



CACM Governor's Actions

As of September 27, 2010 – last week of bill signing period

AB 519(Solorio) Vehicles: Towing Fees and Access Notice.

Introduced: 02/24/2009

Last Amend: 08/20/2010

Status: 09/30/2010-Chaptered by the Secretary of State, Chapter Number 566, Statutes of 2010

Location: 09/30/2010-A CHAPTERED

Summary: Existing law provides that every person has a possessory lien for the compensation to which he or she is legally entitled for the towing, storage, or labor associated with recovery or load salvage of any vehicle that has been authorized to be removed by a public agency, a private property owner, or a lessee, operator, or registered owner of the vehicle. Existing law requires that a person requesting release of the vehicle present documentation establishing that he or she is entitled to possession of the vehicle and authorizes an inspection of the vehicle by the legal owner or lessor, or his or her agent, within a specified time period after receiving a written demand for the inspection. This bill would define "documentation" and "agent" for these purposes and would also provide that a lienholder is not liable for any claim or dispute arising out of the reliance on the documentation for purposes of releasing a vehicle. This bill contains other related provisions and other existing laws.

Position: Watch

Priority: Medium

AB 1726(Swanson) Common interest developments: ballots: quorums.

Introduced: 02/03/2010

Last Amend: 08/04/2010

Status: 09/30/2010-Vetoed by the Governor

Location: 09/30/2010-A VETOED

Summary: The Davis-Stirling Common Interest Development Act governs the establishment and management of common interest developments. These provisions require that a common interest development be managed by an association and that elections related to the governance or administration of the common interest development conform to specified requirements, including the establishment of a quorum. Existing law provides for votes on specified matters to be held by secret ballot and requires the ballots to be sent, with 2 preaddressed envelopes, to each member of the association, in accordance with the model used by California counties for ensuring confidentiality of "vote by mail" ballots. This bill would clarify that the ballots are mailed in accordance with the model used by California counties for ensuring confidentiality of "voter absentee" ballots, and would specify that each ballot be placed into an inner envelope that is sealed and then placed into an outside mailing envelope addressed to the inspector for the election. This bill contains other related provisions and other existing laws.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 1726 without my signature. This bill would allow a homeowners association (HOA)

of a common interest development (CID) unable to achieve a quorum for a member meeting or an election of directors to lower the quorum requirement for the second election to 40% and for the third or additional elections to 33%, unless otherwise specified in the CID's governing documents. I believe that this bill is unnecessary because existing law allows a HOA to amend its governing documents to establish a lower quorum. I am also concerned that this bill would interfere with the basic democratic principle of CIDs. For these reasons I cannot sign this bill.
Sincerely, Arnold Schwarzenegger

Position: Watch
Priority: Hot

[AB 1781\(Villines\)](#) Neighborhood electric vehicles.

Introduced: 02/09/2010

Last Amend: 08/11/2010

Status: 09/29/2010-Chaptered by the Secretary of State, Chapter Number 452, Statutes of 2010

Location: 09/29/2010-A CHAPTERED

Summary: Existing law defines "low-speed vehicle" for purposes of the Vehicle Code as a motor vehicle, other than a motor truck, with 4 wheels that is capable of a minimum speed of 20 miles per hour and a maximum speed of 25 miles per hour on a paved level surface and that has a gross vehicle weight rating of less than 3,000 pounds. Existing law imposes certain restrictions on the use of low-speed vehicles on public streets and highways, and generally requires an operator of a low-speed vehicle to have a driver's license. A low-speed vehicle is also known as a neighborhood electric vehicle (NEV). A violation of the Vehicle Code is an infraction, unless otherwise specified. This bill would authorize the City of Fresno to establish a similar NEV transportation plan, subject to the same penalties. The bill would require the plan to be submitted to the department for review and approval. The bill would require a report to the Legislature by November 1, 2014, if the city adopts a plan. The bill would repeal these provisions on January 1, 2016. Because the bill would create a new crime, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch
Priority: Low

[AB 1788\(Yamada\)](#) Water development projects: state financial assistance.

