

Date of Hearing: April 22, 2026

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Juan Carrillo, Chair

AB 1567 (Ta) – As Amended March 16, 2026

SUBJECT: General plan: annual report: congregate and residential care for the elderly

SUMMARY: Authorizes a local planning agency to include in its Annual Progress Report (APR) the number of units approved for congregate housing for the elderly. Specifically, **this bill:** Allows, for the seventh and each subsequent revision of the housing element, a local planning agency to include the number of units approved for congregate housing for the elderly or residential care facilities for the elderly for up to 15% of the jurisdiction's regional housing need allocation for any income category.

EXISTING LAW:

- 1) Defines “congregate housing for the elderly” as a housing development which is planned, designed, and managed to include facilities and common space that allow for direct services and support services that maximize the residents’ potential for independent living and which is occupied by elderly or handicapped persons or households. Direct services and support services which are provided or made available shall relate to the nutritional, social, recreational, housekeeping, and personal needs of the residents and shall be provided or made available at a level necessary to assist the residents to function independently. (Health and Safety Code (HSC) § Section 50062.5)
- 2) Defines “residential care facility for the elderly” as a housing arrangement chosen voluntarily by persons 60 years of age or over, or their authorized representative, where varying levels and intensities of care and supervision, protective supervision, or personal care are provided, based upon their varying needs, as determined in order to be admitted and to remain in the facility. Persons under 60 years of age with compatible needs may be allowed to be admitted or retained in a residential care facility for the elderly as specified. (HSC § 1569.2)
- 3) Requires a planning agency to provide an APR to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development (HCD) by April 1 of each year that includes all of the following:
 - a) The status of the general plan and progress in its implementation.
 - b) The progress in meeting its share of the regional housing needs allocation (RHNA), including the need for extremely low-income households, and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing included in the housing element.
 - c) The number of housing development applications received in the prior year, including whether each housing development application is subject to a ministerial or discretionary approval process.
 - d) The number of units included in all development applications in the prior year.

- e) The number of units approved and disapproved in the prior year, disaggregated into income subcategories within opportunity areas, as specified.
 - f) The degree to which the approved general plan complies with the guidelines developed in existing law for addressing specified matters, including environmental justice matters, collaborative land use planning of adjacent civilian and military lands, consultation with Native American tribes, and road and highway safety.
 - g) A listing of sites rezoned to accommodate that portion of the city or county's share of the RHNA for each income level that could not be accommodated on sites identified in the housing element's site inventory and any sites that may have been required to be identified under the No Net Loss zoning law.
 - h) The number of housing units demolished and new units of housing, including both rental housing and for-sale housing, that have been issued a completed entitlement, a building permit, or a certificate of occupancy, thus far in the housing element cycle, and the income category by AMI that each housing unit satisfies.
 - i) Certain information regarding funding that may have been allocated via the Local Government Planning Support Grants Program.
 - j) The progress of the city or county in adopting or amending its general plan or local open-space element in compliance with its obligations to consult with California Native American tribes and to identify and protect, preserve, and mitigate impacts to tribal places, features, and objects.
 - k) Specified information related to density bonus law applications, including the number of units in a student housing development for lower income students for which the developer was granted a student housing density bonus.
 - l) Specified information related to Affordable Housing and High Road Jobs Act of 2022 applications.
 - m) A list of all historic designations listed on the National Register of Historic Places, the California Register of Historic Resources, or a local register of historic places by the city or county in the past year, and the status of any housing development projects proposed for the new historic designations. [Government Code (GOV) § 65400]
- 4) Requires HCD to post APR reports on its website within a reasonable time of receiving the reports. (GOV § 65400)
- 5) Provides that each community's fair share of housing be determined through the Regional Housing Needs Determination (RHND)/RHNA process. Sets out the process as follows: (a) Department of Finance (DOF) and HCD develop regional housing needs estimates or RHNDs; (b) Councils of Governments (COGs) allocate housing via RHNA within each region based on these determinations, and where a COG does not exist, HCD conducts the allocations; and (c) cities and counties incorporate these allocations into their housing elements. (GOV § 65584 and 65584.01)

- 6) Establishes a streamlined, ministerial approval process for certain affordable and mixed-income housing developments pursuant to SB 35 (Wiener, Chapter 366, Statutes of 2017) if the developments are located in a jurisdiction where housing production is less than the jurisdiction's RHNA for households of certain incomes. (GOV § 65913.4)

FISCAL EFFECT: This bill is keyed fiscal.

