

AB 672 Dies In Committee

Friday, April 30, 2021

To be more specific, AB 672 never got placed on the agenda of either of the Assembly Committees to which it was referred. Since today was the deadline for bills to pass through committee and advance in the 2021 session, that means that no further action can be taken on AB 672 the remainder of 2021, although many of its particulars are amenable to incorporation into one of the many housing bills very much alive this session. However, the bill's author (Garcia; D-Bell Gardens) has made clear her intention to resurrect it in January 2022. AB 672 is on mere hiatus, not actually dead, albeit failure to get heard in committee is never an encouraging sign for a bill author.

AB 672 was the very definition of legislative overreach. Its failure to gain traction this year was in part due to that but in larger part due to the reaction the bill engendered from so many of the state's individual golfers who took the time to write, call and E-mail their legislators. Formal opposition from SCGA, NCGA, CAG, PGA Sections, GCSAA Sections, First Tee Chapters, and myriad other golf organizations mattered to be sure. But nothing ever matters more than real live constituents who take the time to contact their elected leaders. Those who did take the time should take satisfaction that their efforts mattered. Those who didn't should be grateful to those who did and perhaps consider joining them when this bill goes live again in 8 months.

For those whose memories require refreshing, AB 672 proposed to facilitate the development of California's municipal golf courses (22% of the total courses in the state) as "affordable" housing tracts by:

- Removing them from the protections of the Public Park Preservation Act (Public Resources Code Section 5400-5409).
- Providing certain exemptions to the California Environmental Quality Act (CEQA).

- Mandating a one-size-fits-all zoning element.
- Singling golf as the ONLY open space/recreational activity for which these exemptions and facilitations apply, literally targeting them for development to the exclusion of all other open space/recreational activities.

The percentage of California golf courses that are municipally owned may only be 22%, but roughly 45% of golf play every day is on that 22%, and roughly 90% of golf's myriad junior/family/developmental programs takes place on that 22%. The municipal sector has served as the growth and sustenance engine of the game for more than 100 years – its base as it were. The base fails, and the rest shrinks over time.

The bill may have taken direct aim at California's publicly owned golf courses (22% of the total), but its passage would have put golf's blood in the water in such a way as to jeopardize the position of golf's private sector clubs as well. Just as the Public Park Preservation Act is the public game's backstop against residential/commercial development, ARTICLE XIII, Section 10 of California's Constitution establishing "open space" as the property tax basis for private golf clubs is the private sector's backstop against residential/commercial development.

The Public Park Preservation Act is not just parkland golf's backstop against commercial development; it is every parkland amenity's bulwark against development. Golf is just the canary more deeply positioned in this proverbial coal mine. Soccer, baseball, bike paths, hiking trails, swimming pools, equestrian centers, nature centers, tennis courts, pickleball, and land trusts/conservancies are very much in the mine with us whether they all know it or not. Their park departments know it. Some of them are coming to know it. Golf cannot tolerate being separated from this much greater recreational community, and this much greater recreational community has a powerful interest in keeping us in the fold.

AB 672 may be an overreach thrown into a legislative hopper stuffed to the gills with well-conceived and artfully crafted competitors in the housing space, and as a result a non-starter in 2021. Today's Codes are full of bills that started out just as clumsily but

got refined over time into laws capable of eliciting widespread support. As important or arguably more important than the grisly details of AB 672 is the thinking behind it – thinking that posits the notion that golf is no longer a legitimate component of urban parkland systems – a disfavored activity replete with its own legislative finding of such.

That thinking isn't going away any time soon. As long as that remains the case, golf can expect the animus underlying AB 672's predicate to come back in the form of other bills, other regulations, and other policies, some of which may be artfully and narrowly crafted. If golf uses AB 672's temporary demise as the breathing space necessary to replenish its resolve and restock its arsenal of advocacy tools, it will have learned the right lesson. If golf luxuriates in some kind of "victory dance," it will have learned the wrong lesson.

When we termed AB 672 the most consequential bill re golf to be filed in a generation, we weren't exercising our capacities for exaggeration; we were dead serious. And we hope the allied California golf community remains dead serious too.