.</p>	<p>CSDA joined ACWA and various districts to file an amicus brief in support of UWCD's petition for rehearing and rehearing en banc on 7/11/25.</p>	<p>Petition for rehearing denied. UWCD intends to file a petition for writ of certiorari with the U.S. Supreme Court.</p>

Case Name and Venue	Subject Area	What's At Stake?	CSDA Action	Updates
<p><i>Airport Business Center v. City of Santa Rosa</i></p> <p>- First District Court of Appeal</p>	<p>Surplus Land Act</p>	<p>This case challenges the City's decision to declare a parking structure as "surplus land" pursuant to the Surplus Land Act (SLA) for residential development while preserving some public parking. The local government amicus brief will emphasize the need to defer to city council and special district board of directors' decisions and the importance of local flexibility in land management. The trial court found that the city's surplus determination was reasonable, supported by evidence, procedurally fair, and compliant with applicable law.</p>	<p>CSDA joined Cal Cities to file an amicus brief in support of Santa Rosa on 8/18/25.</p>	<p>Oral argument submitted on 11/19/25.</p>

Case Name and Venue	Subject Area	What's At Stake?	CSDA Action	Updates
<p><i>Garst v. Tehama County Flood Control and Water Conservation District</i></p> <p>- Third District Court of Appeal</p>	<p>Proposition 26/Refund Remedy</p>	<p>Tehama County Flood Control & Water Conservation District has power as a Sustainable Groundwater Management Act (SGMA) agency, under its principal act, and pursuant to JPA with the County to regulate groundwater. It imposed an initial fee of 29-cents-per acre for three years as a SGMA regulatory fee to fund a well registration program to gather data to establish a more nuanced fee and to fund groundwater management.</p> <p>The trial court invalidated the fee as a special tax due to its flat-fee nature and because nearly all landowners pay it, ignoring the plaintiff class's failures to (i) file a Government Claims Act claim, (ii) exhaust the SGMA refund remedy, or (iii) comply with SGMA's 180-day statute of limitations. It ruled the fee does not exceed the cost of service in total, but objected to the failure to allocate the fee on the basis of water use – when the agency needs the well registration program to get data about water use.</p>	<p>CSDA plans to join Cal Cities and CSAC to file an amicus brief in support of the District on appx 12/1/25.</p>	<p><i>Pending</i></p>



CSDA