Assembly Bill 1561
Residential Development: Discrimination
Assemblymember Cristina Garcia (D – 58)

PROPOSAL
AB 1561 would require a city or county, prior to taking any action or ordinance that increases the costs of creating a residential development to consider whether the action or ordinance has a discriminatory impact based on race or ethnicity.

BACKGROUND
California’s historical use zoning laws and regulations have oppressed and marginalize minority communities.


According to the February 2018, California Department of Housing and Community Development State Housing Assessment, “California’s Housing Future: Challenges and Opportunities-Final Statewide Housing Assessment 2025,” (“SHA”) those hardest hit by high housing costs are communities of color. According to the report, “Housing cost burden is experienced disproportionately by people of color. This report examines all income levels in the state and shows that the percentage of renters paying more than 30 percent of their income toward rent is greater for households that identify as Black or African-American, Latino or Hispanic, American Indian or Alaska Native, or Pacific Islander, compared to renter households that identify as White. This may become an even greater factor in the need for affordable housing as population trends suggest that California will become increasingly diverse in the coming decades.”

PROBLEM
Over time, new or modified regulations, rules, policies, actions, ordinances, and other planning and zoning requirements by cities and counties have led to increased housing costs. These increased costs have had a disproportionate impact on communities of color. To allow the continuance of these actions only serves to exacerbate the problem and its impact on minorities. AB 1561 is an effort to slow housing cost increases, thereby lessening the impact on minorities and all Californians.

There have been instances of local government passing ordinances that further exacerbate redlining by preventing opportunities for lower cost housing in affluent communities, which combined with the gentrification some of the neighborhoods that were previously low-income, low income persons, often minorities are discovering there are fewer opportunities to find an affordable place to live.

AB 1561 places a hold on ordinances so as to not perpetuate this squeeze, but allows for new ordinances that can make housing more affordable.

STATUS
Assembly Housing & Community Development Committee – set for hearing: Wednesday, April 24, 2019

SUPPORT
California Building Industry Association
California Community Builders (CCB)
Habitat for Humanity

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