

Assembly Bill No. 319

Passed the Assembly June 30, 2014

Chief Clerk of the Assembly

Passed the Senate June 26, 2014

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2014, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

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, 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.

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

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

Article 10. Prohibition on Requiring Landlords to Terminate
A Tenancy

53165. (a) A local agency shall not require a landlord to terminate a tenancy or fail to renew a tenancy based upon an act

or acts against a tenant or a tenant's household member that constitute domestic violence as defined in Section 6211 of the Family Code, sexual assault as defined in Section 1219 of the Code of Civil Procedure, stalking as defined in Section 1708.7 of the Civil Code or Section 646.9 of the Penal Code, human trafficking as defined in Section 236.1 of the Penal Code, or abuse of an elder or a dependent adult as defined in Section 15610.07 of the Welfare and Institutions Code, provided that the requirements of subdivision (a) of Section 1161.3 of the Code of Civil Procedure are met.

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

(c) For the purposes of this section, "tenant" means tenant, subtenant, lessee, or sublessee.

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

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

Approved _____, 2014

Governor