

AMENDED IN SENATE JUNE 10, 2025

AMENDED IN ASSEMBLY APRIL 9, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 750

Introduced by Assembly Member Quirk-Silva
(Coauthors: Assembly Members Alanis, Haney, and Schiavo)

February 18, 2025

An act to amend Sections 17974.1, 17974.3, and 17974.5 of, and to add Section 17974.1.5 to, the Health and Safety Code, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

AB 750, as amended, Quirk-Silva. Homeless shelters: safety regulations.

The State Housing Law, among other things, requires the Department of Housing and Community Development to adopt, amend, or repeal rules and regulations for the protection of the health, safety, and general welfare of the occupant and the public relating to specified residential structures, as provided, which apply throughout the state. Existing law requires the housing or building department of every city or county, or the health department if there is no building department, to enforce within its jurisdiction the provisions of the State Housing Law, building standards, and the other rules and regulations adopted by the department pertaining to the maintenance, sanitation, ventilation, use, or occupancy of apartment houses, hotels, or dwellings. Existing law authorizes an officer, employee, or agent of an enforcement agency to enter and inspect any building or premises whenever necessary to secure compliance with, or prevent a violation of, specified law, including the

State Housing Law. A violation of the State Housing Law, or of the building standards or rules and regulations adopted pursuant to that law, is a misdemeanor.

Existing law requires a city or county that receives a complaint from an occupant of a homeless shelter, as defined, or an agent of an occupant, alleging that a homeless shelter is substandard to inspect the homeless shelter, as specified. Existing law requires a city or county that determines a homeless shelter is substandard to issue a notice to correct the violation to the owner or operator of the homeless shelter, as specified. Existing law makes the owner or operator of a homeless shelter responsible for correcting any violation cited pursuant to these provisions.

This bill would require a city or county to additionally perform an annual inspection of every homeless shelter located in its ~~jurisdiction~~. *jurisdiction, as prescribed.* The bill would authorize the above-described inspection or annual inspection to be announced or unannounced. The bill would require homeless shelters to prominently display notice of an occupant's rights, the process for reporting a complaint alleging a homeless shelter is substandard, and prescribed information, including specified contact information. The bill would require the homeless shelter to provide the same notice in writing to new occupants upon intake.

Existing law authorizes a city or county to impose additional civil penalties on an owner or operator that fails to correct a violation within the required time period. Existing law prohibits a city or county from awarding or distributing any state funding, as defined, to the owner or operator of a homeless shelter for purposes of operating the homeless shelter if, among other things, the owner or operator fails to correct a violation within the required time period. Existing law also authorizes legal action to enforce the requirements of these provisions, as specified.

This bill would entitle a plaintiff who prevails in an above-described legal action to recover reasonable attorney's fees and costs. The bill would additionally authorize the Department of Housing and Community Development to bring a civil action to enforce these provisions.

Existing law requires each city and county to annually submit a report that provides specified information relating to inspections of homeless shelters, including a list of owners or operators of homeless shelters who received 3 or more violations within any 6-month period. If there are no outstanding violations or violations corrected during the applicable period, existing law exempts a city or county from submitting

that report. Existing law authorizes the Department of Housing and Community Development or the Business, Consumer Services, and Housing Agency to deem an owner or operator of a shelter ineligible for state funding, as defined, for shelter operations based on the information provided in the report.

This bill would, instead, require a city or county to submit a report each year, regardless of whether the city or county received any complaints, and to include in its annual report the number of complaints received by the city or county that year, including if the city or county did not receive any complaints. The bill would require the department to withhold state funding from a city or county that fails to comply with its reporting requirements or fails to take action to correct a violation by a homeless shelter.

By adding to the duties of local officials with respect to enforcement of the State Housing Law, the violation of which is a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17974.1 of the Health and Safety Code
2 is amended to read:
3 17974.1. (a) Notwithstanding any other provision of this part,
4 a city or county that receives a complaint from an occupant of a
5 homeless shelter, or an agent of an occupant, that alleges a
6 homeless shelter is substandard pursuant to Section 17920.3 shall
7 do all of the following:
8 (1) Inspect the homeless shelter or portion thereof intended for
9 human occupancy that may be substandard pursuant to Section
10 17920.3.

