



Quality Housing • Ethics • Professionalism



April 12, 2024

The Honorable Freddie Rodriguez
California State Assembly
1021 O Street, Suite 5140
Sacramento, CA 95814

RE: AB 1786 California Individual Assistance Act: California Local Assistance Act - Oppose

Dear Assembly Member Rodriguez:

On behalf of the members of the California Apartment Association (“CAA”), I am writing to inform you that CAA has taken an oppose position on AB 1786, your bill that would, among other things, add “climate change and climate change exacerbated conditions” to the list of conditions for which a state of emergency or local emergency may be proclaimed.

We agree that the impacts of climate change are seen throughout every aspect of the world we live in. The impacts of “climate change and climate change exacerbated conditions,” however, are already covered by existing law. Events such as flood, storm, fire, drought, and other climate induced conditions are included in the statute. When a specific listed event occurs, a state of emergency or local emergency may be proclaimed. By including “climate change and climate change exacerbated condition” to Government Code Section 8558, Assembly Bill 1786 opens the door to such proclamations that will remain in place in perpetuity. When emergencies are declared, it triggers Penal Code Section 396, which caps and freezes the price of goods, services, and housing until the expiration of the emergency. A violation of Penal Code 396 is a misdemeanor punishable by imprisonment in a county jail for a period not exceeding one year, by a fine of not more than ten thousand dollars (\$10,000), or by both that fine and imprisonment.

The inclusion of “climate change and climate change exacerbated condition” to the law will trigger uncertainty in the marketplace when such proclamations are not tied to an identifiable event with a specific end date. We respectfully request that you not include “climate change and climate change exacerbated conditions” in the Government Code or that you make very clear that such a proclamation does not trigger Penal Code 396. California has been at the forefront of environmental change, and we commit to work with you to find other ways to address the reality of climate change.

The California Apartment Association is the largest statewide rental housing trade association in the country, representing over 60,000 single family and multi-family apartment owners and property managers who are responsible for over 2 million affordable and market rental units throughout the State of California. Thank you for hearing our concerns.

Sincerely,

CALIFORNIA APARTMENT ASSOCIATION

By
Debra Carlton, Executive Vice President
State Public Affairs