

California Department of Housing and Community Development
Division of Codes and Standards
Assembly Bill 209 Charter

Purpose/Background

[Assembly Bill 209 \(Chapter 251, Statutes of 2022\), Section 31](#) (AB 209) requires the California Department of Housing and Community Development (HCD) to submit policy recommendation(s) designed to ensure that residential dwelling units can maintain the recommended maximum safe indoor air temperature. The policy recommendations will consider state climate goals, the extreme heat plan, regional temperature differences, and various methods for reducing indoor air temperatures, including, but not limited to, technical feasibility, building and site electrical system limitations, cost barriers, electric utility capacity limitations, state and federal statutory requirements, and other relevant factors. AB 209 requires HCD to consult with specific state agency and non-governmental stakeholders to develop the policy recommendations. The policy recommendations are due to the Legislature on or before January 1, 2025.

HCD will consult with stakeholders identified in AB 209 to support the development of the maximum safe indoor air temperature policy recommendations. The goal is to garner participation from stakeholders in the development of policy recommendations, and to collaborate on research relevant to the scope of AB 209.

Scope and Authority

An important factor in implementing AB 209 is to recognize and understand HCD's specific authority. Clearly understanding the authority and scope creates appropriate expectations about what can be accomplished through AB 209. AB 209 provides HCD the authority to contract with a third-party, and in consultation with stakeholders develop and submit to the legislature policy recommendations designed to ensure that residential dwelling units can maintain the recommended maximum safe indoor air temperature. HCD executed a contract with University of California Berkeley (UC Berkeley) to help develop these policy recommendations. AB 209 mandates the development of policy recommendations, not building standards.

UC Berkeley's Role

1. Assist in the development of policy recommendation(s) suitable for the California Legislature that ensure that residential dwelling units can maintain a maximum safe indoor air temperature.
2. Perform critical literature reviews.
3. Participate in meetings by presenting information and ongoing work and gather input from stakeholders to guide project direction and policy recommendation development.

4. Respond to and apply stakeholder engagement, requests, and comments as they relate to the policy recommendations.
5. Incorporate relevant stakeholder and public comment feedback into policy recommendations as applicable.
6. Obtain approval from HCD before beginning any services. Approval from HCD will be obtained by express written agreement via email.
7. Submit closeout reports and any additional information to HCD and highlight any outcomes that need future study.
8. On a quarterly basis, submit invoice and summary reports, which shall be certified by the UC Berkeley's financial contact, to the HCD contact for review and approval.
9. Will **not** publish, disclose, disseminate, or use the specific policy recommendations until HCD's final policy recommendations under AB 209 become available to the general public, or such earlier date as HCD may designate, expressly in writing, in consultation with UC Berkeley.

HCD's Role

1. Review, route, and submit policy recommendation(s) suitable for the California Legislature for both internal and external review.
2. Plan and facilitate quarterly meetings with stakeholders.
3. Organize stakeholder engagement, requests, and comments as they relate to the policy recommendations.
4. Develop a charter to outline stakeholder engagement roles and responsibilities, and a project plan to support the development of policy recommendations for both internal and external review.
5. Track the performance and timeliness of all tasks.

AB 209 Stakeholder Role

AB 209 has been established to work collaboratively with stakeholders to support the development of policy recommendations. AB 209 stakeholders are a consultative body, without formal decision-making authority. Stakeholders of this group agree to work collaboratively with HCD, UC Berkeley, and other participating state agencies to support the development of policy recommendations to the Legislature.

Organizational Structure

AB 209 is comprised of stakeholders named in the legislation (listed below). UC Berkeley and HCD will consider stakeholder expertise and input when developing the policy recommendations for the Legislature.

Stakeholders' Role

1. Review UC Berkeley reports and findings and provide input.
2. Provide comments and feedback on the report findings.
3. Provide input on the materials presented.

AB 209 Identified State Agencies, including but not limited to:

- California Air Resources Board (CARB)
- State Energy Resources Conservation and Development Commission (CEC)
- Office of Planning and Research (OPR)
- Office of the State Fire Marshal (OSFM)
- State Department of Public Health (CADPH)
- California Building Standards Commission (CBSC)
- Local building officials
- Local code enforcement officers

AB 209 Identified Non-government organizations, including but not limited to:

- Community-based organizations
- Environmental justice organizations
- Housing and health organizations
- Tenant rights organizations

Length of Services

All consultative stakeholder participation in AB 209 will be on a voluntary basis. HCD and UC Berkeley will coordinate with stakeholders on a quarterly basis for the development of policy recommendations. Policy recommendations will undergo internal and external reviews and are due to the Legislature on or before January 1, 2025.

Ground Rules

The purpose of ground rules is to ensure all AB 209 stakeholders have an opportunity to engage effectively in the process. They are intended to reinforce the collaborative nature of this process. The following ground rules will be the responsibility of the facilitator to administer:

- Be respectful of each other and the right of each member to openly express their point of view, even if different from or in opposition to your own.
- Acknowledge the need to be mindful of diversity, equity, and inclusion in discussions.
- Allow room for each person to have an opportunity to contribute to discussions.
- Silence or power off cell phones, and refrain from texting or other communications during meetings.
- Ask questions and be respectful of the different levels of knowledge of members.

Communication

An email list containing the contact information of all AB 209 stakeholders will be used to communicate meeting dates with stakeholders. HCD will disseminate emails and calendar invitations to from the AB209@hcd.ca.gov email address. HCD will use Zoom for meetings, and a SharePoint website to share meeting notes, PowerPoint slides, and other documents relevant to the AB 209 project with stakeholders.