

AMENDED IN SENATE JUNE 24, 2014

AMENDED IN ASSEMBLY JANUARY 9, 2014

AMENDED IN ASSEMBLY JANUARY 6, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 319

Introduced by Assembly Member Campos

February 12, 2013

An act to add Article 10 (commencing with Section 53165) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to local agencies.

LEGISLATIVE COUNSEL'S DIGEST

AB 319, as amended, Campos. Local agencies: domestic violence.

Existing law specifies the powers and duties common to cities, counties, and other public agencies. Existing law defines domestic violence, sexual assault, stalking, human trafficking, and abuse of an elder or dependent adult.

This bill would prohibit a local agency, *as defined*, from requiring a landlord to terminate a tenancy or fail to renew a tenancy based upon an act against a tenant or a tenant's household member that constitutes domestic violence, sexual assault, stalking, human trafficking, and abuse of an elder or dependent adult or based upon the number of calls made by a person to the emergency telephone system relating to the tenant or a member of the tenant's household being a victim of an act constituting domestic violence, sexual assault, stalking, human trafficking, and abuse of an elder or dependent adult.

The bill would also declare that the need to protect tenants referenced in this bill is a matter of statewide concern and not a municipal affair.

and that, therefore, all cities, including charter cities, would be subject to the provisions of the bill.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 10 (commencing with Section 53165) is
2 added to Chapter 1 of Part 1 of Division 2 of Title 5 of the
3 Government Code, to read:

4
5 Article 10. Prohibition on Requiring Landlords to Terminate
6 A Tenancy
7

8 53165. (a) A local agency shall not require a landlord to
9 terminate a tenancy or fail to renew a tenancy based upon an act
10 or acts against a tenant or a tenant’s household member that
11 constitute domestic violence as defined in Section 6211 of the
12 Family Code, sexual assault as defined in Section 1219 of the Code
13 of Civil Procedure, stalking as defined in Section 1708.7 of the
14 Civil Code or Section 646.9 of the Penal Code, human trafficking
15 as defined in Section 236.1 of the Penal Code, or abuse of an elder
16 or a dependent adult as defined in Section 15610.07 of the Welfare
17 and Institutions Code, provided that the requirements of subdivision
18 (a) of Section 1161.3 of the Code of Civil Procedure are met.

19 (b) A local agency shall not require a landlord to terminate a
20 tenancy or fail to renew a tenancy based upon the number of calls
21 made by any person to the emergency telephone system relating
22 to the tenant or a member of the tenant’s household being a victim
23 of an act or acts that constitute domestic violence as defined in
24 Section 6211 of the Family Code, sexual assault as defined in
25 Section 1219 of the Code of Civil Procedure, stalking as defined
26 in Section 1708.7 of the Civil Code or Section 646.9 of the Penal
27 Code, human trafficking as defined in Section 236.1 of the Penal
28 Code, or abuse of an elder or a dependent adult as defined in
29 Section 15610.07 of the Welfare and Institutions Code, provided
30 that the requirements of subdivision (a) of Section 1161.3 of the
31 Code of Civil Procedure are met.

32 (c) For the purposes of this section, “tenant” means tenant,
33 subtenant, lessee, or sublessee.

1 *(d) For purposes of this section, “local agency” means a county,*
2 *city, whether general law or chartered, city and county, town,*
3 *housing authority, municipal corporation, district, political*
4 *subdivision, or any board, commission, or agency thereof, or other*
5 *local public agency.*

6 *SEC. 2. The Legislature finds and declares that the need to*
7 *protect tenants referenced in this bill is a matter of statewide*
8 *concern, and not merely a municipal affair, as that term is used*
9 *in Section 5 of Article XI of the California Constitution. Therefore,*
10 *this act shall apply to charter cities.*

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