

10 new California laws that might affect your everyday in 2022

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The new year in California also marks the arrival of hundreds of laws that go into effect on January 1.

Notable New Laws:

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Speaking ‘truth’ to recycling

Water rates and lawsuits

Many of these bills-turned-laws and ballot-measures-finally-going-into-effect won’t necessarily surface in your everyday lives. But dozens — from recycling and policing to bacon and booze — will affect your neighborhood, local businesses and home.

This year, CapRadio is focusing on 10 new laws that could impact your community.

New education requirements for law enforcement officers

Assembly Bill 89 would require all community colleges in California to create a universal policing curriculum, and it would raise the minimum age for new officers from 18 to 21. The new law would also require that, in four years, all incoming officers have at least an associate’s or bachelor’s degree.

Currently, about 40% of California’s police force has an associate’s or bachelor’s degree. But Dr. Christie Gardner, a professor of criminal justice at CSU Fullerton, said this would make the distribution of these officers more universal.



Newsom signs sweeping California police reforms into law

“You have some cities that only hire officers with a college degree, those municipalities tend to be more highly resourced,” Gardner said. “What this will do is it will more equitably distribute more educated officers across California.”

The bill was introduced by Assembly member Reggie Jones-Sawyer (D–Los Angeles) and was signed by Gov. Gavin Newsom in October.

The new law sets a deadline of June 2023 for when the chancellor of the California Community Colleges must submit a draft curriculum, which could include courses like ethnic studies and psychology. Research has shown that officers who are more highly educated are less likely to use their weapons or physical force on the job.

The bill also includes a provision that scholarships for students looking to take this curriculum should prioritize those applying from underrepresented and underserved communities.

— *Sarah Mizes-Tan*

Bubbles, booze and brew to-go for at least five more years

Senate Bill 389 allows restaurants and some bars to sell to-go wine and cocktails until 2027, providing a five-year extension of an emergency rule from early in the pandemic.

Industry groups say the law is a boost for bars and restaurants that make the bulk of their sales in alcohol but have been hurt by scaled-back in-person dining since early 2020.

“Many people ordered takeout more frequently since last spring of 2020 and have stuck with that habit,” said Jot Condie, president and CEO of the California Restaurant Association, who said the ability to order a drink with a takeout meal is a “welcome” reform.

Beverages sold for off-premises consumption must be sold with food. Law also requires drinks be in sealed and labeled containers and picked up by the customer, who must still provide identification. Customers are limited to two to-go alcoholic beverages per individual meal.

“To-go is great for us,” said Raymond James Irwin, the “chief champagne officer” at Fizz, a bubbly bar in Sacramento’s Downtown Commons.

“We don’t allow any minors at Fizz. So, for those parents whose kids want ice cream, but the parents want a different type of treat, it’s a win-win,” he said.

Irwin said flexibility for delivery and to-go beverages helped Fizz survive early in the pandemic and now is an “integral” part of his business model.

— *Nicole Nixon*

Improved health and safety at homeless shelters

Assembly Bill 362 requires cities and counties to enforce uniform, statewide health and safety standards at homeless shelters — the same as mandated for residential dwellings.

Sponsored by Assembly member Sharon Quirk-Silva (D–Fullerton), the new law also compels local governments to inspect shelters when they receive a complaint about substandard conditions such as broken showers, toilets or a lack of hot water.

Municipalities must then follow up to ensure violations are corrected and can fine operators who don’t fix the problems.

Additionally, the law requires local governments to produce an annual report on shelter violations.

In the past, cities and counties could set their own health and safety rules, according to advocates for people experiencing homelessness.

“Some municipalities have no standards. Some have standards. They vary in the protections they provide. It’s kind of the Wild West out there,” said Eve Garrow, policy advocate at the American Civil Liberties Union of Southern California, which supported the bill.

In March 2019, Garrow published an ACLU report documenting conditions at homeless shelters in Orange County. She found some shelters exposed residents to rain, flooding and even raw sewage. Others went weeks without hot water or dealt with rodent and insect infestations, according to the report.