Introduced: 02/10/2010

Last Amend: 07/15/2010

Status: 09/30/2010-Chaptered by the Secretary of State, Chapter Number 579, Statutes of 2010

Location: 09/30/2010-A CHAPTERED

Summary: Existing law provides for state cooperation with the federal government in the construction of specified flood control projects. For certain flood control projects authorized on or after January 1, 2002, or for which specified findings have been made on or after that date, the act requires the state to pay 50% of specified nonfederal costs. Existing law authorizes the state to pay up to 70% of those nonfederal costs upon the recommendation of the Department of Water Resources or the Central Valley Flood Protection Board if either entity determines that the project will advance one of several objectives. Those objectives include increasing the level of flood protection within the benefitted area of the project if that area has a median household income that is less than 120% of the poverty level, as defined by the Department of Finance. This bill, instead, would authorize the state to pay up to 70% of those nonfederal costs upon the recommendation of the department or the board if either entity determines that the project will increase the level of flood protection for disadvantaged communities, as defined.

Position: Watch
Priority: Low

[AB 1793\(Saldana\)](#) Common interest developments: artificial turf.

Introduced: 02/10/2010

Last Amend: 04/20/2010

Status: 09/30/2010-Vetoed by the Governor

Location: 09/30/2010-A VETOED

Summary: Existing law requires a local agency to adopt a specified updated model ordinance regarding water-efficient landscapes or a water-efficient landscape ordinance that is at least as effective in conserving water as the updated model ordinance. Existing law allows certain water providers to take specified actions regarding water conservation. This bill would provide that a provision of any of the governing documents of a common interest development would be void and unenforceable if it prohibits, or includes conditions that have the effect of prohibiting, the use of artificial turf or any other synthetic surface that resembles grass. This prohibition would not prohibit an association from applying landscape rules and regulations established in governing documents that establish design standards and quality standards for the installation of artificial turf, or any other synthetic surface that resembles grass, to the extent the rules and regulations do not prohibit the use of artificial turf or any other synthetic surface that resembles grass. This bill contains other existing laws.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 1793 without my signature. This bill would void a provision in the governing documents of a common interest development (CID) if it prohibits the use of artificial turf or any other synthetic surface that resembles grass in its landscaping rules and regulations. CIDs provide a system of self-governance through a community association, responsible for managing, maintaining, and repairing the common areas, and have the authority to enforce special rules. Decisions such as these regarding the use of artificial turf can be made by the homeowners and amended into their governing documents. For this reason I cannot sign this bill. Sincerely, Arnold Schwarzenegger

Position: Watch

Priority: Hot

[AB 1800\(Ma\)](#) Unlawful rental of residential dwelling: penalties.

Introduced: 02/10/2010

Last Amend: 07/15/2010

Status: 09/30/2010-Chaptered by the Secretary of State, Chapter Number 580, Statutes of 2010

Location: 09/30/2010-A CHAPTERED

Summary: Existing law makes it a misdemeanor, punishable as specified, for any person to claim ownership or claim or take possession of, or cause another to enter or remain in, a residential dwelling for the purpose of renting or leasing the dwelling to another without the consent of the owner or the owner's lawful agent. This bill would increase the misdemeanor penalties for this offense, as specified. Because this bill would change the penalty for a crime, it would create a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Support

Priority: Medium

[AB 1809\(Smyth\)](#) Home inspections: energy audits.

