



Legal Alerts | 02/27/2025

2025 California Legal Updates: What You Need to Know – Part Four

An Analysis of New Laws in 2025 Affecting Local Government, Redistricting, Political Reform and Public Records, Cannabis, Residential Property, Alcoholic Beverages, Water Rates and Autonomous Vehicles

In Part Four of the New Laws series from Best Best & Krieger LLP (BBK), new legislation for 2025 focusing on Local Government, Redistricting, Political Reform and Public Records, Cannabis, Residential Property, Alcoholic Beverages, Water Rates and Autonomous Vehicles includes key takeaways and analyses of AB 1637, AB 764, AB 1170, AB 1785, AB 1684, AB 1775, AB 1317, SB 969, AB 1827 and AB 1777.

Local Government

AB 1637

Assembly Bill 1637 (AB 1637) addresses internet websites and email addresses.

The California Public Records Act requires local agencies to make public records available for inspection, including posting them on their websites. AB 1637 does the following:

- Requires local agencies with websites to use a “.gov” or “.ca.gov” domain by January 1, 2029, and to redirect noncompliant websites to a proper domain.
- Mandates that local agencies with public email addresses ensure they use a “.gov” or “.ca.gov” domain. This adds new duties for local officials, creating a state-mandated local program.
- Includes findings that changes proposed by AB 1637 address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities including charter cities.

Redistricting

AB 764

Assembly Bill 764 (AB 764) addresses local redistricting.

Existing law requires local governments and educational boards with district-based elections to adopt new district boundaries after each federal census.

AB 764 does the following:

- Updates these provisions requiring counties, county boards of education, cities, school districts, community college districts, and special districts with district-based elections to follow uniform redistricting requirements. These local jurisdictions must adopt new district boundaries using specified criteria after deciding to establish district-based elections and following each federal decennial census.
- Defines “districting body”, clarifies the requirements for advisory or hybrid redistricting commissions, and requires these commissions to follow specific guidelines when recommending changes to legislative body district boundaries.
- Requires local jurisdictions to hold at least one (1) public workshop and five (5) public hearings before adopting new district boundaries.
- Mandates that advisory or hybrid redistricting commissions follow the same requirements as the districting body for public hearings. Local jurisdictions must adopt a redistricting public education and outreach plan before holding any hearings or workshops, with the jurisdiction (not the commission) responsible for this plan if a hybrid commission is used. Additionally, jurisdictions must create and maintain an accessible redistricting webpage with public information (including recordings or summaries of public comments, written comments, and draft maps). Templates for these web pages, a free electronic mapping tool, and redistricting training for local jurisdictions will be provided by the Secretary of State.
- Requires district boundaries to be adopted no later than two hundred and four (204) days before the local jurisdiction’s next regular election occurring after January 1 in each year ending in the number 2 for redistricting occurring in 2031 and thereafter. If the responsible body misses that deadline, it must immediately petition the appropriate superior court to adopt the district boundaries. If the body fails to do so, a resident can file the petition. If the court grants the petition, it may appoint a special master to help adopt the boundaries.
- Allows new district boundaries to be adopted before the next census if the number of elected supervisors or council members changes, or if an independent redistricting commission is established to adopt new districts.
- Provides that a member of a local jurisdiction's governing body will continue to represent constituents from the district they were elected from for the duration of their term.
- Allows a local jurisdiction to assign a public official to provide constituent services to areas temporarily without representation due to redistricting.

Political Reform and Public Records

AB 1170

Assembly Bill 1170 (AB 1170) addresses the filing requirements under the Political Reform Act of 1974 (PRA).

The PRA requires elected officials, candidates, and committees to file periodic campaign statements and reports on campaign finances and requires public officials to file periodic statements of economic interests disclosing financial information. The Fair Political Practices Commission serves as the filing officer for state-wide elected officials, candidates, and other specified public officials. When the Commission is the filing officer, public officials file with their agency or another entity (which then sends a copy and the original to the Commission).

