



500 S. Main Street, Suite #410, Orange, CA 92868 | P: (714) 953-1300 | F: (714) 953-1302 | www.ACCOC.org

March 8, 2017

The Honorable Jim Wood
State Capitol
P.O. Box 942849
Sacramento, CA 94249

RE: AB 1095 (Harper) Alcoholism or drug abuse recovery or treatment facilities – SUPPORT

Dear Assemblymember Wood,

The Association of California Cities – Orange County (ACC-OC) would like to express its support for Assembly Bill 1095 (Harper), which has been referred to the Assembly Health Committee. This bill would create the term, “integral facilities”; residences that are currently considered “licensed sober living home facilities”. ACC-OC is supportive of bills that will work to increase the oversight of noncompliant drug and alcohol residences, resulting in better quality care for patients, and the creation of enforcement resources for cities.

The term integral facilities is defined by a combination of two or more alcoholism or drug abuse recovery facilities that provide services for seven or more persons located on the same parcels of land. This definition also applies to facilities on different parcels of land, and in both instances the multiple parcels together comprise one operation, under the control or management of the same owner. This definition would clearly distinguish integral facilities from being considered a single family home or residence under zoning laws. This bill will also codify the ability for cities to more closely monitor the oversaturation of residential treatment facilities in what is zoned for single family residences.

In California, sober living homes are considered a residence of six people or under, and are protected by both state and federal laws. At the state level, the California Health and Safety code, sections 11834.20 - 11834.25 reinforce that six or fewer persons shall be considered a family for the purposes of any law or zoning ordinance. Sober living facilities, or as this bill defines, integral facilities, are comprised of seven people or more. Facilities must be licensed through the Department of Health Care Services (DHCS), because they provide formalized substance abuse recovery services or treatments. These residences must comply with their DHCS licensure agreement and can be held accountable to local ordinances and other types of permits, clearances, business taxes or local fees that may be required by the cities or counties in which the facilities are located. This bill further adds to the compliance of these sober living



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facilities by codifying a cities' ability to monitor distancing within zoned sober living facility locations.

Our membership believes that the inclusion of a distancing component related to zoning is based around actual scenarios experienced across California cities. The distance in zoning would not only help to accomplish the preservation of a neighborhood environment, and prevent oversaturation, but it would more clearly protect the patients seeking treatment. A distancing component ensures that a patient experiences treatment that is integrated in a true community setting, without the proliferation of sober living facilities directly next door to one another or taking on an entire section of a single neighborhood. Without a reference to distancing in the bill, unintended consequences can potentially lead to overcrowding and foster an institutional atmosphere – none of which would support the patient or the community.

This legislation considers the well-being of the patient, and allows cities the ability to participate in the development of sober living facility safety. The ACC-OC remains committed to finding a solution to the issues related to sober living homes and facilities, through the support of this measure and our own legislative efforts. For this and the reasons described above, the Association of California Cities – Orange County is proud to support AB 1095. Should you have any questions on our position or about the ACC-OC please contact Diana Coronado, ACC-OC's Legislative Affairs Director, at dcoronado@accor.org or at (714) 953-1300.

Sincerely,

Heather Stratman
Chief Executive Officer
Association of California Cities – Orange County

cc:

Hon. Matthew Harper
Members, Assembly Health Committee
Orange County State Legislative Delegation
ACC-OC Board of Directors
ACC-OC Legislative & Regulatory Committee