



CSFC Final Bill Report December 2017

Chaptered Bills

- AB 92** (Bonta D) Public contracts: payment.
Introduced: 1/9/2017
Status: 7/10/2017-Approved by the Governor. Chaptered by Secretary of State - Chapter 37, Statutes of 2017.
Location: 7/10/2017-A. CHAPTERED
Summary: Current law until January 1, 2018, authorizes the retention proceeds withheld from any payment by an awarding entity, as described, from the original contractor, by the original contractor from any subcontractor, and by a subcontractor from any subcontractor to exceed 5% on specific projects where the director of the applicable department, as specified, has made, or the governing body of the public entity or designated official of the public entity has approved, a finding prior to the bid that the project is substantially complex and requires a higher retention and the department or public entity includes both this finding and the actual retention amount in the bid documents. This bill would extend the operation of these provisions to January 1, 2023.
Position: Watch
- AB 111** (Committee on Budget) State government.
Introduced: 1/10/2017
Last Amend: 6/8/2017
Status: 6/27/2017-Approved by the Governor. Chaptered by Secretary of State - Chapter 19, Statutes of 2017.
Location: 6/27/2017-A. CHAPTERED
Summary: With respect to facilities for both public elementary and secondary schools and for community colleges, current law requires that the Department of General Services pass upon and approve or reject all plans for the construction of, or, if the estimated cost exceeds \$100,000, the alteration of, any school building. Current law requires the application to be accompanied by a filing fee in amounts as determined by the Department of General Services, as specified. Current law authorizes the Department of General Services to adjust the amounts of the filing fees within specified limits. Under current law, the filing fees described above are to be deposited into the Public School Planning, Design, and Construction Review Revolving Fund, a continuously appropriated fund. This bill would raise the rates of the amount of the filing fee, as specified.
- AB 203** (O'Donnell D) School facilities: design and construction: report: regulations.
Introduced: 1/23/2017
Last Amend: 9/8/2017
Status: 10/15/2017-Approved by the Governor. Chaptered by Secretary of State - Chapter 837, Statutes of 2017.
Location: 10/15/2017-A. CHAPTERED
Summary: Current law requires the State Department of Education to take specified actions relating to the construction of school facilities, including to establish standards for use by school districts to ensure that the design and construction of school facilities are educationally appropriate and promote school safety. This bill would require those standards to also ensure that the design and construction of school facilities provide school districts with flexibility in designing instructional facilities.
Position: Watch

- AB 591 (O'Donnell D) School property: lease: county boards of education.
 Introduced: 2/14/2017
 Last Amend: 5/4/2017
 Status: 7/24/2017-Approved by the Governor. Chaptered by Secretary of State - Chapter 125, Statutes of 2017.
 Location: 7/24/2017-A. CHAPTERED
 Summary: Current law authorizes the governing board of a school district to lease real property that belongs to the school district for a minimum rental of \$1 per year if the instrument by which the property is leased requires a building to be constructed by the lessee for use by the school district and title to the building vests in the school district at the end of the lease. This bill would make all of the requirements in the provisions as specified applicable to an agreement entered into by a county board of education, county office of education, or county superintendent of schools to let to a person, firm, or corporation any real property that belongs to the county office of education or a school district that requires the lessee to construct a building on demised premises for use by the county office of education or a school district.
 Position: Watch
- AB 746 (Gonzalez Fletcher D) Public health: potable water systems: lead testing: schoolsites.
 Introduced: 2/15/2017
 Last Amend: 9/8/2017
 Status: 10/13/2017-Approved by the Governor. Chaptered by Secretary of State - Chapter 746, Statutes of 2017.
 Location: 10/13/2017-A. CHAPTERED
 Summary: Would require a community water system that serves a schoolsite of a local educational agency with a building constructed before January 1, 2010, to test for lead in the potable water system of the schoolsite before January 1, 2019. The bill would require the community water system to report its findings to the schoolsite, as specified, and, if the schoolsite's lead level exceeds a certain level, to test a water sample from the point in which the schoolsite connects to the community water system's supply network. The bill would require the local educational agency, if the lead level exceeds the specified level at a schoolsite, to notify the parents and guardians of the pupils who attend the schoolsite or preschool.
- SB 96 (Committee on Budget and Fiscal Review) State Government.
 Introduced: 1/11/2017
 Last Amend: 6/9/2017
 Status: 6/27/2017-Approved by the Governor. Chaptered by Secretary of State. Chapter 28, Statutes of 2017.
 Location: 6/27/2017-S. CHAPTERED
 Summary: Would require the Secretary of State to notify a county elections official that a petition received a sufficient number of signatures to initiate a recall election. After this notice has been provided, the bill would provide for a period of 30 business days in which voters who signed the petition may withdraw their signatures. No later than 10 days after that period ends, the bill would require county elections officials to report to the Secretary of State the total number of signatures that were withdrawn, and would require that this process continue until the Secretary of State determines that there is a sufficient number of verified signatures, not including withdrawn signatures, to initiate a recall election.
- SB 110 (Committee on Budget and Fiscal Review) Clean Energy Job Creation Program and citizen oversight board.
 Introduced: 1/11/2017
 Last Amend: 6/15/2017
 Status: 7/10/2017-Approved by the Governor. Chaptered by Secretary of State. Chapter 55, Statutes of 2017.
 Location: 7/10/2017-S. CHAPTERED