Introduced: 02/10/2010

Last Amend: 08/03/2010

Status: 09/29/2010-Chaptered by the Secretary of State, Chapter Number 453, Statutes of 2010

Location: 09/29/2010-A CHAPTERED

Summary: Existing law provides that it is the duty of a home inspector, as defined, who is not licensed as a general contractor, structural pest control operator, or architect, or registered as a professional engineer, to conduct a home inspection, as defined, with the degree of care that a reasonably prudent home inspector would exercise. Existing law provides that a home inspection may include an inspection of energy efficiency, if requested by the client. Under existing law, a home inspection report is a written report consisting of specified information that is prepared for a fee and is issued after a home inspection. This bill would authorize a home inspection to include, if requested by the client, a HERS home energy audit that meets the requirements of the HERS

regulations established by the commission. The bill would declare the intent of the Legislature that a HERS audit may, at the request of the client, be performed by a home inspector who meets the requirements of the HERS regulations. This bill contains other existing laws.

Position: Watch

Priority: Low

[AB 1927\(Knight\)](#) Real property: common interest developments.

Introduced: 02/17/2010

Last Amend: 08/04/2010

Status: 09/30/2010-Vetoed by the Governor

Location: 09/30/2010-A VETOED

Summary: The Davis-Stirling Common Interest Development Act provides for the creation and regulation of common interest developments. Under existing law, a common interest development is managed by an association pursuant to the provisions of the governing documents of the development. This bill would provide that any provision that is added to or included in a governing document initially recorded on or after January 1, 2011, that prohibits the rental or lease of a separate interest is void, unless the provision imposing the prohibition is approved by the owners of separate interests, as provided. This bill contains other related provisions and other existing laws.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 1927 without my signature. This bill would void any provision that is added to or included in a governing document initially recorded on or after January 1, 2011, that prohibits the rental or lease of a separate interest, unless the provision imposing the prohibition is approved, by the owners of separate interests, as provided. The right to rent or lease a unit is an important right for a homeowner. However, there is insufficient evidence to indicate that rental restrictions are currently a growing or widespread problem to justify such a wide-ranging rule change. Furthermore, current provisions in law provide for an amendment process for HOAs to make rule changes. Therefore, I believe this bill is unnecessary at this time. For this reason I cannot sign this bill. Sincerely, Arnold Schwarzenegger

Position: Watch

Priority: Hot

[AB 2182\(Huffman\)](#) Contractual assessments: onsite sewer and septic improvements.

Introduced: 02/18/2010

Last Amend: 08/20/2010

Status: 09/30/2010-Vetoed by the Governor

Location: 09/30/2010-A VETOED

Summary: Existing law authorizes a legislative body of a public agency, as defined, to determine that it would be convenient and advantageous to designate an area within which authorized officials and free and willing property owners may enter into contractual assessments to finance the installation of distributed generation renewable energy sources or energy or water efficiency improvements that are permanently fixed to residential, commercial, industrial, agricultural, or other real property. This bill would expand these provisions to include contractual assessments to finance onsite sewer and septic improvements, as defined. The bill would permit onsite sewer and septic improvements to be installed to convert residential, commercial, industrial, agricultural, or other real property from an onsite septic system to community sewer collection service and to modify or replace existing onsite sewer and septic improvements. The bill would also permit these assessments to be used to replace or upgrade an existing septic system if specified requirements are met. The bill would also prohibit a public agency from permitting a property owner to participate in a contractual assessment program if the total amount of assessments and taxes on the property exceeds 5% of the property's market value, as specified. The bill would require the preliminary report issued in connection with the contractual assessment program to include criteria for determining the underwriting requirements, as well as safeguards to be used to limit the total annual property tax and assessments on the property, as specified.

Governor's Message: To the Members of the California State Assembly: I am returning Assembly Bill 2182 without my signature. This bill would authorize public agency officials and property owners to enter into voluntary contractual assessments to finance installation and replacement of onsite sewer and septic improvements on private property. These improvements may consist of converting an existing property from a septic system to a public sewer collection system, replacement of sewer lateral lines, or replacement or upgrade of septic tanks. Under current law, voluntary contractual assessments provide property owners with a cost-effective and easily accessible financing option in which to increase their property's water and energy efficiency. While parts of this bill have merit, I do not support expanding contractual assessment programs to these types of property improvements. For this reason I cannot sign this bill.
Sincerely, Arnold Schwarzenegger

Position: Watch

Priority: Medium

[AB 2347\(Feuer\)](#) Mortgage defaults: secondary public financing.