COMMENTS:

- 1) **Bill Summary.** This bill creates a pathway for local governments to receive APR and RHNA credit for new housing developments providing congregate housing for the elderly or residential care facilities for the elderly, as defined.

This bill is author sponsored.

- 2) **Author's Statement.** According to the author, "Cities and counties are unable to count assisted living facilities towards their RHNA numbers; however, AB 1567 would encourage cities and counties to produce more assisted living as defined by Section 50062.5 of the HSC, freeing up more homes to be available on the market for purchase by families. This is first and foremost a definition bill that authorizes the HCD to have a definition for assisted living for meeting RHNA goals for senior housing."
- 3) **RHNA and Housing Elements.** The RHNA process is used to determine how many new homes, and the affordability level of those homes, each local government must plan for in its housing element to cover the duration of the next eight-year planning cycle. The state is currently in the sixth housing element cycle, and the seventh cycle will begin for some COGs in 2027. The RHND is assigned at the COG level, while RHNA is suballocated to subregions of the COG or directly to local governments. RHNA is currently assigned via four income categories: very low-income (0-50% of AMI), low-income (50-80% of AMI), moderate income (80-120% of AMI), and above moderate income (120% or more of AMI). Beginning with the seventh cycle, two new income categories will be incorporated for acutely low-income (0-15% of AMI) and extremely low-income (15-30% of AMI).

The cycle begins with HCD and DOF projecting new RHND numbers every five or eight years, depending on the region. DOF produces population projections, and the COG also develops projections during its Regional Transportation Plan update. Then, 26 months before the housing element due date for the region, HCD must meet and consult with the COG and share the data assumptions and methodology that they will use to produce the RHND. The COG provides HCD with its own regional data on several criteria, including:

- a) Anticipated household growth associated with projected population increases;
- b) Household size data and trends in household size.
- c) The percentage of households that are overcrowded, as defined, and the overcrowding rate for a comparable housing market, as defined.
- d) The rate of household formation, or headship rates, based on age, gender, ethnicity, or other established demographic measures.

- e) The vacancy rates in existing housing stock, and the vacancy rates for healthy housing market functioning and regional mobility, as well as housing replacement needs, as specified.
- f) Other characteristics of the composition of the projected population;
- g) The relationship between jobs and housing, including any imbalance between jobs and housing.
- h) The percentage of households that are cost burdened and the rate of housing cost burden for a healthy housing market, as defined.
- i) The loss of units during a declared state of emergency during the planning period immediately preceding the relevant housing element cycle that have yet to be rebuilt or replaced at the time of the data request.

HCD can take this information and use it to modify its own methodology, if it agrees with the data the COG produced, or can reject it if there are other factors or data that HCD feels are better or more accurate. Then, after a consultation with the COG, HCD makes written determinations on the data it is using for each of the factors listed above, and provides that information in writing to the COG. HCD uses that data to produce the final RHND. The COG must then take the RHND and create an allocation methodology that distributes the housing need equitably amongst all the local governments in its region. The RHNA methodology is statutorily obligated to further all of the following objectives:

- a) Increase the housing supply and mix of housing types, tenure, and affordability in all cities and counties within the region^a in an equitable manner, which must result in each jurisdiction receiving an allocation of units for low- and very low-income households;
 - b) Promote infill development, socioeconomic equity, the protection of environmental and agricultural resources, and achievement of regional climate change reduction targets;
 - c) Promote an improved intraregional relationship between jobs and housing, including an improved balance between the number of low-wage jobs and the number of housing units affordable to low-wage workers in each jurisdiction;
 - d) Allocate a lower proportion of housing needs^s to an income category when a jurisdiction already has a disproportionately high share of households in that income category; and
 - e) Affirmatively further fair housing.
- 4) **Annual Progress Reports.** Current law requires all local jurisdictions to provide housing information annually to HCD via the APR, including the following information from the current housing element cycle:
- a) The number of housing development applications received, and whether those applications are subject to ministerial or discretionary approval.
 - b) The number of units included in all development applications.
 - c) The number of units approved and disapproved.

