



April 7, 2021

Hon. Cecilia Aguiar-Curry, Chair
Assembly Committee on Local Government
State Capitol
Sacramento, CA 95814

Subject: OPPOSE AB 1322 (Bonta) as amended 4/5/21

Dear Chair,

On behalf of Livable California, a nonprofit organization with more than 10,000 followers that advocates for the empowerment of local governments to foster equitable, livable communities and truly affordable housing, we strongly oppose AB 1322.

Among other serious flaws, this bill would make it too easy to overturn voter-approved land- use initiatives - a constitutionally-enshrined right for 108 years.

This bill puts city councils in the position of Supreme Court justices, a role for which they are obviously entirely unsuited. Specifically, AB 1322 would empower them to “commence proceedings” to determine whether a local voter-approved initiative “conflicts” with state law. Worse, the bill purports to impose a sort of quasi Code of Civil Procedure on any appeals from those decisions, prescribing deadlines and even evidentiary standards by which state Superior Court judges are to evaluate appeals of those decisions.

To say this idea violates the constitutional premise separation of powers is an understatement.

Please oppose AB 1322.

Sincerely,

The Board of Directors of Livable California

Rick Hall, President
T Keith Gurnee, Member
Carey White, Member
Isaiah Madison, Member