Introduced: 02/19/2010

Last Amend: 08/02/2010

Status: 09/30/2010-Chaptered by the Secretary of State, Chapter Number 597, Statutes of 2010

Location: 09/30/2010-A CHAPTERED

Summary: Existing law requires a lender to file a notice of default in the case of nonjudicial foreclosure prior to enforcing a power of sale as a result of a default on an obligation secured by real property, as specified. Existing law also requires that a notice of sale be given before the power of sale may be exercised. This bill would, until 2013, create an exception to the provision governing the exercise of the power of sale by providing that if a property contains 5 or more multifamily units and a public entity, as defined, is a party to a regulatory agreement or recorded deed restriction on the property, the public entity may, by written notice to the trustee, postpone the sale date by no more than 60 days, as specified. The bill would provide that, if multiple public entities are parties to a regulatory agreement or a recorded deed restriction on the property, only one entity may postpone the sale date. The bill would also provide that the power to postpone a sale date pursuant to these provisions may be exercised only once, and that the period of postponement expires after 180 days have elapsed since filing the notice of default.

Position: Watch

Priority: Low

[AB 2724\(Blumenfield\)](#) Renewable energy resources.

Introduced: 02/19/2010

Last Amend: 08/17/2010

Status: 09/29/2010-Chaptered by the Secretary of State, Chapter Number 474, Statutes of 2010

Location: 09/29/2010-A CHAPTERED

Summary: Under existing law, the Public Utilities Commission (CPUC) has regulatory authority over public utilities, including electrical corporations, as defined. Existing law requires every electrical corporation to file with the CPUC a standard tariff for electricity generated by an electric generation facility, as defined, that qualifies for the tariff, is owned and operated by a retail customer of the electrical corporation, and is located within the service territory of, and developed to sell electricity to, the electrical corporation. Existing law requires that, in order to qualify for the tariff, the electric generation facility: (1) have an effective capacity of not more than 3 megawatts, subject to the authority of the CPUC to reduce this megawatt limitation, (2) be interconnected and operate in parallel with the electric transmission and distribution grid, (3) be strategically located and interconnected to the electric transmission system in a manner that optimizes the deliverability of electricity generated at the facility to load centers, and (4) meet the definition of an eligible renewable energy resource under the California Renewables Portfolio Standard Program (RPS program). Existing law requires that the tariff provide for payment for every kilowatthour of electricity purchased from an electric generation facility for a period of 10, 15, or 20 years, as authorized by the CPUC, and requires that the payment be the market price referent established by the CPUC pursuant to the RPS program and requires the price to include all current and anticipated environmental compliance costs. Existing decisions of the CPUC refer to a tariff

adopted pursuant to these requirements as a feed-in tariff. This bill would require a state agency, as defined, generating electricity from an electric generation facility that operates under a feed-in tariff adopted pursuant to these requirements, and that is owned by, operated by, or on property under the control of, the state agency, to take the total annual amount of kilowatthours exported to the grid into consideration when determining whether the state agency has achieved the policy goals and objectives established by law or executive order for the state agency. This bill contains other related provisions and other existing laws.

Position: Watch
Priority: Low

[AB 2758\(Bradford\)](#) Public Utilities Commission: regulated corporations: procurement.

Introduced: 02/19/2010

Last Amend: 08/18/2010

Status: 09/29/2010-Chaptered by the Secretary of State, Chapter Number 475, Statutes of 2010

Location: 09/29/2010-A CHAPTERED

Summary: Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical, gas, water, and telephone corporations. Existing law directs the commission to require every electrical, gas, water, and telephone corporation with annual gross revenues exceeding \$25,000,000, and their regulated subsidiaries and affiliates, to implement a program developed by the commission to encourage, recruit, and utilize minority-, women-, and disabled veteran-owned business enterprises, as defined, in the procurement of contracts from those corporations or from their regulated subsidiaries and affiliates, and to require the reporting of certain information. The commission, by rulemaking, adopted General Order 156, applicable to certain electrical, gas, and telephone corporations, to effectuate these requirements. The commission is required to report to the Legislature on the implementation of these requirements. This bill would require the commission to include in this report information about which procurements are made with women, minority, and disabled veteran business enterprises with at least a majority of the enterprise's workforce in California, to the extent that information is readily accessible. This bill contains other related provisions and other existing laws.