Summary: Current law, until fiscal year 2017–18, provides for the allocation of moneys in the Clean Energy Job Creation Fund to local educational agencies and community college districts, as specified, and requires that funds remaining after the 2017–18 fiscal year continue to be available in future years for loans to local educational agencies and community college districts. Current law, until July 1, 2019, prescribes the operation of the Citizens Oversight Board and establishes the authority and duties of the board, which relate to assessing the effectiveness of the expenditures from the fund in meeting the act's objectives. This bill would appropriate available remaining funds in the Job Creation Fund, as determined by the State Energy Resources Conservation and Development Commission as of March 1, 2018, for purposes relating to improving energy efficiency at local educational agencies, as specified.
Position: Support

- SB 418 (Hernandez D) Public contracts: skilled and trained workforce.
Introduced: 2/15/2017
Last Amend: 6/28/2017
Status: 9/30/2017-Approved by the Governor. Chaptered by Secretary of State. Chapter 393, Statutes of 2017.
Location: 9/30/2017-S. CHAPTERED
Summary: Current law defines a "skilled and trained workforce" to mean a workforce that meets certain conditions for when a public entity is required by statute or regulation to obtain an enforceable commitment that a bidder, contractor, or other entity will use a skilled and trained workforce to complete a contract or project. Current law also authorizes a public entity to require that a bidder, contractor, or other entity use a skilled and trained workforce to complete a contract or project. This bill would revise the definition of a "skilled and trained workforce" to exclude from the conditions work performed on or after specified dates, in certain occupations.
- SB 496 (Cannella R) Indemnity: design professionals.
Introduced: 2/16/2017
Last Amend: 4/5/2017
Status: 4/28/2017-Approved by the Governor. Chaptered by Secretary of State. Chapter 8, Statutes of 2017.
Location: 4/28/2017-S. CHAPTERED
Summary: Current law provides, with respect to contracts and amendments to contracts entered into on or after January 1, 2011, with a public agency, as defined, for design professional services, that all provisions, clauses, covenants, and agreements contained in, collateral to, or affecting these contracts or amendments to contracts that purport to require the design professional to defend the public agency under an indemnity agreement, including the duty and the cost to defend, are unenforceable, except for claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the design professional. This bill would instead make these provisions applicable to all contracts for design professional services entered into on or after January 1, 2018.
Position: Oppose
- SB 541 (Allen D) Water: school facility water capture practices.
Introduced: 2/16/2017
Last Amend: 7/20/2017
Status: 10/14/2017-Approved by the Governor. Chaptered by Secretary of State. Chapter 811, Statutes of 2017.
Location: 10/14/2017-S. CHAPTERED
Summary: Would require the State Water Resources Control Board, in consultation with the regional water quality control boards, and the Division of the State Architect within the Department of General Services to recommend best design and use practices for storm water and dry weather runoff capture practices, as defined, that can generally be applied to all new, reconstructed, or altered public schools, including school grounds. The bill would require the board to submit these recommendations to the Governor and the Legislature on or before January 1, 2019, and would require the board and the State Department of Education to post the recommendations on their respective Internet Web sites.

- AB 125 (Committee on Budget) Clean Energy Job Creation Program and citizen oversight board.
 Introduced: 1/10/2017
 Last Amend: 6/15/2017
 Status: 7/20/2017-Ordered to inactive file at the request of Senator Mitchell.
 Location: 7/20/2017-S. INACTIVE FILE
 Summary: Would, commencing with the 2018–19 fiscal year, establish the Clean Energy Job Creation Program with the purpose of funding specified projects in public schools and community colleges that create jobs in California improving energy efficiency and expanding clean energy generation and would subject these projects to requirements similar to those imposed on projects under the California Clean Energy Jobs Act. The bill would extend the operation of the board and of its authority and duties indefinitely. This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.
 Position: Support
- AB 304 (Eggman D) Public Utilities Commission: proceedings: intervenor compensation.
 Introduced: 2/6/2017
 Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was U. & E. on 2/13/2017)(May be acted upon Jan 2018)
 Location: 4/28/2017-A. 2 YEAR
 Summary: Current law provides compensation for reasonable advocate's fees, reasonable expert witness fees, and other reasonable costs for participation or intervention in any proceeding of the Public Utilities Commission. Current law specifies that no state, federal, or local government agency, publicly owned public utility, or entity that, in the commission's opinion, was established or formed by a local government entity for the purpose of participating in a commission proceeding is eligible to receive that compensation, except as specified. This bill would authorize public school districts, county offices of education, and community college districts, and the authorized representatives of those entities, to receive that compensation.
- AB 305 (Arambula D) School accountability report card: drinking water access points.
 Introduced: 2/6/2017
 Status: 4/5/2017-In committee: Hearing postponed by committee.
 Location: 2/13/2017-A. ED.
 Summary: Would amend the Classroom Instructional Improvement and Accountability Act to also require the school accountability report card to include an assessment of the drinking water access points at each school site, as specified. The bill would require the State Department of Education to compile the assessments and transmit them to the State Water Resources Control Board. By imposing additional duties on local educational agency officials, the bill would impose a state-mandated local program. The bill would provide that the Legislature finds and declares that the changes made to the act by its provisions further the purposes of the act.
 Position: Watch
- AB 312 (O'Donnell D) School finance: special education funding.
 Introduced: 2/6/2017
 Last Amend: 2/28/2017
 Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 4/27/2017)(May be acted upon Jan 2018)
 Location: 5/26/2017-A. 2 YEAR
 Summary: Current law requires the Superintendent of Public Instruction to determine the amount of funding to be provided for each special education local plan area in accordance with specified calculations. Current law requires the Superintendent, for the 2013–14 fiscal year, to compute an equalization adjustment for each special education local plan area, as specified. This bill would require the Superintendent to compute that equalization adjustment commencing with the first fiscal year after funds are apportioned pursuant to a specified formula and for each fiscal year thereafter in which an equalization appropriation is made, as specified.
 Position: Watch