Garrow said the conditions were allowed to fester because local governments were not required to impose uniform health and safety rules at shelters.

— *Chris Nichols*

Two contentious housing construction laws

A pair of new laws will make it easier to build duplexes and multifamily housing in California.

Duplexes, triplexes and four-plexes could start popping up in neighborhoods currently zoned for single-family housing thanks to Senate Bill 9.

Lawyer Rafa Sonnenfeld with advocate group Yes in My Backyard, a group that promotes new housing in communities, says it’s a return to a time before single-family zoning was used to exclude communities of color.



California’s Housing Crisis: How Much Difference Will A Zoning Bill Make?

“Duplexes are the gentlest way that we can add much-needed housing in a way that fits in with the existing character of a neighborhood,” Sonnenfeld said. “We already have lots of duplexes and smaller apartment buildings in our historic neighborhoods.”

Senate Bill 10 makes it easier for local governments to build multifamily housing, allowing them to bypass much of the environmental review.

John Heath with Our Neighborhood Voices called the bills “bad policy” likely to result in unintended consequences. He says institutional investors will exploit loopholes, adding gas to an overheated housing market.

“Being able to upzone on that property obviously makes it much more valuable as a commodity for those investors and developers that are seeking to capitalize on how many units can you squeeze per square foot or per single-family lot,” Heath said.

The laws take effect on January 1, but Our Neighborhood Voices is pursuing a ballot measure that would shift land-use control back to local governments.

— *Ed Fletcher*

Bacon biz reforms

Animal welfare and the supply of bacon are about to collide in California as we start the New Year.

The nation’s toughest animal confinement law requires livestock to have enough space to lie down and turn around.

It also bans the sale of products that don’t meet the guidelines no matter where the animals were raised.



California's New Animal Welfare Law Could Mean The End Of Bacon

Voter-approved Proposition 12 covers a variety of farm animals, but pork is the big issue here because California is not a large producer, so national suppliers worry it’ll hurt business and are suing on interstate commerce grounds.

The law has survived legal challenges, including at the top.

The Supreme Court already declined to hear one suit and is waiting to announce whether it'll hear another. But historically federal courts have sided with California when it comes to animal housing standards.

Now, a new suit comes at it from another angle.

A consortium of restaurants, grocery stores and farmers says the state doesn't yet have regulations in place, despite wording in the initiative requiring it two years ago.

Julian Canete, president of the California Hispanic Chambers of Commerce, is one of the groups behind that suit.

"We just want to make sure that there's ample time for everybody to be able to contribute to the regulations that you're asking them to commit to," Canete said.

And another suit from supporters of the law also addresses the implementation.

"We want to make sure that the regulations that implement Prop. 12 are sturdy enough to withstand attacks by agribusiness interests," said Wayne Pacelle, president of Animal Wellness Action.

The California Department of Food and Agriculture says it's still finalizing the regulations, and that the state attorney general's office is handling the lawsuits.

— *Randol White*

Speaking 'truth' to recycling

There will be new limits on what plastic packaging can be labeled with the "chasing arrows" recycling symbol.

The law is informally known as "Truth in Recycling."



California Has A Recycling Problem

"We think that nobody should be able to lie to the public and we're just trying to get truth in labeling for recycling," said Heidi Sanborn, who heads an environmental group that pushed for the new law, the National Stewardship Action Council. She says more than 80% of the

single-use plastics Californian's put in recycle bins wind up in landfills instead.

"When they're being lied to on the label. They buy the wrong thing and they do the wrong thing with it and then they get their prices increased because of the cost of the contamination. So it's a triple loss for the consumer," she said.

Under the new law, products will only have the chasing arrow symbol if they're collected in at least 60% of the state's curbside programs. Manufacturers have until the summer of 2025 to get their products into compliance.

— *Steve Milne*

Water rates and lawsuits

Attorneys will have a much shorter window to file lawsuits against water and sewer rate hikes in California.

Senate Bill 323 becomes law on January 1 and requires any legal challenges to rate increases be filed within 120 days of the new rate taking effect.