Position: Watch
Priority: Hot

[AB 2762\(Committee on Housing and Community Development\)](#) Housing and community development: housing omnibus bill.

Introduced: 02/23/2010

Last Amend: 08/20/2010

Status: 09/30/2010-Chaptered by the Secretary of State, Chapter Number 610, Statutes of 2010

Location: 09/30/2010-A CHAPTERED

Summary: Existing law imposes numerous requirements upon licensed real estate brokers that, among other things, relate to the sale and advertisement of any mobilehome. This bill would expand the requirements to include a manufactured home, in addition to a mobilehome. This bill contains other related provisions and other existing laws.

Position: Watch
Priority: Medium

[SB 127\(Calderon\)](#) Automatic external defibrillators: health studios.

Introduced: 02/05/2009

Last Amend: 08/27/2010

Status: 09/29/2010-Chaptered by the Secretary of State, Chapter Number 500, Statutes of 2010

Location: 09/29/2010-S CHAPTERED

Summary: Existing law, until July 1, 2012, requires every health studio, as defined, to acquire an automatic external defibrillator and to meet specified training and maintenance standards relating to that device. Under existing law, when a health studio employee uses an automatic external defibrillator, as specified, the owners, managers, employees, or otherwise responsible authorities

of the facility shall not be liable for civil damages resulting from an act or omission in the course of rendering that emergency care or treatment, as required. This bill would extend these provisions indefinitely. This bill would also provide that a health studio that allows its members access to its facilities during operating hours when employees trained in the use of automatic external defibrillators are not on the facility premises, waives the above exemption from liability for civil damages and the affirmative defense of primary assumption of the risk, whether express or implied, as to a claim arising out of the absence of trained staff. This bill contains other related provisions.

Position: Watch

Priority: Low

[SB 918\(Pavley\)](#) Water recycling.

Introduced: 02/01/2010

Last Amend: 08/20/2010

Status: 09/30/2010-Chaptered by the Secretary of State, Chapter Number 700, Statutes of 2010

Location: 09/30/2010-S CHAPTERED

Summary: Existing law establishes the State Water Resources Control Board and the California regional water quality control boards as the principal state agencies with authority over matters relating to water quality. Existing law requires the State Department of Public Health to establish uniform statewide recycling criteria for each varying type of use for recycled water where the use involves the protection of public health. This bill would require the State Department of Public Health to adopt uniform water recycling criteria for indirect potable water reuse for groundwater recharge, as defined, by December 31, 2013. The bill would require the department to develop and adopt uniform water recycling criteria for surface water augmentation, as defined, by December 31, 2016, if a specified expert panel convened pursuant to the bill finds that the criteria would adequately protect public health. The bill would require the department to investigate the feasibility of developing uniform water recycling criteria for direct potable reuse, as defined, and to provide a final report on that investigation to the Legislature by December 31, 2016. The bill would require the department, in consultation with the State Water Resources Control Board, to report to the Legislature from 2011 to 2016, inclusive, as part of the annual budget process, on the progress towards developing and adopting the water recycling criteria for surface water augmentation and its investigation of the feasibility of developing water recycling criteria for direct potable reuse. The bill would require the State Water Resources Control Board to enter into an agreement with the department to assist in implementing the water recycling criteria provisions. This bill contains other related provisions and other existing laws.

Position: Watch

Priority: Low

[SB 991\(Wolk\)](#) Flood control.

