

# 2025 Legislative Update

## Midway City Sanitary District

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**WOODRUFF**

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A Professional Corporation

# Solid Waste and Recycling

## Recycling and Waste Reduction

- ▶ AB 899
  - ▶ Increases cap on market development payments to producers of glass bottles from \$50/ton to \$150/ton
  - ▶ Extends Program for another two years (through 2029)
  - ▶ Authorizes an additional \$20 Million for Program
- ▶ AB 1478
  - ▶ Allows mattress retailer/distributor to directly pay the recycling fee on behalf of the consumer
  - ▶ Makes mattress distributors, retailers, and sellers responsible for education on the program and recycling

# Solid Waste and Recycling

## Organic Waste Diversion

- ▶ AB 1046
  - ▶ Exempts agricultural crop preparation services from SB 1383 regulations & organics diversion requirements
- ▶ AB 70
  - ▶ Defines “pyrolysis” and expands markets for pipeline biomethane
- ▶ SB 279
  - ▶ Eases regulatory burdens on small scale community compost operations and agricultural composting activities for large-scale biomass events

# Solid Waste and Recycling

## Other Solid Waste Related Bills

### ▶ AB 978

- ▶ Requires cities and counties to adopt Caltrans recycled material standards for base/subbase materials, asphalt pavement, and aggregates used in streets and highways *to the extent feasible and cost effective*

### ▶ SB 731

- ▶ Modifies reflective tape requirements for trash bins and storage containers placed along roadways or in transport

# Housing Development

## ▶ SB 543

- ▶ Requires a “permitting agency” to determine whether an application to create or serve an ADU or JADU is complete within 15 days
- ▶ Must provide list of all incomplete items within 15 days or cannot ask for it later
- ▶ Must approve or disapprove a complete application within 60 days
- ▶ Applies to utilities and special districts (including MCSD)

## ▶ AB 1154

- ▶ Eliminates owner-occupancy requirements for JADUs with separate bathrooms
- ▶ Prohibits short-term rental of JADUs

# Housing Development

- ▶ AB 130
  - ▶ Exempts most multi-family developments over 15 du/ac from CEQA and requires cities to approve or disapprove them within 30 days of completion of tribal consultation
  - ▶ Makes 10 lot / unit subdivisions under Starter Home Revitalization Act more feasible by allowing developers to designate portion of lot as “remainder parcel”
- ▶ AB 1050
  - ▶ Allows removal of restrictive covenants prohibiting housing development on commercial properties
- ▶ SB 79
  - ▶ Allows high density housing near transit stops

# Finance

## SB 595

- ▶ Extends investment authority for the following to January 1, 2031:
  - ▶ Up to 40% (instead of 25%) in commercial paper (agency must more than \$100 million in investment assets)
  - ▶ U.S. backed securities that could result in zero or negative interest accrual if held to maturity
- ▶ Revises deadlines for SCO financial transaction reporting
  - ▶ Must file report with SCO within 10 months after end of fiscal year (unless Controller allows more time)
  - ▶ Penalties from \$1,000 to \$5,000 if file the report late

# Public Contracting

## AB 538

- ▶ Local Agency must obtain certified payroll records from public works contractor and provide them to a member of the public that requests them
- ▶ Contractor must provide them to agency within 10 days of request
- ▶ If Contractor fails to meet the 10-day deadline to provide the payroll records, agency must report Contractor to Division of Labor Standards Enforcement
- ▶ May need to update contract language and policies

# Employment & Labor Relations

## AB 339

- ▶ Must provide 45 days' notice to union prior to contracting out for services within represented job classifications
  - ▶ Anticipated duration of contract
  - ▶ Scope of work under contract
  - ▶ Anticipated cost of contract
  - ▶ Draft or summary of RFP
  - ▶ Reason agency believes the contract is necessary
- ▶ Notice **not** required for public works contracts, construction management, professional engineering, architectural, environmental, etc. services

