

**REPORT OF THE
CHIEF LEGISLATIVE ANALYST**

DATE: May 23, 2022

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Sharon M. Tso 
Chief Legislative Analyst Council File No: 22-0002-S29
Assignment No: 22-03-0155

SUBJECT: Resolution to Support Establishing a State Chief Heat Officer and Require New and Existing Buildings to be Cooling Ready.

CLA RECOMMENDATION: Adopt Resolution (Krekorian – Koretz – O’Farrell – Blumenfield) to include in the City’s 2021-2022 State Legislative Program SUPPORT for Assembly Bills 2076 (Rivas) and 2597 (Bloom) to direct the Governor’s Office of Planning and Research to establish a new Extreme Heat and Community Resilience Program and appoint a Chief Heat Officer; and, to require the California Building Standards Commission to adopt standards that mandate cooling compliance in residential buildings.

SUMMARY:

Resolution (Krekorian – Koretz – O’Farrell – Blumenfield) introduced March 8, 2022, states that Assembly Bill 2076 (AB 2076) directs the Governor’s Office of Planning and Research to establish and manage a new Extreme Heat and Community Resilience Program, as well as establish a Chief Heat Officer position to coordinate state efforts and support local and regional efforts to prevent or mitigate the public health risks of extreme heat. Additionally it states, Assembly Bill 2597 (AB 2597) expands the definition of substandard housing to include a lack of adequate cooling as well as requires the California Building Standards Commission (CBSC) to adopt standards mandating cooling in residential buildings.

The Resolution notes that extreme heat amplified by climate change is a major public health crisis that kills more people than any other climate-related hazard. Within the City, approximately 30% of households with an annual income of less than \$50,000 do not have an air conditioner. The impacts of extreme heat weighs heavily on our low-income communities. It also notes that considerable concern should be directed towards the health-compromised, pregnant women, and outdoor and indoor workers not in a climate-controlled environment. The most recent climate mitigation efforts adopted by the City include the establishment of a Chief Heat Officer post within the Climate Emergency Mobilization Office and requires the Department of Building and Safety to study updating building codes for new and existing buildings to be cooling-ready.

The Resolution recognizes the need to support two related extreme heat response bills that are AB 2076 (Rivas) and AB 2597 (Bloom). The Resolution discusses the climate-related hazard of extreme heat impacts on human health, and the scientific evidence suggests that the threat will continue to increase until the end of the century even with reduced greenhouse gas emissions. It notes that, according to the California Department of Public Health, persistent exposure to high temperatures can cause heatstroke, heat exhaustion, heat cramps, heat rashes, and even death. Extreme heat events can exacerbate health-compromised people with diabetes, strokes and instigate suicide.

BACKGROUND:

AB 2076 (Rivas) states that existing law establishes the Integrated Climate Adaptation and Resiliency Program (ICARP) within the Governor’s Office of Planning and Research to coordinate regional and local efforts with state climate adaptation strategies to impact climate change. This bill would establish the Extreme Heat and Community Resilience Program within the Governor’s Office and appoint a Chief Heat Officer to lead an Interagency Heat Taskforce. If adopted, the bill would authorize the awarding of grants and provide technical assistance for specified projects that support local and regional efforts to mitigate impacts and reduce public health risks of heat. The bill would also require the creation, on or before January 1, 2024, and every 2 years, to update the Extreme Heat Action Plan that promotes comprehensive, coordinated, and effective state and local government action on heat. The bill would also require the establishment of the Extreme Heat and Health Reporting System that would receive notices and data from local health departments, clinics, emergency rooms and hospitals on visits and deaths from exposure to extreme heat.

AB 2597 (Bloom) states that existing law requires any building with a dwelling unit maintain certain characteristics in order to be tenantable, which includes maintenance of adequate heating that conforms to a standard set by the building code. The bill, if adopted, would require any building with a dwelling unit also maintain an adequate cooling standard. The California Department of Housing and Community Development is responsible for the prescribed definitions and standards for buildings used for human habitation. The law provides that a building with certain conditions, such as lack of heating, is considered substandard. No distinction is made in existing law that establishes a standard in a building for a lack of cooling condition. This bill would include lack of cooling to be a substandard condition. It also would require the California Building Standards Commission to adopt, approve, codify, and publish, by January 1, 2023, a mandatory building standard for the purpose of implementing the addition of lack of cooling as a substandard condition for human habitation.

