



2009 Legislative Session Summary

**Office of Legislation
October 2009**



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FORWARD

This report provides an overview of legislation that affected the Department of General Services (DGS) in 2009.

During the first year of the 2008-09 Legislative Session, the DGS Office of Legislation monitored and reviewed 3,015 measures and provided an assessment on approximately 116 bills. All six DGS sponsored bills reached the Governor's desk and were signed. The following is a summary of the bills with particular significance to the department that reached the Governor's desk.

We appreciate everyone's assistance and expertise which contributed to our successful representation of departmental legislative matters before other State agencies, the Legislature, and the Governor. As always, we cover a broad range of topics to meet the mission of this diverse department.

We look forward to 2010 and working together with the varied interested parties to achieve positive outcomes. If you have questions regarding this summary or would like additional information, please contact Letha Burton at (916) 376-5029 or on the Internet at letha.burton@dgs.ca.gov.



**Lisa Martin, Acting Deputy Director-Legislative Affairs
Department of General Services**

OFFICE ACRONYMS USED IN THE 2009 LEGISLATIVE SUMMARY

DSA	DIVISION OF THE STATE ARCHITECT
OHR	OFFICE OF HUMAN RESOURCES
OIA	OFFICE OF INSURANCE ADVISOR
OL	OFFICE OF LEGISLATION
OLS	OFFICE OF LEGAL SERVICES
OPSC	OFFICE OF PUBLIC SCHOOL CONSTRUCTION
PD	PROCUREMENT DIVISION
RESD	REAL ESTATE SERVICES DIVISION