AB 1170 does the following:

- Allows a filing officer to store reports or statements filed in paper format as microfilm, other space-saving formats, or electronic copies immediately without waiting two (2) years as previously required by law.
- Permits storing reports as electronic copies before the Secretary of State certifies an online filing system. Once the system is certified, paper reports can be stored as electronic copies without the two-year year waiting period.
- Revises filing requirements by requiring public officials and candidates, for whom the Commission is the filing officer, to file their original statements of economic interests electronically.
- Makes conforming changes to other laws and mandates that the Commission redact certain personal information such as signatures, addresses, phone numbers, and details about a filer’s business, tenants, or family members.

AB 1785

Assembly Bill 1785 (AB 1785) updates the California Public Records Act (PRA) found in California Government Code § 7920.000, et seq.

The PRA requires state and local agencies to make their records available for public inspection unless an exemption from disclosure applies. The PRA prohibits a state or local agency from posting the home address or telephone number of any elected or appointed official on the internet without first obtaining the written permission of that individual.

AB 1785:

- Expands the protections to prohibit a state or local agency from publicly posting (as defined) the home address, telephone number, or both the name and assessor parcel number associated with the home address of any elected or appointed official on the internet without first obtaining the written permission of that individual.
- Finds that such restrictions are necessary to protect the personal safety and privacy of public officials and their families by limiting access to assessor’s parcel numbers in connection with the home address of those individuals.
- Does not prohibit a state or local agency from publicly posting a legally required notice or publication of an elected or appointed official on the internet as may be required under the Brown Act or otherwise.

Cannabis

AB 1684

Assembly Bill 1684 (AB 1684) addresses immediate cannabis fines and penalties.

Generally, an ordinance that imposes administrative fines and penalties for violating a local ordinance must give the responsible person a reasonable amount of time to correct a continuing violation when there is no immediate danger to health or safety. Prior to 2024, such an ordinance could allow for immediate fines and penalties for violations relating to building, plumbing, electrical, or other similar structural, health and safety, or zoning requirements resulting from unlicensed cannabis cultivation.

AB 1684 expands local authority to regulate commercial cannabis by allowing local agencies to adopt ordinances for immediate administrative fines and penalties for violations resulting from unlicensed cultivation and all unlicensed commercial cannabis activity including manufacturing, processing, distribution, or retail sale of cannabis. Such ordinances may declare unlicensed commercial cannabis activity a public nuisance, and allow for the following immediate fines on both the owner and cannabis business tenant:

- Up to \$1,000 maximum per violation
- Up to \$10,000 maximum daily total fines

A reasonable period to correct a violation is required if the tenant is in possession of the property subject to administrative action, the property’s lease agreement prohibits commercial cannabis activity, and the owner did not know of the tenant’s unlicensed commercial activity. The ordinance may allow for the joint and several liability of the property owner and the cannabis business owner and referral to the Attorney General for civil prosecution.

AB 1775

Assembly Bill 1775 (1775) seeks to support small cannabis retail businesses by paving a path for a cannabis “coffee shop” model. Proposition 64 currently permits local jurisdictions to allow cannabis consumption on retailers’ premises under certain conditions. Other regulations however have prohibited these consumption lounges from selling non-cannabis food or beverages for consumption on premises unless there is a designated consumption area, the products are prepackaged and non-alcoholic, and their sale is allowed by the applicable jurisdiction.

AB 1775 authorizes local jurisdictions to allow cannabis retailers to prepare and sell non-cannabis food and beverages, and to sell tickets to live musical or other performances in the area of the premises where consumption of cannabis and cannabis goods is authorized. Local authorization is subject to the retailer meeting several conditions intended to protect employees and the public from the health risks linked to secondhand cannabis smoke. These conditions include employer-provided masks to employees, jurisdiction-required ventilation systems, and a prohibition on smoking cannabis in any non-cannabis food preparation area. The cannabis consumption area must be restricted to persons aged at least 21 years and consumption cannot be visible from any public place or nonage-restricted area.

