

Implementing the ACWA Prop 218 Bill – AB 2257

FEBRUARY 28, 2025



Need for AB 2257

- Prop 218 Lawsuits have created uncertainty and expensive problems for local agencies
- In the past, agencies have argued that Prop 218's protest and ballot assessment procedures are required administrative remedies
- However, the courts have rejected the administrative exhaustion defense under prior law
- This led to the creation of AB 2257
- AB 2257 authorizes local government entities to adopt administrative exhaustion procedures in Prop. 218 ratemakings and special assessment proceedings



How to Implement

- Adopt ordinance establishing objection procedure
- Objection procedure runs parallel to Prop. 218 protest hearing or special assessment ballot proceeding
- Ounce of Prevention is worth a Pound of Cure
- Minimum not maximum
- Will make any litigation more defensible
- Public participation is the heart of our democratic process and at the heart of Prop. 218