# Employment & Labor Relations

## SB 642 – Pay Equity Enforcement Act

- ▶ Changed definition of “Pay Scale” in Pay Transparency Law
  - ▶ Previously: Had to disclose estimated salary/wage range employer expected to pay “for the position” generally
  - ▶ Now: Must provide “good faith estimate” of salary/wage range “upon hire”
- ▶ Amended Equal Pay Law in Labor Code section 1197.5 as follows:
  - ▶ Prohibits paying employee less than an employee of “~~opposite sex~~” **“another sex”**
  - ▶ Expanded definition of “wages” to include *all* forms of pay (including bonuses, stock, stock options, gasoline allowances, travel reimbursements, etc.)
  - ▶ Extended statute of limitations for claims from 2 years to 3 years “after the last date” a violation occurs and allows recovery for entire period of violation up to 6 years

# Employment & Labor Relations

## SB 294 – Workplace Know Your Rights Act

- ▶ Required Annual Notice to Employees of Specified Rights
- ▶ By February 1<sup>st</sup> of each year
- ▶ Required Contents of Notice (Template Published by Labor Commissioner)
  - ▶ Right to workers' compensation benefits
  - ▶ Right to notice of inspections by immigration agencies
  - ▶ Protection against unfair immigration-related practices
  - ▶ Right to organize a union or engage in concerted activity in workplace
  - ▶ Constitutional rights when interacting with law enforcement at workplace
  - ▶ Description of new legal developments pertaining to laws enforced by Labor and Workplace Development Agency deemed relevant by Labor Commissioner
  - ▶ List of agencies that will enforce these rights

# Employment & Labor Relations

## SB 294 – Workplace Know Your Rights Act

- ▶ Emergency Contact in event employee arrested or detained at workplace
- ▶ Employer must give existing employees opportunity to name an emergency contact by **March 1, 2026** and at time of hire for new employees
- ▶ If employee authorizes it, employer required to contact emergency contact if employee arrested or detained at work or while on duty
- ▶ Penalties of \$500 to \$10,000 per employee if employer discriminates or retaliates against employees for exercising these rights

# Employment & Labor Relations

## Employee Leave Rights

### ▶ AB 406

- ▶ Employees may now use paid sick leave for jury duty and appearing in court as witness under subpoena (Labor Code §246.5)
- ▶ Expanded protections for employees who are victims of violence
  - ▶ Employees who are (or have family who are) victims of serious crimes entitled to take unpaid leave to attend judicial proceedings (Gov't Code §12945.8)
  - ▶ Additional job protections for employees who are victims of felony domestic violence, felony stalking, or sexual assault and take related time off (Labor Code §§ 230 *et. seq.*)

### ▶ SB 590

- ▶ Expands eligibility for Paid Family Leave to include taking care of any seriously ill person related by blood or whose association with the employee is equivalent to a family relationship (i.e., any “designated person”)

# Employment & Labor Relations

## Employee Crimes

### ▶ AB 1067

- ▶ Makes it harder for a public employee who committed misconduct that may constitute a crime from avoiding forfeiture of pension benefits by retiring mid-investigation
- ▶ Agency must complete its investigation or turn over to law enforcement
- ▶ Employee forfeits all accrued pension rights and benefits if subsequently convicted of felony for job-related misconduct

### ▶ SB 521

- ▶ 5-year disqualification from public employment for felony conviction for a conflict of interest
- ▶ Permanent disqualification from public employment for city managers and city attorneys for certain felony convictions (including for conflicts of interest)

# Employment & Labor Relations

## Other New Legislation

- ▶ SB 513
  - ▶ Expands “personnel records” employers must provide to employees and former employees to include education and training records
- ▶ SB 303
  - ▶ Affirms that providing or engaging in bias mitigation training does not, by itself, constitute unlawful discrimination
- ▶ AB 692
  - ▶ Bans “Stay-or-Pay” employment contract provisions requiring employees to pay a debt or penalty if their employment with a specific employer terminates

# Brown Act (SB 707)

## Public Participation Requirements for “Eligible Legislative Bodies”

- ▶ Applies to most City Councils, Boards of Supervisors, and Boards of Large Special Districts
  - ▶ Applies to Special Districts that:
    - ▶ Have jurisdiction covering entirety of a county with over 600,000 population and have 200+ employees, or
    - ▶ Have 1,000+ employees, or
    - ▶ Have \$400 million+ annual revenue and have 200+ employees
  - ▶ Does not apply to MCSD (yet)
- ▶ Effective July 1, 2026
- ▶ Must allow public participation via a two-way telephonic service or a two-way audiovisual platform
- ▶ Must approve a policy regarding disruption of telephonic or internet service during meetings
- ▶ Must provide reasonable assistance with translation and interpretation services at meetings
- ▶ Must provide translation of agendas and specified website content into other languages

