

CONCURRENCE IN SENATE AMENDMENTS

AB 39 (Zbur)

As Amended September 4, 2025

Majority vote

SUMMARY

Requires each city and county, by January 1, 2030, to adopt a plan, or amend its general plan, to identify various goals, objectives, policies, and implementation measures regarding electrification of transportation and buildings.

Senate Amendments

- 1) Requires each city or county's electrification plan to include considerations for incentivizing and subsidizing low-income households.
- 2) Provides that this bill shall not be construed to require a city, county, or city and county to include in a plan adopted or integrated pursuant to this bill any building code requirements to the extent prohibited by state or federal law.
- 3) Requires each city and county to coordinate with the corresponding local publicly owned electric utilities and electrical corporations, as defined in the Public Utilities Code.
- 4) Makes conforming changes.

COMMENTS

- 1) *Local Planning.* Every county and city must adopt a general plan with seven mandatory elements: land use, circulation, housing, conservation, open space, noise, and safety. General plans must also either include an eighth element on environmental justice, or incorporate environmental justice concerns throughout the other elements. Most of cities' and counties' major land use decisions – subdivisions, zoning, public works projects, use permits, etc. – must be consistent with their general plans. Development decisions must carry out and not obstruct a general plan's policies.
- 2) *Greenhouse Gas Reduction.* Existing law requires the state to reduce statewide greenhouse gas (GHG) emissions to a level 40% below 1990 levels by 2030. The California Air Resources Board (CARB) has developed the Climate Change Scoping Plan, which outlines the policies the state will implement to reach the 2030 target, as well as reduce GHG emissions 80% below 1990 levels by 2050. SB 100 (De Leon), Chapter 312, Statutes of 2018, sets the goal of carbon neutrality for the state's electrical grid by 2045.
- 3) *EV Policies.* California has been steadily expanding its policies supporting the adoption of electric vehicle (EV) technology and infrastructure, beginning with incentives for purchasing EVs and requirements on automakers to manufacture specified percentages of EVs in relation to gas-powered vehicles. In 2012, Governor Jerry Brown issued Executive Order B-16-12 directing CARB, the California Energy Commission (CEC), the Public Utilities Commission (PUC), and other relevant agencies to establish benchmarks to help the state's zero emission vehicle (ZEV) infrastructure support 1.5 million EVs by 2025. Executive Order B-16-12 targeted a 90% reduction from 1990 levels of GHG emissions from the transportation sector

by 2050. Executive Order N-79-20, issued by Governor Newsom in 2020, requires 100% of in-state sales of new passenger cars and trucks to be zero-emission by 2035.

- 4) *EV Legislation.* AB 1236 (Chiu), Chapter 598, Statutes of 2015, required counties and cities, including charter cities, to create an expedited permitting and inspection process for electric vehicle charging stations. AB 970 (McCarty), Chapter 710, Statutes of 2021, established specific timeframes in which local agencies must complete and approve permits for EV charging stations. AB 2427 (McCarty), Chapter 567, Statutes of 2024, required GO-Biz to develop a model permitting checklist, model zoning ordinances, and best practices for permit costs and review for inclusion in updates to its Guidebook to help local governments permit curbside EV charging stations. This bill also required cities and counties to develop a checklist with requirements for permitting installation of EV charging stations in the public right-of-way, to identify all fees and charges associated with the permitting process, and to identify any criteria adopted by the local agency to determine appropriate locations within the public right-of-way for installation of an EV charging station.
- 5) *Building Decarbonization.* 'Building decarbonization' is a term used to describe reductions in GHG emissions from the building sector. According to CARB, residential and commercial buildings are responsible for roughly 25% of California's GHG emissions. The Climate Change Scoping Plan identifies actions to reduce GHG emissions from the building sector, including progressively improving building codes and standards, pursuing voluntary efforts to exceed code requirements, and completing existing building retrofits.

AB 3232 (Friedman, Chapter 373, Statutes of 2018) directed the CEC by January 1, 2021, to develop an assessment of the feasibility of reducing the GHG emissions of California's buildings 40% below 1990 levels by 2030, working in consultation with the CPUC and other state agencies. The legislation only required a cost-effectiveness assessment addressing emissions from space and water heating, but not other applications, such as cooking. The assessment provided a framework to tackle the challenges in developing a path toward reducing GHG emissions associated with California's buildings.