Residential Property

AB 1317

Assembly Bill 1317 (AB 1317) is applicable to certain counties only and requires landlords who provide tenant parking with “qualifying residential property” to unbundle the parking from the price of rent. A qualifying residential property is any multi-family dwelling intended for human habitation that (1) is issued a certificate of occupancy on or after January 1, 2025; (2) consists of 16 or more residential units; and (3) is located within the Counties of Alameda, Fresno, Los Angeles, Riverside, Sacramento, San Bernardino, San Joaquin, Santa Clara, Shasta, or Ventura. For these new properties, a landlord must sell or lease parking separate from the residential lease for the covered unit. Exempt properties include those with individual garages that are functionally a part of the property (such as townhomes) and affordable housing developments as described.

The law also establishes rights associated with unbundled parking. Tenants of qualifying residential property have a right of first refusal to parking spaces built for their unit. Any unused spaces may be leased by the property owner to on- or off-site users on a monthly basis. In addition, failure to pay for the leased parking cannot be used

to form the basis for an eviction action. However, landlords may revoke the tenant’s right to lease parking if a tenant does not pay by the 45th day after payment is owed.

Alcoholic Beverages

SB 969

Senate Bill 969 (SB 969) authorizes cities and counties to create “entertainment zones” where customers can leave the premises with open alcoholic beverages for consumption within the designated zone.

While local agencies are not required to create entertainment zones, those that do so must comply with specific requirements, including:

- Adopting an ordinance establishing the entertainment zone.
- Defining zone parameters including boundaries, permitted beverage types, and operating hours.
- Developing a system to verify that individuals consuming alcohol within the zone are readily identifiable as 21 years or older.
- Notifying and consulting with law enforcement on safety concerns, mitigation strategies, and key operational details (such as boundaries, hours, and permitted containers within the zone).

Once established, agencies must conduct a biennial review to assess public safety and ensure the entertainment zone is maintained in a manner that protects public health and safety. SB 969 also eliminates prior off-sale restrictions that would have otherwise prevented licensed businesses within the zone from allowing customers to take open alcoholic beverages outside for consumption.

Water Rates

AB 1827

Assembly Bill 1827 (AB 1827) updates water fees and charges for local government.

The California Constitution specifies various requirements with respect to the levying of assessments and property-related fees and charges by a local agency. Existing law, known as the Proposition 218 Omnibus Implementation Act (Prop 218), prescribes specific procedures and parameters for local jurisdictions to comply with these requirements and, among other things, authorizes an agency providing water, wastewater, sewer, or refuse collection services to adopt a schedule of fees or charges authorizing automatic adjustments in wholesale charges for water, sewage treatment, wastewater treatment, or adjustments for inflation under certain circumstances.

Under AB 1827, the fees or charges for property-related water service imposed or increased (as specified) may include the incrementally higher costs of water service due to specified factors including any of the following:

- The higher water usage demand of parcels.
- The maximum potential water use.
- Projected peak water usage.
- Any combination of paragraphs (1) through (3), including all three.

The incrementally higher costs of water service associated with higher water usage demands, the maximum potential water use, or projected peak water usage may be allocated using any method that reasonably assesses the water service provider's cost of serving those parcels that are increasing potential water usage demand, maximum potential water use, or projected peak water usage.

Effectively, AB 1827 affirms the long-standing practice of using meter size and peak water use to allocate certain water service costs to customers.

Autonomous Vehicles

AB 1777

Assembly Bill 1777 (AB 177) expands regulatory oversight of autonomous vehicles (AV) operating without a human driver to improve emergency response coordination. AB 1777 contains the following requirements:

- Manufacturers must maintain a dedicated emergency line for emergency response officials (including police, firefighters, and dispatchers) any time AV are on public roads.
- All calls to the emergency line must be answered within 30 seconds by a remote operator monitoring all AV in real-time.
- All AV must be equipped with an override system enabling a remote operator to immobilize the vehicle, direct its movement, or allow emergency response officials to move it as needed.
- Authorizes emergency response officials to direct AV to vacate or avoid certain areas during emergencies. Manufacturers must comply with these orders within two minutes and cooperate with emergency officials to facilitate the implementation of these geofencing measures.

Once the Department of Motor Vehicles (DMV) adopts implementing regulations, peace officers may issue notices of AV noncompliance for traffic violations committed while operating autonomously. Manufacturers must submit any notice of noncompliance to the DMV within 72 hours unless a different timeframe is established by the DMV.

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