Introduced: 02/08/2010

Last Amend: 08/20/2010

Status: 09/30/2010-Vetoed by the Governor

Location: 09/30/2010-S VETOED

Summary: Under existing law, various general obligation bond acts have been approved by the voters to provide funds for water projects, facilities, and programs. The Disaster Preparedness and Flood Prevention Bond Act of 2006, a bond act approved by the voters at the November 7, 2006, statewide general election, authorizes the issuance of bonds in the amount of \$4,090,000,000 for the purposes of financing disaster preparedness and flood prevention projects. This bill, with regard to those bond funds, would appropriate \$30,000,000 to the Department of Water Resources for flood protection projects that either improve the sustainability of the Sacramento-San Joaquin Delta, implement specified flood management actions in the Sacramento-San Joaquin Delta, or do both.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 991 without my signature. This bill appropriates \$30 million in Proposition 1E bond funds to the Department of Water Resources (DWR) for flood protection projects that improve the

sustainability of the Sacramento-San Joaquin Delta. While I agree with its purpose, this bill is unnecessary. My Administration has made improving our levees and enhancing flood protection a top priority. To that end, SB x7 8 (Steinberg) appropriated more than \$240 million in bond funds intended to address current flood protection needs in the Delta. Since the program's inception in 2006, my Administration has: Improved Emergency Response: Enhanced Incident Command Team response capabilities and stockpiled rock for catastrophic Delta levee failure response. ? Improved Flood Management Systems: System improvements include 116 Critical Levee repairs, 121 proactive levee repairs, and completed flood protection improvements along south Sacramento creeks, Improved Sacramento-San Joaquin Delta levees and flood protection: Completed 21 Delta Special Projects to improve levee stability and habitat, completed urgent restoration of levee deficiencies on Upper Jones Tract, completed a levee setback on Sherman Island, and seven more projects are currently in progress. ? Local Flood Management Assistance: DWR has provided local flood management assistance including \$76 million reimbursed to local sponsors for the State cost share of federally authorized flood management projects. ? Improved Operations and Maintenance: DWR is responsible for the Operation and Maintenance of 292 miles of levees, 11 weirs, 5 gate structures, 4 pumping plants and all channels in the Sacramento River System. Completed improvements to the system include Tisdale Bypass Sediment Removal Project, Sacramento Bypass Sediment Removal Project, modernization of levee inspection and reporting procedures, development of 137 acres of riparian habitat at Colusa State Recreation Area and four additional projects are currently underway. Many projects have been completed and many are under way. It is for this reason that DWR must be able to continue with their work unencumbered by special carve-outs for particular areas. For this reason, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

Position: Watch
Priority: Low

[SB 1128\(DeSaulnier\)](#) Common interest developments: governance.

Introduced: 02/18/2010

Last Amend: 08/09/2010

Status: 09/27/2010-Chaptered by the Secretary of State, Chapter Number 322, Statutes of 2010

Location: 09/27/2010-S CHAPTERED

Summary: The Davis-Stirling Common Interest Development Act, requires that an owner of a separate interest in a common interest development provide certain items to a prospective purchaser prior to transfer of title, and prohibits an association, community service organization, or similar entity, as defined, from imposing or collecting any assessment, penalty, or fee in connection with a transfer of title or any other interest except the association's actual costs to change its records and a specified charge for providing certain information upon request. Existing law also requires an association, community service organization, or similar entity to make the accounting books and records and the minutes of proceedings of the association available for inspection and copying by a member of the association, or the member's designated representative, as provided. This bill would apply these provisions to a nonprofit entity that provides services to a common interest development under a declaration of trust, as provided, except as specified. This bill contains other related provisions.

Position: Watch
Priority: High

[SB 1149\(Corbett\)](#) Residential tenancies: foreclosure.

