

What is CAI-CLAC?

The California Legislative Action Committee (CLAC) is a volunteer committee of the Community Associations Institute (CAI) consisting of homeowners and professionals serving community associations. CAI is the largest advocacy organization in America dedicated to monitoring legislation, educating elected state lawmakers, and protecting the interests of those living in community associations in California.

CAI-CLAC as a Volunteer Organization

- Is a non-profit, non-partisan volunteer committee comprised of two Delegates and one Liaison from each of the eight CAI California chapters.
- Represents 13 million homeowners and property owners in more than 50,000 associations throughout California.
- Is NOT a PAC (Political Action Committee) and makes no financial campaign contributions.
- Depends solely on the donations of community associations, their boards of directors and those who serve association members.

CAI-CLAC's Mission

To safeguard and improve the community association lifestyle and property values by advocating a reasonable balance between state statutory requirements and the ability and authority of individual homeowners to govern themselves through their community associations.



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CAI-CLAC 2024: What We Achieved

Building on the successes of 2023, CAI-CLAC entered the year with a slate of proposed bills, and ready to work on legislation proposed by others that would impact California's community associations. We are proud to say that 2024 was a banner year. CAI-CLAC successfully got its slate of three proposed bills enacted into law and worked to get amendments into a fourth bill that will ultimately provide associations with flexibility in addressing emergency repairs to utility lines in common areas. As we move into the 2025 legislative year, we remain committed to monitoring, evaluating, and providing input on legislation affecting community associations.

AB-2114 Building Standards: Exterior Elevated Elements: Inspection CAI-CLAC SPONSORED LEGISLATION

CAI-CLAC sponsored this bill to provide necessary relief to community associations coming up on the end-of-year deadline to complete balcony inspections and having trouble finding professionals to conduct the inspections. Approved by the legislature and signed into law by Governor Newsom as "urgency legislation," the bill adds civil engineers to the list of professionals authorized to conduct inspections of exterior wood-built elevated elements, including balconies. The bill was effective as of July 15, 2024.

AB-2149 Gates: Standards: Inspection

CAI-CLAC OPPOSED – BILL UNSUCCESSFUL

AB-2149 would have mandated new safety standards and inspections for any gate over 50 pounds and more than 48 inches wide or 84 inches tall in areas accessible to the public. The law would have added new mandatory inspections of such gates by July 1, 2026, and required associations to keep compliance records for at least ten years. Failure to comply could result in the designation of the gate as a public nuisance, exposing the association to enforcement action by local agencies and fines. CAI-CLAC worked with local governments and schools to oppose the bill, which died in committee.

AB-2159 – Electronic Balloting

CAI-CLAC SPONSORED LEGISLATION – ENACTED INTO LAW

In perhaps its most significant victory of the year, CAI-CLAC, working with CACM, successfully sponsored legislation permitting associations to conduct most association elections via electronic balloting rather than having to use the double envelope, secret ballot mail process. The law allows an association to determine if the members must opt in or opt out of electronic balloting and requires associations to notify members how to express their choice. In addition, associations must provide individual notice of the deadline to request a written or electronic ballot, and how to cast their vote. The bill also allows associations to eliminate nominations from the floor in its election rules. Notably, the law excludes elections on special or regular assessments from being conducted electronically. CAI-CLAC anticipates that this bill will not only save trees but ultimately may save associations significant money in reduced mailing fees, will increase member voter participation in elections, and streamline the association voting process.

AB 2460 – Association Governance: Member Election; Quorum Clean-up Bill

CAI-CLAC SPONSORED LEGISLATION – ENACTED INTO LAW

CAI-CLAC sponsored this bill to address some confusion over the reduction of a quorum for reconvened meetings where a quorum was not reached in the initial meeting for an election of directors, and the meeting is adjourned to a later date. The bill makes clear that unless an association's bylaws call for a quorum at a reconvened meeting to be less than 20% of the members, at any reconvened meeting for an election of directors the presence of 20% of the association's members voting in person, by proxy, or secret ballot will satisfy the quorum requirements, and that ballots will be counted if a quorum is reached.

