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SB-406 California Environmental Quality Act: exemption: financial assistance: residential housing.
(2023-2024)

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Senate Bill No. 406

CHAPTER 150

An act to amend Section 21080.10 of the Public Resources Code, relating to environmental quality.

[Approved by Governor September 01, 2023. Filed with Secretary of State September 01, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

SB 406, Cortese. California Environmental Quality Act: exemption: financial assistance: residential housing.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.

CEQA exempts for its requirements actions taken by the Department of Housing and Community Development or the California Housing Finance Agency to provide financial assistance or insurance for the development and construction of residential housing, as provided.

This bill would extend the above exemption to actions taken by a local agency not acting as the lead agency to provide financial assistance or insurance for the development and construction of residential housing, as provided.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 21080.10 of the Public Resources Code is amended to read:

21080.10. This division does not apply to any of the following:

(a) An extension of time, granted pursuant to Section 65361 of the Government Code, for the preparation and adoption of one or more elements of a city or county general plan.

(b) Actions taken by the Department of Housing and Community Development, the California Housing Finance Agency, or a local agency not acting as the lead agency to provide financial assistance or insurance for the development and construction of residential housing for persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety

Code, if the project that is the subject of the application for financial assistance or insurance will be reviewed pursuant to this division by another public agency.