(2) Identify whether the homeless shelter or any portion thereof intended for human occupancy is substandard pursuant to Section 17920.3, as applicable. The documentation shall be included in the inspection report described in subdivision (h).

(3) As applicable, advise the owner or operator of a homeless shelter of each violation and of each action that is required to be taken to remedy the violation. The city or county shall schedule a reinspection to verify correction of the violations.

(b) Notwithstanding any other provision of this part, and consistent with Section 17970, a city or county shall perform an annual inspection on every homeless shelter located in its jurisdiction to ensure that the homeless shelter is compliant with this part. A city or county conducting an inspection pursuant to this subdivision shall comply with this section, to the extent those provisions are applicable.

(c) (1) If, upon inspection, the city or county determines that a homeless shelter is substandard pursuant to Section 17920.3, the city or county shall promptly, but not later than 10 business days after the city or county completes the inspection, issue a notice to correct the violation to the owner or operator of the homeless shelter.

(2) In the event that the city or county determines that a violation constitutes an imminent threat to the health and safety of the occupants of the homeless shelter, the notice of violation shall be issued immediately and served on the owner or operator of the homeless shelter.

(3) In the event that the city or county determines that deficiencies, violations, or conditions exist at a homeless shelter that are dangerous, hazardous, imminently detrimental to life or health, or otherwise render the homeless shelter unfit for human habitation, the city or county may issue an emergency order directing the owner or operator to take immediate measures to rectify those deficiencies, violations, or conditions.

(d) An inspection conducted pursuant to this section may be announced or unannounced.

(e) The city or county shall maintain all records on file of each homeless shelter inspection. These records shall be made available to the public for inspection.

(f) A city or county shall perform an inspection conducted pursuant to subdivision (a) at least as promptly as that city or

1 county conducts an inspection in response to a request for final
2 inspection pursuant to Section 110 of Part 2 of Division 2 of
3 Chapter 1 of the California Building Code (Part 2 of Title 24 of
4 the California Code of Regulations).

5 (g) Notwithstanding subdivision (a), a city or county is not
6 required to conduct an inspection in response to either of the
7 following:

8 (1) A complaint that does not allege one or more substandard
9 conditions.

10 (2) A complaint submitted by a tenant, resident, or occupant
11 who, within the past 180 days, submitted a complaint about the
12 same property that the chief building inspector or their designee
13 reasonably determined, after inspection, was frivolous or
14 unfounded.

15 (h) A city or county shall provide free, certified copies of an
16 inspection report and citations issued pursuant to this section, if
17 any, to the complaining occupant or their agent. If the inspection
18 reveals a condition potentially affecting multiple occupants,
19 including, but not limited to, conditions relating to the premises,
20 common areas, or structural features, then the city or county shall
21 provide free copies of the inspection report and citations issued to
22 all potentially affected occupants or their agents.

23 (i) A city or county shall not unreasonably refuse to
24 communicate with an occupant or the agent of an occupant
25 regarding any matter covered by this article.

26 (j) *A city or county shall conduct an inspection pursuant to this*
27 *section based on the location of the homeless shelter, in accordance*
28 *with the following:*

29 (1) *A city shall conduct an inspection for shelters within the*
30 *city's jurisdiction.*

31 (2) *A county shall conduct an inspection for shelters within the*
32 *county's jurisdiction.*

33 (3) *A city with a population under 100,000 may partner with*
34 *its county to conduct an inspection pursuant to this section.*

35 SEC. 2. Section 17974.1.5 is added to the Health and Safety
36 Code, to read:

37 17974.1.5. (a) A homeless shelter shall prominently display
38 at the shelter information about an occupant's rights and the process
39 for reporting a complaint alleging a homeless shelter is substandard

1 pursuant to Section 17920.3, including the contact information for
2 all of the following:

- 3 (1) The owner or operator of the homeless shelter.
- 4 (2) The city or county.
- 5 (3) The department.