- AB 567 (Quirk-Silva D) School facilities: drinking water fountains: spigot for filling water bottles.
 Introduced: 2/14/2017
 Last Amend: 3/14/2017
 Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was ED. on 2/27/2017)(May be acted upon Jan 2018)
 Location: 4/28/2017-A. 2 YEAR
 Summary: Would require a school district, on or after July 1, 2018, to ensure that every drinking water fountain at each school under its jurisdiction is equipped with both a water fountain and a spigot, or a combination water fountain and spigot, for filling water bottles. Because the bill would impose new duties on local educational agencies, the bill would impose a state-mandated local program.
 Position: Oppose
- AB 885 (Rubio D) Pupil health: drinking water: lead.
 Introduced: 2/16/2017
 Last Amend: 4/27/2017
 Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/17/2017)(May be acted upon Jan 2018)
 Location: 5/26/2017-A. 2 YEAR
 Summary: Would require a community water system, as defined, to test, on or before July 1, 2019, and every year thereafter, for the presence of lead at a sample of water outlets used for drinking or cooking at each school, defined to include a public elementary school, a public secondary school, a public preschool located on public school property, and a public day care facility located on public school property, constructed before January 1, 1993, within the boundaries of the community water system.
 Position: Oppose
- AB 1253 (Cooley D) Education finance: school bonds: citizens' oversight committees.
 Introduced: 2/17/2017
 Last Amend: 4/18/2017
 Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/17/2017)(May be acted upon Jan 2018)
 Location: 5/26/2017-A. 2 YEAR
 Summary: Would require citizens' oversight committees to perform several functions that are optional under existing law, including receiving and reviewing copies of specified audit documents and plans, and performing specified inspections of school facilities and grounds. The bill would require a county office of education, at the request of a citizens' oversight committee, to review a school district's employment of a professional firm or construction contractor, as specified. By imposing new duties on county offices of education, the bill would impose a state-mandated local program.
- SB 210 (Leyva D) Heavy-Duty Vehicle Inspection and Maintenance Program.
 Introduced: 2/1/2017
 Last Amend: 8/23/2017
 Status: 8/28/2017-Re-referred to Com. on RLS. pursuant to Assembly Rule 96.
 Location: 8/28/2017-A. RLS.
 Summary: Current law requires the State Air Resources Board, in consultation with the Bureau of Automotive Repair and a specified review committee, to adopt regulations requiring owners or operators of heavy-duty diesel motor vehicles to perform regular inspections of their vehicles for excessive emissions of smoke. Current law requires the state board, in consultation with the State Energy Resources Conservation and Development Commission, to adopt regulations requiring heavy-duty diesel motor vehicles to use emission control equipment and alternative fuels. This bill would authorize the state board to develop and implement a Heavy-Duty Vehicle Inspection and Maintenance Program for nongasoline heavy-duty onroad motor vehicles, as specified.
 Position: Watch

SB 423 (Cannella R) Indemnity: design professionals.

Introduced: 2/15/2017

Last Amend: 3/21/2017

Status: 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was JUD. on 3/29/2017)(May be acted upon Jan 2018)

Location: 5/12/2017-S. 2 YEAR

Summary: Current law provides, with respect to contracts and amendments to contracts entered into on or after January 1, 2011, with a public agency for design professional services, that all provisions, clauses, covenants, and agreements contained in, collateral to, or affecting these contracts or amendments to contracts that purport to require the design professional to defend the public agency under an indemnity agreement, including the duty and the cost to defend, are unenforceable, except for claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the design professional. Current law provides that all contracts and all solicitation documents between a public agency and a design professional are deemed to incorporate these provisions by reference. This bill would make these provisions applicable to all contracts for design professional services entered into by any person or public or private entity on or after January 1, 2018.

Position: Oppose

Total Measures: 19