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SB-900 Repair and Maintenance. Repairs of Gas, Heat and Water Services

CAI-CLAC POSITION: Opposed Unless Amended

As initially introduced, this bill would have required repairs to gas, water, or heat services in the common areas to be completed within 30 days from the date of interruption of services. There was no consideration in the bill for what might be necessary for the repairs to be completed, or how an association that does not have sufficient funds in reserves would pay for the repairs. CAI-CLAC worked with the bill's author, who introduced significant amendments to make the bill workable for associations. As chaptered, the law now only requires that an association begin the process of repairs within 14 days, and if the association lacks the funds to make the repairs, the law allows a board to obtain a loan without a vote of the members and levy an assessment for the repayment of the loan. The law does not apply to associations in an area affected by a state of disaster or emergency. Lastly, the law adds gas, water, or electrical services the association is responsible for repairing to the list of "major components" to be included in an association's reserve study.

CAI-CLAC Insurance Task Force Accomplishments

This year, CAI-CLAC's Insurance Task Force has been busy participating in and influencing change within the CA insurance marketplace by meeting with legislators and tracking legislation and other insurance code/regulatory change. They have also attended eight events involving the CA Department of Insurance (CDI), written educational articles for CAI-CLAC as well as the eight CA Chapters of CAI, and responded to four requests for print, radio and television interviews. They help to sustain the CA Insurance Discussion Group, which meets monthly and has grown throughout the year. They also created detailed education to help legislative staff understand the complicated topics involved in solving the insurance crisis in California. In the last negotiations regarding the CA FAIR Plan changes, we were one of only three organizations with a seat at the table.

Based on:

Media Interviews

- Print Interview with *San Diego Union Tribune* (January 2024)
- Print Interview with *Bloomberg* (read in the Capitol) February 2024 (printed March 25)
- Radio/Print interview with KCRW (NPR Santa Monica) (August 6, 2024)
- Television Interview KRCR, ABC7 (September 2024)

Educational Articles/Events

- The Latest in the Sustainable Insurance Strategy – CAI-CLAC Blog post July 15, 2024
- Magazine articles for CAI Chapters
- Presentations for CAI Chapters
- Insurance Briefing for Legislative Staff – Four-part series
- CA Insurance Discussion Group – Meeting monthly

Hearings and CDI Events

- March 26, 2024 – CDI Rate Approval Workshop attendance
- April 2024 – CDI Presentation in Northern California – myths debunked
- April 23, 2024 – CDI Catastrophe Modeling and Rate Making attendance
- June 26, 2024 – CDI Workshop on Catastrophe Modeling and Rate Making attendance
- July 2024 – Meeting with CBIA to build coalition around changes to the CA FAIR Plan
- July 2024 – Responded to CDI request for quotes regarding updates to the CA FAIR Plan
- September 17, 2024 – CDI Catastrophe Modeling Hearing attendance
- September 19, 2024 – CalMatters Interview with Commissioner Lara in attendance

Monitoring of Legislation and Code/Regulatory Changes

- Six bills tracked in 2024
- Governor's Trailer Bill to change the rate approval process tracked and explained in May/June 2024
- July 25 and August 27 – Stipulations with the CA FAIR Plan investigated and explained



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Kieran J. Purcell, Esq., CCAL Epsten, APC

2023/24 CAI-CLAC Chair



Kieran Purcell graduated from the University of Colorado at Boulder. After serving seven years in the United States Navy, Kieran attended California

Western School of Law and joined Epsten, APC in 1995. Kieran's work on behalf of community associations includes providing advice on all types of corporate matters including litigation, interpretation and enforcement of governing documents and reconstruction issues. He has been a shareholder of Epsten, APC since 2002 and now serves as Vice President and CFO of the firm.

Kieran is a four-time recipient of the San Diego Chapter's President's Award, and also received the Samuel L. Dolnick Lifetime Achievement Award. In 2023, he was recognized with the San Diego Chapter's Legacy Award. He is a fellow of the College of Community Association Lawyers (CCAL).

Louie A. Brown, Jr. CAI-CLAC Advocate



Louie A. Brown, Jr., is a partner with Kahn, Soares & Conway, LLP. He manages the firm's Government Relations Group representing clients before the California

State Legislature and various state administrative agencies.

Louie specializes in providing clients with expert advice in maneuvering through California's complex legislative and administrative process. He has written numerous laws and played key roles in many of the Legislature's major accomplishments and budget negotiations over the last decade.

Louie earned his Bachelor of Science Degree from California Polytechnic State University in San Luis Obispo, California and his Juris Doctor from the McGeorge School of Law.

Louie and his wife, Kymberlee, reside in Elk Grove with their three children.