



April 9, 2013

Assembly Member Tom Ammiano
State Capitol, Room 3146
Sacramento, CA 95814

RE: AB 5 (Ammiano) Homelessness. NOTICE OF OPPOSITION *(As amended April 8, 2013)*

Dear Assembly Member Ammiano:

On behalf of the League of California Cities, California Special Districts Association, and California Downtown Association we regretfully inform you of our opposition to your Assembly Bill 5, which would enact the Homeless Person's Bill of Rights and Fairness Act.

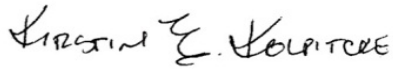
We recognize the interconnectedness of safe, decent, and permanent housing when addressing other needs of California's homeless population, such as mental health or substance abuse treatment, and unemployment. However, any solution must strike a balance between promoting health and safety for all residents and respecting the local designation of resources. Unfortunately, AB 5 would create costly mandates, blur the line between local jurisdiction authority, and undermine the local decision making process. Specifically, AB 5 would:

- Increase costs for local law enforcement at a time when funding for public safety is scarce by requiring the annual compilation and reporting of statistics on violations related to obstructing a sidewalk, loitering, sitting, lying down, sleeping in public, soliciting donations, bathing in public places, sleeping in a vehicle, jaywalking, and trespassing.
- Usurp local authority by prohibiting the enforcement of existing local ordinances if the county does not maintain year-round nonmedical assistance and there are fewer than 50 people on the county's public housing waiting list. Special districts and cities do not have authority over county actions, and yet they would still have their local authority hindered based on the counties actions.
- Provide civil and criminal protections for local agency employees who make that agency's property and resources available for use or distribution to homeless persons without the consent of that local agency.
- Require *every* local government to have health and hygiene centers with access 24 hours a day, seven days a week to bathroom and shower facilities. This requirement also confuses the autonomy of cities and special districts regarding oversight and administration.
- Increase court costs and inhibit revenue collection by guaranteeing persons the right to counsel for failure to appear or pay bail, in addition to providing ample opportunities to file a lawsuit and recover money.

Despite our opposition to AB 5, we share some common ground with the intent of the bill. Local governments strive to assist those in need by offering housing, mental health counseling, and other services. As such, we believe that other legislation introduced this year would more appropriately create solutions for California's homeless. These include AB 639 (J. Perez), which would repurpose existing bond money authorized to assist veterans with housing and SB 391 (DeSaulnier), which would provide a reliable and steady source of affordable housing money.

Please do not hesitate to contact the undersigned should you have questions about our opposition to AB 5.

Sincerely,



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John Lambeth
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cc: Chair and Members, Assembly Judiciary Committee
Kevin Baker, Deputy Chief Counsel, Assembly Judiciary Committee
Paul Dress, Consultant, Senate Republican Caucus