6 (b) A homeless shelter shall provide in writing the notice
7 specified in subdivision (a) to any new occupant during intake.

8 SEC. 3. Section 17974.3 of the Health and Safety Code is
9 amended to read:

10 17974.3. (a) The requirements of this article shall not be
11 construed to impose a mandatory duty pursuant to Section 815.6
12 of the Government Code, and shall not be construed to affect the
13 availability of any immunity otherwise applicable to the city or
14 county or its employees, including, but not limited to, Sections
15 818.2, 818.4, 818.6, 820.2, 821, 821.2, and 821.4 of the
16 Government Code.

17 (b) (1) An action to enforce the requirements of this article may
18 be brought pursuant to Section 1085 of the Code of Civil
19 Procedure.

20 (2) A plaintiff who prevails in an action described in paragraph
21 (1) shall be entitled to recover reasonable attorney's fees and costs.

22 (3) Notwithstanding any other law, including any provision of
23 this part authorizing the department to enforce this part by means
24 of administrative enforcement, the department may bring a civil
25 action pursuant to this subdivision in order to enforce this part.

26 (c) For purposes of Section 1085 of the Code of Civil Procedure,
27 the requirements of this article shall be construed as acts that the
28 law specially enjoins, as a duty resulting from an office, trust, or
29 station.

30 SEC. 4. Section 17974.5 of the Health and Safety Code is
31 amended to read:

32 17974.5. (a) Each city and each county shall submit a report
33 annually to the department and the state agency by April 1 of each
34 year that includes all of the following information:

35 (1) The number of complaints received by the city or county,
36 pursuant to Section 17920.3, including if the city or county did
37 not receive any complaints.

38 (2) Any pending uncorrected violations determined by the city
39 or county, pursuant to Section 17974.1.

1 (3) Any determinations by the city or county that conditions
2 exist or existed that make or made the homeless shelter dangerous,
3 hazardous, imminently detrimental to life or health, or otherwise
4 render the homeless shelter unfit for human habitation.

5 (4) A list of any emergency orders issued pursuant to paragraph
6 (3) of subdivision (c) of Section 17974.1.

7 (5) A list of any owners or operators who received three or more
8 violations within any six-month period.

9 (6) Any corrected violations from the prior year.

10 (b) The report submitted pursuant to subdivision (a) shall be
11 submitted in compliance with Section 9795 of the Government
12 Code.

13 (c) If a city or county applies for state funding to support the
14 ongoing operations of a homeless shelter, the city or county shall
15 disclose to the state agency that administers the state funding the
16 status of any unresolved violations pursuant to this article and the
17 names of the homeless shelter owner or operator.

18 (d) The department or the state agency, may, pursuant to the
19 reported information in subdivision (b), deem an owner or operator
20 of a shelter ineligible for state funding for shelter operations.

21 (e) The department shall withhold state funding from a city or
22 county that fails to comply with the reporting requirements in this
23 section or fails to take action to correct a violation of this article
24 by a homeless shelter pursuant to Section 17974.4.

25 SEC. 5. No reimbursement is required by this act pursuant to
26 Section 6 of Article XIII B of the California Constitution for certain
27 costs that may be incurred by a local agency or school district
28 because, in that regard, this act creates a new crime or infraction,
29 eliminates a crime or infraction, or changes the penalty for a crime
30 or infraction, within the meaning of Section 17556 of the
31 Government Code, or changes the definition of a crime within the
32 meaning of Section 6 of Article XIII B of the California
33 Constitution.

34 However, if the Commission on State Mandates determines that
35 this act contains other costs mandated by the state, reimbursement
36 to local agencies and school districts for those costs shall be made
37 pursuant to Part 7 (commencing with Section 17500) of Division
38 4 of Title 2 of the Government Code.

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