The assessment was published in 2021 and has identified efficient electrification of space and water heating in buildings combined with refrigerant leakage reduction as the most readily achievable pathway to a greater than 40% reduction in GHG emissions by 2030. However, the report identifies a wide range of barriers to building decarbonization, including high upfront costs, limited workforce availability, challenges with installation during emergency circumstances, the age and condition of existing buildings, limited availability of electric technologies in some markets, and split incentives between landlords and tenants in rental properties. The assessment further highlights that low-income and disadvantaged communities may face additional, systemic barriers, such as reduced access to capital and financing, higher energy burdens, and lower rates of home or business ownership. It also emphasizes that rural areas and Native American tribes require tailored, context-specific decarbonization strategies to ensure equitable outcomes.

- 6) *Climate Action Plan (CAP).* Local agencies can voluntarily adopt plans to reduce their GHG emissions and mitigate the climate impacts of their activities. A CAP is a voluntary document that local agencies may adopt to guide their efforts in addressing climate change. A typical CAP includes strategies to achieve the target emissions level and implementation steps, funding mechanisms, among other requirements. According to the CARB, 181 of the

state's 482 cities and 21 of its 58 counties had adopted Climate Action Plans (CAPs) as of 2018. These jurisdictions represent approximately 64% of California's population. Collectively, the CAPs account for 283 million metric tons of CO₂ equivalent, or about 63% of California's total 2010 GHG emissions.

According to the Author

According to the author, "In order to meet the state's climate goals, Californians will need over one million chargers to support the eight million electric vehicles anticipated on the road by 2030, and more to meet the state's 2035 electric vehicle mandate. Residential and commercial buildings will also need upgrades and retrofitting and installation of electric appliances and equipment to cut greenhouse gas emissions. AB 39 requires cities and counties to create plans to meet their transportation and building electrification needs, and to ensure that electric vehicle chargers and building electrification are accessible to renters, multi-family housing residents, commercial vehicle and truck fleets, and disadvantaged communities. The bill requires consideration of and planning for on-street electric vehicle charger corridors and electrification funding strategies for disadvantaged communities."

Arguments in Support

The Building Decarbonization Coalition and CALSTART, co-sponsors of this bill, state, "California has adopted ambitious climate goals... Achieving these targets will require the support and partnership of local governments, which are uniquely positioned to enable the adoption of climate-friendly technologies like EVs and heat pumps through their local permitting and planning process..."

"AB 39 would further support these electrification efforts by enabling local jurisdictions to coordinate with electric utilities on identifying areas where grid infrastructure upgrades will be needed to meet new electric demand, and for climate-forward local jurisdictions that have already adopted similar goals, AB 39 provides them with the flexibility to use existing plans where applicable.

"Whether for electric vehicle chargers or residential heat pump appliances, local planning and permitting frameworks in California remain highly fragmented. Increased support and attention by local governments to identify and address barriers to electrification will be essential to fostering the equitable and efficient decarbonization of California's economy and ensuring everyone has access to electric vehicles and the benefits of electric home upgrades..."

Arguments in Opposition

The California Contract Cities Association (CCCA), with an 'Oppose Unless Amended' position, states, "CCCA recognizes the importance of taking proactive steps to reduce GHG emissions and mitigate climate change in California through coordinated state and local efforts. However, we are concerned that AB 39 as written places an undue burden on cities to prepare and adopt a comprehensive decarbonization or electrification plan without financial support from the state. As an unfunded mandate, AB 39 fails to consider the very limited funding local governments have for existing environmental programs and initiatives, let alone new ones. We respectfully request Assemblymember Zbur amends AB 39 to incorporate a funding stream that can support cities as they develop their plans. Such an amendment will ensure cities have the necessary support to reach our shared environmental goals."

FISCAL COMMENTS

According to the Senate Appropriations Committee, pursuant to Senate Rule 28.8, negligible state costs.

VOTES:

ASM LOCAL GOVERNMENT: 10-0-0

YES: Carrillo, Ta, Hoover, Pacheco, Ramos, Ransom, Blanca Rubio, Stefani, Ward, Wilson

ASM UTILITIES AND ENERGY: 16-0-2

YES: Petrie-Norris, Boerner, Calderon, Davies, Fong, Mark González, Harabedian, Hart, Irwin, Papan, Rogers, Schiavo, Solache, Ta, Wallis, Zbur

ABS, ABST OR NV: Patterson, Chen

ASM APPROPRIATIONS: 12-3-0

YES: Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache, Ta

NO: Sanchez, Dixon, Tangipa

ASSEMBLY FLOOR: 65-10-4

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Davies, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO: DeMaio, Dixon, Ellis, Flora, Gallagher, Hadwick, Macedo, Patterson, Sanchez, Tangipa

ABS, ABST OR NV: Castillo, Chen, Jeff Gonzalez, Lackey

UPDATED

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