



Mid-2024 Legislative Update

Disclaimer

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AB 1033 - ADUs

- Owner can convert ADU into a condo with association approval
- Can sell ADU separately from main residence
- Unclear how condo would work
 - Are they part of HOA?
 - Are they subject to assessments?





AB 1572 – Potable Water

- Prohibit the use of potable water for the irrigation of nonfunctional turf located on homeowners associations beginning January 1, 2029
- Codifies current regulations restricting the watering of nonfunctional turf

Drought Restrictions

Check state website:

<https://drought.ca.gov/state-drought-response/statewide-emergency-water-conservation-regulations/>

- Restrictions apply to HOAs
- Decorative grass should not be watered*
- Give all **trees** just what they need: avoid overwatering
- Follow the local requirements of your water supplier

Note: Unless otherwise allowed in the regulation

https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/regs/emergency_regulation.html



SB 428 – Workplace Restraining Orders

Bridges a Gap!

Expands grounds for workplace related restraining orders (Effective 1/1/2025)

- **Current:** “(a) Any employer, whose employee has suffered unlawful violence or a credible threat of violence from any individual”
- **New:** “(a) Any employer, whose employee has suffered **harassment**, unlawful violence, or a credible threat of violence from any individual”

Workplace
Harassment

AB 648

Virtual Meetings

- Allows for board and member meetings to be conducted entirely virtually without designating a physical location.
- Exception: Meetings at which ballots are counted and tabulated still must have a physical location designated (hybrid allowed)



AB 648

Virtual Meetings

Requirements:

- Notice must include tech instructions
- Must provide tech assistance before and during the meeting
- Must inform of option to receive individual notice and how
- Provide a phone in option
- Roll call votes



AB 1458 – Lower Quorum Requirement

- Lowers the quorum requirement for adjourned member meetings to elect Board of Directors to 20%
- Adjourn at least 20 days
- If the Association's Governing Documents allow for a lower quorum requirement (e.g., 15% or 10%) then lower applies



"Well, let's get started now we've got a quorum."

AB 1458 – Lower Quorum Requirement

- **New General Notices required**
 1. **At least 30 days before ballots are distributed**
 - **Statement:** the board of directors may call a subsequent meeting at least 20 days after a scheduled election if the required quorum is not reached, at which time the quorum of the membership to elect directors will be 20 percent of the association's members voting in person, by proxy, or by secret ballot. (Civil Code 5115(b)(5))
 2. **No less than 15 days prior to adjourned election**
 - Date, time, and location of the meeting
 - List of all candidates
 - **Statement:** 20% of the association present or voting by proxy or secret ballot will satisfy the quorum requirements for the election of directors and that the ballots will be counted if a quorum is reached. (Civil Code 5115(d)(C))



"Well, let's get started now we've got a quorum."

On the Horizon...

- AB 2114 (Irwin) – Inspection of Elevated Structures
 - Add “Licensed Civil Engineers”
 - Passed Senate Floor & now on Governor’s desk
- AB 2159 (Maienschein) – Electronic Voting
 - Authorizes election by electronic secret ballot
 - Passed Senate Housing & Judiciary Committee (10-1 vote); headed to Senate Floor after summer recess
 - CAI-CLAC Call to Action: <https://caiclac.com/current-campaigns/>
Nearly 5,000 emails to members of Senate Judiciary Committee
- AB 2460 (Ta) – Elections/Quorum
 - Clean up Bill to last year’s AB 1458
 - Passed Senate Housing & Judiciary Committee (11-0 vote); headed to Senate Floor after summer recess
- SB 900 (Umberg) – Repair & Maintenance
 - Interruption of gas, heat, water, electrical starting in common area
 - Initially: association complete repairs in 30 days;
Now: commence process within 10 days