Introduced: 02/18/2010

Last Amend: 08/20/2010

Status: 09/30/2010-Chaptered by the Secretary of State, Chapter Number 641, Statutes of 2010

Location: 09/30/2010-S CHAPTERED

Summary: Existing law governs unlawful detainer proceedings. Existing law authorizes the court clerk to allow access to limited civil case records filed under these provisions to certain persons, including a party to the action or a resident of the premises, under certain conditions, without regard to when they request that access. Existing law also authorizes the clerk to allow access to any other person 60 days after the complaint has been filed, unless a defendant prevails in the

action within 60 days of the filing of the complaint, in which case the clerk may not allow access to any court records in the action, except as specified. This bill would additionally authorize the clerk to allow access to those records to any other person in the case of a complaint involving residential property that has been sold in foreclosure, or under other, specified proceedings, as indicated in the caption of the complaint, if 60 days have elapsed since the complaint was filed with the court and judgment against all defendants has been entered for the plaintiff, after a trial. The bill would also require the plaintiff in those proceedings to include a specified caption in the complaint. If judgment is not entered under these conditions, the bill would prohibit the clerk from allowing access to any court records in the action, except to the persons described above who are permitted access without regard to when they request access. This bill contains other related provisions and other existing laws.

Position: Watch

Priority: High

[SB 1166\(Simitian\)](#) Personal information: privacy.

Introduced: 02/18/2010

Last Amend: 08/02/2010

Status: 09/29/2010-Vetoed by the Governor

Location: 09/29/2010-S VETOED

Summary: Existing law requires any agency, and any person or business conducting business in California, that owns or licenses computerized data that includes personal information, as defined, to disclose in specified ways, any breach of the security of the system or data, as defined, following discovery or notification of the security breach, to any California resident whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person. This bill would require any agency, person, or business that is required to issue a security breach notification pursuant to existing law to fulfill certain additional requirements pertaining to the security breach notification, as specified. This bill contains other related provisions.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 1166 without my signature. This bill would require any agency, person, or business that must issue an information security breach notification pursuant to existing law to also fulfill certain additional requirements pertaining to the security breach notification. California's landmark law on data breach notification has had many beneficial results. Informing individuals whose personal information was compromised in a breach of what their risks are and what they can do to protect themselves is an important consumer protection benefit. This bill is unnecessary, however, because there is no evidence that there is a problem with the information provided to consumers. Moreover, there is no additional consumer benefit gained by requiring the Attorney General to become a repository of breach notices when this measure does not require the Attorney General to do anything with the notices. Since this measure would place additional unnecessary mandates on businesses without a corresponding consumer benefit, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

Position: Watch

Priority: High

[SB 1173\(Wolk\)](#) Recycled water.

Introduced: 02/18/2010

Last Amend: 08/02/2010

Status: 09/29/2010-Vetoed by the Governor

Location: 09/29/2010-S VETOED

Summary: The Porter-Cologne Water Quality Control Act establishes a statewide program for the control of the quality of all the waters in the state. This bill would define rainwater and raw water for purposes of the act. This bill contains other related provisions and other existing laws.

Governor's Message: I am returning Senate Bill 1173 without my signature. This bill would define "raw" water, and would require that recycled water be used for non-potable municipal or

industrial purposes in lieu of raw or potable water, if recycled water is available that meets certain conditions, as determined by the State Water Resources Control Board (SWRCB). I strongly support the use of recycled water to improve the efficient use of the State's limited water resources, and I encourage businesses and local governments to move to recycled water for their operations as quickly as feasible. It was for this reason that I signed SB 918 (Pavley), which provides funding for the Department of Public Health to finish the recycled water regulations they have been working on for the last 15 years. Until those regulations are finished, I think it would not be feasible for California businesses and local governments to be able to comply with the provisions of this bill. In addition, there will certainly be substantial costs associated with a significant movement to the use of recycled water. It was for this very reason that the "Safe, Clean, and Reliable Drinking Water Supply Act of 2012" includes \$1.25 billion for water recycling and water use efficiency measures like this. As such, this bill is premature until such funds are available. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

Position: Watch
Priority: Medium

[SB 1178\(Corbett\)](#) Real property: deficiency judgments.