LEGISLATIVE SUMMARY OF BILLS ENACTED IN 2009

**UNLESS OTHERWISE INDICATED, THESE STATUTES
BECOME EFFECTIVE JANUARY 1, 2010**

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BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
AB 20 (Solorio)	<p>University of California: California State University: contracts</p> <p>Summary: Existing law establishes the University of California (UC) as a public trust administered by the Regents of the University of California. Employees of the UC provide instruction to students and conduct research at each of the 10 campuses of the UC, which are located in Berkeley, Davis, Irvine, Los Angeles, Merced, Riverside, San Diego, San Francisco, Santa Barbara, and Santa Cruz. Existing law establishes the California State University (CSU), under the administration of the Trustees of the CSU, as one of the other segments of public postsecondary education in this State. This bill would require the Department of General Services (DGS), to negotiate and establish a model contract with standard contract provisions with both the regents and the trustees by July 1, 2010. The trustees would be required to, and the regents would be urged to, negotiate and establish with the DGS the model contract applicable to their university by July 1, 2010. The bill would define the term contract to mean a research, training, or service agreement between the State and the UC or CSU, or a grant from the State to the UC or CSU for research, training, or service. This bill contains other related provisions.</p>	OLS	402	<i>An act to add Chapter 14.27 (commencing with Section 67325) to Part 40 of Division 5 of Title 3 of the Education Code, relating to public postsecondary education.</i>
AB 31 (Price)	<p>Public contracts: Small Business Procurement and Contract Act</p> <p>Summary: DGS sponsored bill. The Small Business Procurement and Contract Act permits a State agency to award a contract for goods, services, or information technology with a value of between \$5,000 and \$100,000 to a certified small business, including a microbusiness and a disabled veteran business enterprise, without complying with specified competitive bidding requirements. This bill would increase the maximum amount of the contract from \$100,000 to \$250,000. This bill contains other related provisions and other existing laws.</p>	PD	212	<i>An act to amend Section 14838.5 of, and to add Section 14841 to, the Government Code, and to amend Section 10105 of the Public Contract Code, relating to public contracts.</i>
AB 240 (Monning)	<p>Conveyances: DeLaveaga Park</p> <p>Summary: Existing law requires all real property within the DeLaveaga Park Property owned by the State, other than that portion leased to the City of Santa Cruz, to be used for a National Guard camp of instruction and, if that use is determined by the Adjutant General to be no longer necessary for that purpose, requires the DGS to reconvey the real property to the city, to be used in perpetuity for public recreational purposes. The department is also directed to convey to the city its fee interest in that portion of the DeLaveaga Park Property leased to the city to be used as a municipally owned public golf course, if the city simultaneously conveys in fee to the State the portion of the property that is leased to the State. This bill would describe the portion of real property within the DeLaveaga Park Property owned by the State and comprised of approximately 40 acres to be referred to as "the armory site," and make various conforming changes. This bill contains other related provisions.</p>	RESD	422	<i>An act to amend Sections 2 and 3 of Chapter 188 of the Statutes of 1999, relating to conveyances.</i>
AB 299 (Committee on Insurance)	<p>Insurance</p> <p>Summary: Existing law provides that the Insurance Commissioner shall annually mail to every domestic insurer a report specifying the reciprocal states. This bill would provide that every four years the commissioner shall mail to every domestic insurer a report specifying the reciprocal states. This bill contains other related provisions and other existing laws.</p>	OIA	234	<i>An act to amend Sections 706.7, 730, 735.5, 736, 900.2, 942, 1170, 1182, 1197, 1215.5, 11136, 11580.011, and 12968 of, and to amend and renumber Section 10123.83 of, the Insurance Code, relating to insurance.</i>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
AB 328 (Calderon, Charles)	Electronic transactions: exceptions Summary: Existing law generally permits parties to contract to conduct transactions by electronic means. Existing law excepts specific transactions from this permission, including various provisions regarding insurance. This bill would remove specified insurance provisions from the exception to the general authorization that parties may contract to conduct transactions by electronic means. This bill would also provide that with regard to certain transactions relating to automobile insurance, the insurer may not deliver specified documents electronically unless the insured or applicant for insurance began the transaction electronically. This bill contains other related provisions and other existing laws.	OIA	433	<i>An act to amend Section 1633.3 of the Civil Code, and to amend Sections 560, 570, 658, 662, 666, 771.02, 779.19, and 1759.7 of, to add Sections 38.5 and 38.8 to, and to add Article 6 (commencing with Section 580) to Chapter 6 of Part 1 of Division 1 of, the Insurance Code, relating to electronic transactions.</i>
AB 601 (Garrick)	Motor vehicle insurance: special assessments Summary: Existing law, until January 1, 2010, imposes on an insurer a \$0.30 special purpose assessment on each vehicle insured under an insurance policy issued in this State by the insurer. Existing law specifies that \$0.20 of each \$0.30 special purpose assessment shall be used to fund specified consumer service functions of the Department of Insurance relating to motor vehicle insurance. Existing law further specifies that the remaining \$0.10 of each \$0.30 assessment shall be used to fund the improvement of certain consumer functions of the department. This bill would make technical, nonsubstantive changes to these provisions and would extend the operation of the provisions until January 1, 2015.	OIA	247	<i>An act to amend Section 1872.81 of the Insurance Code, relating to motor vehicle insurance.</i>