- d) For each income category, the number of net (inclusive of demolished) new units of housing, including both rental housing and for-sale housing, that have been issued a completed entitlement, a building permit, or a certificate of occupancy; A unique site identifier (such as APN) for each entitlement, building permit, or certificate of occupancy; and
 - e) The overall progress in meeting its share of RHNA.
- 5) **RHNA and Group Quarters.** Congregate housing for the elderly includes independent living or assisted living developments in which older adults and people with disabilities are able to live in settings that are designed to maximize independent living while also providing services in group settings such as communal meals, transportation, in-home assistance, and nursing care. Currently, it is not entirely clear if or when group quarters, including congregate housing for the elderly, may be counted for RHNA. HCD discussed this challenge in their 2024 report, *California's Housing Future 2040: The Next RHNA*:
- “The RHNA process has traditionally been used to plan for the needs of individuals that live in housing units rather than group quarters. Accordingly, when HCD determines the regional housing need, the Department subtracts the group quarters population from the total population so as to only count the population living in households. Similarly, HCD only gives credit to newly constructed housing units, rather than group quarters, on the APRs that track a jurisdiction’s progress towards meeting its RHNA...Stakeholders encouraged HCD to reconsider the process used to determine what populations are included in the RHND and what types of units are counted towards meeting the RHNA in order to improve consistency and to accurately account for need. For example, DOF staff noted that some housing developments are not straightforward to categorize (such as senior living communities that include both independent senior housing units and skilled nursing care), and that developing a consistent process for deciding what populations are counted in the RHND could help streamline the determination.”
- 6) **Master Plan for Aging.** Through Executive Order N-14-19, Governor Newsom called for a comprehensive plan to address and prepare for the state’s aging population. California’s Master Plan for Aging (MPA) is a 10-year blueprint for state and local governments, the private sector, and philanthropy to prepare the state for the coming demographic changes and continue California’s leadership in aging, disability, and equity. The first MPA was released in 2021 and outlined five goals for 2030, the first of which was Housing for All Ages and Stages. Every two years, the MPA Cabinet Workgroup and state MPA partners recommit to a new set of initiatives aligned with the five goals originally laid out in the 2021 MPA. The 2025-2026 MPA initiatives include 81 total initiatives, 21 of which fall under the goal of Housing for All Ages and Stages
- 7) **Previous Legislation.** AB 1131 (Ta) of 2025 would have authorized for the 7th and each subsequent revision of the housing element, the planning agency for each county and city to include in its APR the number of units approved for congregate housing for the elderly, for up to 15% of a jurisdiction’s regional housing need allocation (RHNA) for any income category. AB 1131 was held in the Senate Appropriations Committee.
- 8) **Arguments in Support.** According to the League of California Cities, “According to January 2023 data from the California Department of Social Services, there are over 7,100

residential care facilities serving nearly 210,000 residents in California. Local governments play a key role in siting and zoning for these facilities. Yet, local jurisdictions do not receive credit in their RHNA for these efforts, despite these facilities increasing housing availability across the state.

“AB 1567 would allow local governments to include these efforts in their RHNA progress while also gathering more data for the state about the availability of these important living facilities. Senior residential living facilities are a vital mechanism for older residents to age comfortably while receiving the necessary services to maintain a higher quality of life.”

9) **Arguments in Opposition.** None on file.

10) **Double-Referral.** This bill is double-referred to the Assembly Housing and Community Development Committee, where it passed on a 12-0 vote on March 25, 2026.

REGISTERED SUPPORT / OPPOSITION:

Support

Association of California Cities - Orange County (ACC-OC)
California Assisted Living Association
City of Los Alamitos
Leadingage California (If Amended)
League of California Cities
Orange; County of

Opposition

None.

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