Introduced: 02/18/2010

Last Amend: 06/03/2010

Status: 09/30/2010-Vetoed by the Governor

Location: 09/30/2010-S VETOED

Summary: Existing law provides that no deficiency judgment lies in any event after a sale of real property or an estate for years for failure of the purchaser to complete the contract of sale, or under a mortgage or trust deed given to the vendor to secure payment of the balance of the purchase price of real property, or under a mortgage or trust deed on a dwelling, as specified, given to a lender to secure repayment of a loan which was in fact used to pay all or part of the purchase price of the dwelling. This bill would provide that a loan used to pay all or part of the purchase price of real property or an estate for years includes a subsequent loan, mortgage, or deed of trust that refinances or modifies the original loan, but only to the extent that the subsequent loan was used to pay debt incurred to purchase the real property. The bill would become operative on June 1, 2011, and would apply only to actions filed after its operative date.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 1178 without my signature. This bill, by extending anti-deficiency protection to refinancing, would fundamentally alter and impair the nature of pre-existing, previously negotiated mortgage loan contracts. In addition, the bill would encourage borrowers to strategically default on loans they have the capacity to repay simply because the mortgaged properties have lost value. This bill's anti-deficiency protection would apply to pre-existing, previously negotiated mortgage loan contracts that are the subject of actions filed on or after June 1, 2011. As a result, this bill fundamentally alters the nature and impairs the value of previously negotiated contracts, leading to negative consequences for the value of those loans held in a lender's portfolio and a deleterious impact on the secondary market. Fundamentally altering the nature of a contract after its consummation is a bad precedent and will provide uncertainty for future lending transactions. Sincerely, Arnold Schwarzenegger

Position: Watch
Priority: Medium

[SB 1252\(Corbett\)](#) Housing: discrimination.

Introduced: 02/19/2010

Last Amend: 05/19/2010

Status: 09/29/2010-Chaptered by the Secretary of State, Chapter Number 524, Statutes of 2010

Location: 09/29/2010-S CHAPTERED

Summary: Existing law presumes that a housing development for senior citizens constructed on or after January 1, 2001, is designed to meet the physical and social needs of senior citizens for purposes of meeting existing laws regarding age discrimination in housing if the housing development includes specified elements, except housing as to which these provisions are

preempted by federal law, as provided. This bill would provide that selection preferences based on age, imposed in connection with federally approved housing programs, do not constitute age discrimination in housing. This bill contains other related provisions and other existing laws.

Position: Watch

Priority: Low

[SB 1427\(Price\)](#) Foreclosures: property maintenance.

Introduced: 02/19/2010

Last Amend: 08/02/2010

Status: 09/29/2010-Chaptered by the Secretary of State, Chapter Number 527, Statutes of 2010

Location: 09/29/2010-S CHAPTERED

Summary: Existing law, until January 1, 2013, requires a legal owner to maintain vacant residential property purchased at a foreclosure sale, or acquired by that owner through foreclosure under a mortgage or deed of trust. Existing law authorizes a governmental entity to impose civil fines and penalties for failure to maintain that property of up to \$1,000 per day per violation. This bill would require a governmental entity, prior to imposing a fine or penalty for failure to maintain a vacant property that is subject to a notice of default, that is purchased at a foreclosure sale, or that is acquired through foreclosure, to provide the owner of that property with a notice of the violation and an opportunity to correct the violation. This notice requirement would not apply if the governmental entity determines that a specific condition of the property threatens public health or safety. The bill would further provide that the costs of nuisance abatement measures taken by a governmental entity with regard to property that is subject to a notice of default, that is purchased at a foreclosure sale, or acquired through foreclosure, shall not exceed the actual and reasonable costs of nuisance abatement. This bill would also prohibit a governmental entity from imposing an assessment or lien for the costs of nuisance abatement prior to the adoption of those costs by the elected officials of that governmental entity at a public hearing.

Position: Support

Priority: Hot