AB 800 (Duvall)	Insurance omnibus Summary: Existing law regulates the licensing and the renewal of licensing of insurance agents, adjusters, and brokers by specifying who is eligible for a license and the requirements for applying for or renewing a license. This bill would state that a person under 18 years of age is not eligible to apply for certain specified licenses. This bill would require the use of electronic forms of application for certain licenses and, except as specified would authorize the commissioner to electronically deliver forms to renew certain licenses to licensees, as specified. This bill would require a person applying for certain insurance licenses to supply the commissioner with his or her e-mail address, in addition to a mailing address, as specified. This bill contains other related provisions and other existing laws.	OIA	254	<i>An act to amend Sections 1644, 1652, 1655, 1656, 1658, 1661, 1683, 1718, 1729, 1749, 1749.3, 1749.31, 1751, 1758.3, 1758.692, 1758.7, 1758.81, 1758.92, and 12418.3 of the Insurance Code, relating to insurance.</i>
AB 866 (Niello)	California Earthquake Authority Summary: Existing law requires the California Earthquake Authority to issue policies of basic residential earthquake insurance to any owner of a qualifying residential property, as specified. The California Earthquake Authority is required to annually report, by May 1, to the Legislature and the Insurance Commissioner on the authority's conditions and affairs, as specified. This bill would require the California Earthquake Authority to make the annual report by August 1 and would require that the report be posted on the authority's Internet Web site.	OIA	480	<i>An act to amend Section 10089.13 of the Insurance Code, relating to the California Earthquake Authority.</i>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
AB 926 (Ruskin)	State contracts: goods: loss leader Summary: Existing law requires the DGS to make available a report on contracting activity containing specified information, as provided. This bill would expand the reporting requirements of the DGS in the years 2011 and 2012, to include any errors reported to the DGS, as specified. This bill contains other related provisions and other existing laws.	PD	490	<i>An act to amend Section 14837 of the Government Code, to amend Section 999 of the Military and Veterans Code, and to amend Sections 10111, 10302, 10344, and 12104.5 of the Public Contract Code, relating to public contracts.</i>
AB 930 (Saldana)	Department of General Services: Administrative Procedure Act Summary: Existing law provides that, commencing January 1, 1999, the processes, procedures, or policies maintained, developed, or prescribed by the DGS in connection with the administration of its duties under specified provisions of the Public Contract Code or the Government Code are exempt from the Administrative Procedure Act, including actions taken by the department with respect to the State Administrative Manual and the State Contracting Manual. This bill would also apply these provisions to actions taken by the department prior to January 1, 1999, with respect to competitive procurement in the State Administrative Manual and the State Contracting Manual.	PD	128	<i>An act to amend Section 14615.1 of the Government Code, relating to state government.</i>
AB 1080 (Skinner)	School districts: leases and agreements Summary: Existing law authorizes a school district to enter into leases and agreements relating to real property and buildings to be used jointly by the district and any private person, firm, or corporation, pursuant to specified provisions. This bill would additionally authorize a school district to enter into leases and agreements relating to real property and buildings to be used jointly by the district and a local governmental agency, as defined.	OPSC	383	<i>An act to amend Sections 17515, 17516, 17518, 17519, and 17524 of the Education Code, relating to school districts.</i>
AB 1086 (Miller)	Public contracts: bids Summary: Existing law prohibits, except in specified circumstances, a State agency, political subdivision, municipal corporation, district, or public officer responsible for letting a public works contract from drafting bid specifications for that contract in a manner that limits the bidding to any one concern or product, unless the specification is followed by the words "or equal." Existing law requires that these bid specifications provide a period of time prior to or after, or prior to and after, the award of the contract to allow the contractor to submit data that demonstrates that a concern or product to be provided under the contract is equal to the concern or product identified in the bid specification. This bill would make findings and declarations regarding the intent of the entire provision to encourage contractors and manufacturers to develop and implement new and ingenious materials, products, and services, as specified, at a lower cost to taxpayers.	PD	132	<i>An act to amend Section 3400 of the Public Contract Code, relating to public contracts.</i>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
AB 1200 (Hayashi)	<p>Motor vehicle insurance: direct repair programs</p> <p>Summary: Existing law prohibits insurers from requiring that an automobile be repaired at a specific automotive repair dealer. Under existing law, an insurer may suggest or recommend a specific automotive repair dealer under certain specified circumstances. This bill would authorize an insurer to provide a claimant with specific truthful and nondeceptive information regarding the services and benefits available to the claimant during the claims process, as specified, and would make related and conforming changes.</p>	OIA	387	<i>An act to amend Section 758.5 of the Insurance Code, relating to motor vehicle insurance.</i>
AB 1214 (Nava)	<p>Fire insurance: underwriters' corps: liability</p> <p>Summary: Existing law authorizes any domestic corporation of insurance underwriters to maintain an underwriters' corps. Under existing law, an underwriters' corps is defined as a group of persons with officers and equipment, maintained to discover and prevent fires and to save life and property from fire. This bill would specify that any privately owned or operated resources hired by an insurer for the purpose of protecting structures endangered by fire or performing firefighting duties shall report to the incident commander or his or her designee immediately upon arriving at the site of a fire. This bill would also require those resources to obey all directions, including evacuation orders, given by the incident commander or his or her designee.</p>	OIA	517	<i>An act to add Section 16032 to the Insurance Code, relating to fire insurance.</i>