DEPARTMENTS NOTIFIED

Climate Emergency Mobilization Office

BILL STATUS:

AB 2076 (Rivas)

02/14/22 Read first time.

02/24/22 Referred to Committees on Natural Resource and Health

03/23/22 Read second time and amended
05/02/22 Re-referred to Committee on Appropriations
05/19/22 Read second time and amended. Ordered returned to second reading.

AB 2597 (Bloom)

02/18/22 Introduced
03/10/22 Referred to Committee on Housing & Community Development
04/28/22 Amend and do pass and re-refer to Committee on Appropriations
05/02/22 Read second time and amended.
05/03/22 Re-referred to Committee on Appropriations
05/19/22 Joint Rule 62(a) file notice suspended.
05/19/22 Read second time and amended. Ordered returned to second reading.



Blayne Sutton-Wills
Legislative Analyst

Attachment(s): 1. Resolution to support AB 2076 (Rivas) and AB 2597 (Bloom)

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state, or federal government body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, extreme heat amplified by climate change is a major public health crisis that kills more people directly than any other climate-related hazard and is impacting human health in Los Angeles, and this threat will continue to increase until the end of the century regardless of efforts to reduce greenhouse gas emissions; and

WHEREAS, according to the California Department of Public Health, exposure to high temperatures can cause heat-related illnesses such as heatstroke, heat exhaustion, heat cramps, heat rashes, and even death, and, has been associated with increased risk of acute renal failure, stroke, diabetes, and suicide; and

WHEREAS, high heat during pregnancy increases risks of congenital heart disease, preterm delivery, and stillbirth; and

WHEREAS, 599 deaths were reported as being caused by extreme heat in California from 2010 to 2019, but a Los Angeles Times analysis of excess deaths during heat waves estimated that the actual number of heat-related deaths may have been as high as 3,900; and

WHEREAS, according to the California Department of Public Health, "As severe heat worsens over coming decades due to climate change, it is projected to result in up to 4,300 excess deaths per year in the state in 2025, increasing to up to 11,300 excess deaths per year by 2050"; and

WHEREAS, outdoor workers and indoor workers not in climate-controlled environments are at higher risk from exertional heat stroke; and

WHEREAS, low-income communities often suffer most from extreme heat waves, and approximately 30% of Los Angeles households with an income of less than \$50,000 a year do not have air conditioning; and

WHEREAS, recognizing these threats, the City Council passed CF 21-1277 (Krekorian) which (i) will create a Chief Heat Officer charged with developing a Heat Action Plan, and (ii) requires the Department of Buildings and Safety to study the feasibility of updating codes to require all new and existing buildings to provide cooling or be cooling-ready.

MAR 08 2022



WHEREAS, AB 2076 (Rivas) directs the Governor’s Office of Planning and Research to establish and manage a new Extreme Heat and Community Resilience Program, establishing a Chief Heat Officer to convene an interagency heat taskforce to foster coordination, an advisory council to foster transparency, to oversee a grant program that creates incentives for community-driven comprehensive heat action plans and projects, and mandates a biennial report and plan for accountability and ensure public funds are spent effectively; and

WHEREAS, AB 2597 (Bloom) would require the California Building Standards Commission, commencing with the next triennial edition of the California Building Standards Code adopted after January 1, 2023, to adopt, approve, codify, and publish mandatory building standards for the purpose of implementing the addition of lack of cooling as a substandard condition for human habitation; and

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2021-2022 State Legislative Program SUPPORT for AB 2076 (Rivas) and AB 2597 (Bloom).

Presented by: Paul Krikorian
PAUL KREKORIAN
Councilmember, 2nd District

Paul Koretz
PAUL KORETZ
Councilmember, 5th District

Mitch O'Farrell
MITCH O'FARRELL
Councilmember, 13th District

Seconded by: Bob Blumenfeld

ORIGINAL