

1 [Opposing California State Senate Bill No. 1393 (Archuleta) - Local Requirements for Electric  
2 Appliances]

3 **Resolution opposing California State Senate Bill No. 1393, introduced by Senator Bob**  
4 **Archuleta, that would impose new local requirements on jurisdictions when adopting**  
5 **an ordinance requiring the replacement of fossil fuel-burning appliances with electric**  
6 **appliances upon the alteration or retrofit of a residential or non-residential building.**

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8 WHEREAS, San Francisco’s 2021 Climate Action Plan establishes a goal of reaching  
9 net-zero greenhouse gas emissions by 2040, and specifically for all large commercial  
10 buildings to be zero emission by 2035, and for all buildings to be zero emission by 2040; and

11 WHEREAS, Building operations are the second largest source of greenhouse gas  
12 emissions in San Francisco, accounting for 41 percent of total emissions according to the  
13 2019 GHG Inventory; and

14 WHEREAS, The overwhelming majority (87 percent) of greenhouse gas emissions  
15 attributed to the building operations sector are from natural gas burned to operate heating  
16 systems, boilers, water heaters, clothes dryers and cooking appliances; and

17 WHEREAS, Natural gas plumbing in buildings poses fire, explosion and public safety  
18 risks, with a natural gas or oil pipeline catching fire every four days, resulting in an injury every  
19 five days, exploding every 11 days and leading to a fatality every 26 days, on average, in the  
20 United States, according to a 2018 report; and

21 WHEREAS, Natural gas combustion is a major source of indoor air pollution, with  
22 studies having shown that children living in homes with natural gas stoves have a 42 percent  
23 increased risk of experiencing asthma symptoms and these impacts may be exacerbated in a  
24 compact city such as San Francisco where low-income households are more likely to have  
25 more people living in smaller spaces with less ventilation; and

1           WHEREAS, San Francisco has adopted several ordinances in recent years to advance  
2 building electrification, including Ordinance No. 237-20 mandating new construction be all-  
3 electric and Ordinance No. 8-20 requiring new construction and major renovations of  
4 municipal buildings to be all-electric; and

5           WHEREAS, Existing state law requires the State Energy Resources Conservation and  
6 Development Commission to gather or develop, and publish, guidance and best practices to  
7 help building owners, the construction industry and local governments overcome barriers to  
8 electrification of buildings and installation of electric vehicle charging equipment; and

9           WHEREAS, California Senate Bill No. 1393 (SB 1393) would require a city, including a  
10 charter city, or county, when adopting an ordinance requiring the replacement of a fossil fuel-  
11 fired appliance with an electric appliance upon the alteration or retrofit of a residential or  
12 nonresidential building, to consider the guidance published by the commission; and

13           WHEREAS, The bill would require a local government, within 60 days of adopting that  
14 ordinance, to submit to the Commission a copy of the ordinance, and other specified  
15 information and would require the Commission to determine whether the local government  
16 considered the Commission's published guidance in the adoption of the ordinance; and

17           WHEREAS, If the Commission determines that the local government had not  
18 considered the guidance, the bill would require the local government to consider the guidance,  
19 make any modification of the ordinance deemed necessary by the local government, and  
20 resubmit the ordinance and other information to the Commission; and

21           WHEREAS, The bill would inhibit the state's progress on building decarbonization by  
22 putting undue and burdensome standards on cities, including San Francisco, seeking to adopt  
23 requirements to replace dangerous and polluting fossil-fueled appliances with zero-emission,  
24 electric appliances; and

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1           WHEREAS, The California Energy Commission already has authority to review and  
2 approve local adoption of energy standards; and

3           WHEREAS, SB 1393 would require a host of additional findings that undermine local  
4 control and place an undue burden on local jurisdictions exercising their prerogative to  
5 safeguard their communities from the harms of fossil fuels, including air pollution and wildfires  
6 and other extreme weather events caused by climate change that threaten their lives,  
7 properties and livelihoods; and

8           WHEREAS, Local governments should be encouraged rather than discouraged to  
9 adopt strong building decarbonization policies, including requirements to install electric  
10 appliances, to better protect the health and safety of their communities and address the  
11 climate crisis; and

12           WHEREAS, SB 1393 is opposed by the California State Association of Counties,  
13 Earthjustice, League of California Cities, Natural Resources Defense Council, Rocky  
14 Mountain Institute, the Sierra Club, and the City of Los Angeles; now, therefore, be it

15           RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
16 hereby opposes passage of Senate Bill No. 1393; and be it

17           FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board  
18 to transmit copies of this resolution to San Francisco’s State legislative delegation, Assembly  
19 Speaker Anthony Rendon, Senate President Pro Tem Toni Atkins, Governor Gavin Newsom,  
20 and to the City Lobbyist upon passage.

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