



RELATED PRACTICES

Public Law

RELATED PEOPLE

Denise S. Bazzano
Chad W. Herrington
Thomas D. Jex
Private: Ephraim S. Margolin

AB 965: Broadband Permit Efficiency and Local Government Staff Solution Best Practices Act of 2023

On October 8, 2023, Governor Gavin Newsom signed Assembly Bill (“AB”) 965 into law. AB 965, which is effective January 1, 2024, affects how local agencies must process broadband permit applications. The purpose of AB 965 is to increase the speed in which local agencies process broadband permit applications, especially as funds from the American Rescue Plan Act of 2021 for broadband projects expire at the end of 2024. AB 965 requires local agencies to process multiple broadband permit applications for substantially similar broadband project sites under a single permit.

AB 965: Batch Broadband Permit Processing

AB 965 modifies the Permit Streamlining Act to require local agencies to use “batch broadband permit processing” when it receives two or more broadband permit applications for substantially similar broadband project sites submitted at the same time by the same applicant. AB 965 defines “batch broadband permit processing” as the simultaneous processing of multiple broadband permit applications for substantially similar broadband project sites under a single permit.

AB 965 does not preclude local agencies from requiring applicants comply with any requirements relating to the design, construction, or location of broadband projects that the local agency is authorized to impose or enforce under applicable law, including generally applicable health and safety requirements. AB 965 does not affect the City’s ability to impose fees on broadband permit applications.

If the local agency denies the broadband permit application, it has to notify the applicant in writing of the reasons for the denial. If the local agency does not approve the applications within the period required by the Permit Streamlining Act, then the applications are deemed approved.

AB 965 also permits local agencies to place “reasonable limits” on the number of broadband project sites that are grouped into a single permit as part of batch broadband permit processing.

Population | Maximum number of sites that can be batched into a single permit by Jurisdiction

Cities with population less than 50,000 | max 25 sites
Cities with population greater than 50,000 | max 50 sites
Counties with population less than 150,000 | max 25 sites
Counties with population greater than 150,000 | max 50 sites