# Brown Act (SB 707)

## Amended Teleconferencing Provisions

### Applicable to All Local Agencies

- ▶ Board member with disability may participate in meeting remotely as a reasonable accommodation
  - ▶ Must appear through both audio & video, unless disability prevents appearing on camera
  - ▶ Must identify each adult in the room
- ▶ Revised “Alternative” Teleconferencing rules
  - ▶ Teleconferencing allowed again during local emergencies
  - ▶ Ability to use teleconferencing due to “just cause” now includes:
    - ▶ having an immunocompromised family member
    - ▶ specified military service obligations
  - ▶ Teleconferencing may now be used by members of subsidiary advisory bodies and cross-county multijurisdictional agencies pursuant to specified requirements
  - ▶ Alternative Teleconferencing provisions now in Gov’t Code § §54953.8 through 54953.8.7
  - ▶ Must comply with uniform set of rules for all teleconferencing categories plus category-specific rules

# Brown Act (SB 707)

## Other Brown Act Changes

### Applicable to All Local Agencies

- ▶ Requires District to provide copy of Brown Act to each Board member
- ▶ Prohibits Board from adjusting its own compensation at a special meeting
- ▶ Requires oral report for adjustment of compensation of department heads (not just GM)
- ▶ Indefinitely extends exception permitting separate communications with the public on social media platforms to answer questions and to provide or solicit information
- ▶ Permits President (chair) to remove or limit participation of disruptive members of the public participating in a meeting remotely via a two-way telephonic service or a two-way audiovisual platform

# SB 827: Ethics and Fiscal and Financial Training

- ▶ Ethics training requirement extended to senior staff (GM and department heads)
- ▶ Local officials must also now receive **fiscal and financial** training every 2 years
  - ▶ Existing Officials: By January 1, 2028
  - ▶ New Officials: Both ethics and fiscal/financial training w/in 6 months of assuming office/position
- ▶ Officials must provide proof of participation to all agencies they serve
  - ▶ District must keep training certificates for 5 years and post instructions on how public can request copies in its website
- ▶ The agency that provides the training must keep records of the dates each official completed the training and the entity that provided the training

# Political Reform Act

## New Financial Disclosure Obligations

- ▶ SB 852
  - ▶ Officials who “manage public investments” must file Form 700 directly with FPPC
- ▶ AB 1286
  - ▶ Officials must disclose arrangements for *prospective employment* on Form 700
- ▶ AB 1029
  - ▶ Officials must disclose investments in digital financial investments (i.e., cryptocurrency) on Form 700 by name of the asset commonly known to the public (i.e., “Bitcoin”)
  - ▶ Beginning January 1, 2027
  - ▶ District will need to update its Local Conflict of Interest Code to reflect this change

# Political Reform Act Campaign Funds

- ▶ SB 852
  - ▶ Prohibits campaign contributions at local government offices
- ▶ AB 953
  - ▶ Prohibits Foreign Nationals (excluding DACA recipients) from making campaign contributions or expenditures in connection with state or local ballot measures
- ▶ AB 1511
  - ▶ Codifies FPPC advice allowing candidate for primary and general election for one office to transfer campaign funds to run for a different office if candidate drops out of first race before the primary
- ▶ AB 789
  - ▶ Allows use of unlimited amount of campaign funds for security expense (until 2029)

# Elections

- ▶ AB 94
  - ▶ Prohibits a recalled local officer from being appointed to fill the vacancy of that office
- ▶ SB 398
  - ▶ Bans offering a lottery or chance to win money to induce a person to vote or to register to vote (i.e., an “election sweepstakes”)
- ▶ SB 42 (California Fair Elections Act)
  - ▶ November 2026 Ballot Measure
  - ▶ Would repeal statewide ban on public financing for election campaigns and allow state and local governments to establish public campaign financing programs
  - ▶ Would increase penalties illegal foreign contributions to state and local campaigns

# 2025 Legislative Update

## Questions?

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