Almost 100 public agencies backed the bill, which was signed by Gov. Newsom in September. They say that attorneys have waited years — in some cases, as long as a decade — to file suit, allowing damages and thus fees to build.

Attorney Claire Collins of the law firm Hanson Bridgett helped write the bill. She calls the years-later lawsuits “bounty hunter suits” and says when they’re successful, they provide pennies in relief for ratepayers but millions in fees for the attorneys involved.

The public agencies, all of which operate as nonprofits, say the bill will allow them some certainty in budgeting, with any challenges required by law to come within a specific and brief time window, rather than years after the fact.

— *Mike Hagerty*

Compost ch-ch-ch-changes

One new law will change how Californians dispose of banana peels, chicken bones and leftover veggies under a mandatory residential food waste recycling program.

The state is converting residents' food waste into compost or energy.

"This is major. This is the biggest change to our trash since we started recycling in the 1980s," said Rachel Wagoner, the director of Cal-Recycle.

She says most people are now required to toss excess food into green waste bins.

"You know, when you're done eating that banana, put the banana peel in your organic waste bin instead of your garbage bin, it is just that simple," Wagoner said.

Municipalities will then turn the food waste into compost or use it to create biogas.

The goal is to stop food waste from ending up in landfills where it decays and emits methane, a greenhouse gas that damages the atmosphere.

Under the law, each local government can choose its own method of food waste collection.

Wagoner says Sacramento will begin its organic waste collection in the summer, but that "will be just combined with your yard waste bin."

"So you shouldn't expect necessarily to get another bin unless there wasn't one already for that government," Wagoner said. "But you will get notice that that collection will be starting."

— *Steve Milne*

A legal prescription to burn

The state will encourage more people to set controlled burns in order to minimize the risk of major wildfires.

The law reduces the liability risk for people who set prescribed fires, which help eliminate the grass and brush that fuel devastating blazes.



Prescribed burns could help reduce California's wildfires. A new bill could help make planned fires more frequent

These so-called "burners" can still be held liable if a prescribed fire gets out of control, but only if they are grossly negligent.

Susie Kocher, a forest advisor for the University of California Cooperative Extension, hopes the new law encourages more property owners to seek out training.

"We do have prescribed burn associations that are popping up all over the state. I really think it's going to take a community effort," she said.

Kocher added more Californians could experience some mild smoke as prescribed burning increases. “But it’s much less than would be generated in a wildfire situation,” she said.

And she argues that’s a worthwhile tradeoff.

— *Scott Rodd*

Education reforms for prisoners

Higher education in prisons is getting an upgrade through Senate Bill 416.

The new law mandates college courses taught in prisons must be free and offered by a UC, CSU, community college or other regionally accredited, nonprofit college or university.

Nicholas Miller is re-entry co-coordinator for Re-Emerging Scholars at Sacramento City College, which serves incarcerated and formerly incarcerated students. He says students in prisons lose out by taking correspondence courses offered by for-profit colleges, with many credits not applicable toward a formal degree.

“Having in-person, robust instruction of courses inside the facility is incredibly important to demystify the college experience for a lot of these students,” Miller said.

The new law also expands existing state laws, requiring college programs be available to inmates with a high school diploma or equivalent.

Shane Logan, the other Re-Emerging Scholars co-coordinator, says providing programs to incarcerated students impacts “real lives.”

He relayed the story of a student whose mother was in and out of the prison system.

“She said, ‘Because I am getting a college degree, my daughter is more likely to get a college degree than to ever step foot in the carceral system,’” he said.

Dr. Mariko Peshon McGarry coordinates prison education across the Los Rios Community College District and says she hopes legislation like SB416 and Assembly Bill 417 helps reset norms.

“We say as a collective, ‘This is part of our community and continuing to push these students physically, financially, socially to the margins is no longer acceptable,’” she said.

AB 417, signed by the governor in October, solidifies ongoing state support to 50 community colleges for programs like Re-Emerging Scholars.

— *Janelle Salanga*