AB 1240 (Davis)	<p>Community colleges: leasing of buildings: sale of district property</p> <p>Summary: Existing law allows the governing board of a community college district to lease temporary-use buildings. Existing law provides that any lease of a temporary-use building that is for more than a total of three years, or is under a lease-purchase contract, is subject to compliance with existing law providing for the construction of school buildings under the supervision of the DGS pursuant to specified standards. This bill would allow the Los Angeles Community College District to lease a temporary use building that is 50,000 square feet or less for up to a total of five years without being subject to compliance with the above provisions of existing law regarding building standards. The bill would provide that this provision would not apply to leases with an effective date or effective renewal date that is after January 1, 2015. This bill contains other related provisions and other existing laws.</p>	DSA	390	<i>An act to amend Sections 81361, 81367, 81370, 81372, and 81375 of, to add Section 81523.5 to, and to repeal Sections 81371 and 81373 of, the Education Code, relating to community colleges.</i>
AB 1311 (Duvall)	<p>State government reports</p> <p>Summary: DGS sponsored bill. Existing law requires the DGS to submit an annual report to the Joint Legislative Budget Committee and each Member of the Legislature that is required to list specified information and include detailed information on all items in the report. This bill would instead require the department to summarize the information required to be included in the report and would delete the requirement regarding detailed information. This bill contains other related provisions and other existing laws.</p>	OL	284	<i>An act to amend Sections 8164, 14669, 14670.12, and 14982 of, and to repeal Section 8878.97 of, the Government Code, relating to state government.</i>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
AB 1364 (Evans)	<p>Public contracts: State bonds: grant agreements</p> <p>Summary: Existing law permits the modification of contracts by State agencies in specified instances. This bill would provide that, notwithstanding any other provision of law, any State agency that has entered into a grant agreement for the expenditure of State bond funds where the State agency or grant recipient is, or may be, unable to comply with the terms of that agreement because of the suspension of interim funding for projects and contracts by the Pooled Money Investment Board on or after December 18, 2008, shall, with the consent of the grant recipient, have the authority to either renegotiate, modify, or eliminate the deadlines and timetables for and deliverables within the grant agreement in order to address the suspension or to terminate the grant agreement if no grant funds have yet been delivered thereunder. The bill would specify that it does not modify any act under which bonds are authorized to be issued or the State General Obligation Bond Law. This bill contains other related provisions. (Urgency Clause – effective date is October 11, 2009)</p>	RESD	526	<i>An act to add Section 16482 to the Government Code, relating to public contracts, and declaring the urgency thereof, to take effect immediately.</i>
AB 1444 (Garrick)	<p>Disposition of State property: services contracts</p> <p>Summary: DGS sponsored bill. Existing law authorizes the Director of the DGS to take various actions with respect to the sale, lease, and disposition of State properties, including entering into lease purchase agreements with State agencies for specified State properties, as provided. This bill would authorize the DGS to advertise and award contracts for services related to the disposition of real properties, as provided. The bill would further authorize the department to establish prequalified lists, as defined, of qualified firms, as defined, that may enter into contracts with the department to perform specific types of services needed by the department with respect to the disposition of those real properties in accordance with specified requirements, as provided.</p>	RESD	295	<i>An act to add Section 11011.27 to the Government Code, relating to state property.</i>
ABX2 8 (Nestande)	<p>State government</p> <p>Summary: The California Environmental Quality Act (CEQA) requires a lead agency to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA generally requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA also provides some exemptions from its requirements for specified projects. This bill would exempt the sale of surplus State real property made on an "as is" basis from designated provisions of CEQA. The bill would also exempt from those provisions of CEQA the execution of the purchase and sale agreement or the exchange agreement for surplus State real property if the disposition is not made on an "as is" basis and the close of escrow is contingent on a specified requirement or compliance with CEQA. This bill contains other related provisions and other existing laws.</p>	RESD	6	<i>An act to amend Section 11011 of the Government Code, to add Section 43018.2 to the Health and Safety Code, to add and repeal Sections 21080.41 and 21080.42 of the Public Resources Code, and to add Section 130240.5 to the Public Utilities Code, relating to state government.</i>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
ABX4 1 (Evans)	Budget Act of 2009: revisions Summary: The Budget Act of 2009 (Chapter 1 of the 2009-10 Third Extraordinary Session) made appropriations for the support of State government for the 2009-10 Fiscal Year. This bill would make revisions in those appropriations for the 2009-10 Fiscal Year. The bill would make specified reductions in certain appropriations. This bill contains other related provisions and other existing laws. (Urgency Clause – effective date is July 28, 2009)	OL	1	<i>An act to amend and supplement the Budget Act of 2009 (Chapter 1 of the 2009-10 Third Extraordinary Session) by amending Items 0250-001-0001, 0250-001-0159, 0250-001-0932, 0250-001-3037, 0250-001-3066, 0250-012-0001, 0250-101-0001, 0250-101-0932, 0250-102-0556, 0250-111-0001, 0250-112-0001, 0250-301-0660, 0250-301-3037, 0502-001-0001, 0502-001-9740, 0510-001-0001, 0510-001-9740, 0520-001-0001, 0520-001-0044, 0520-001-0918, 0520-011-0001, 0530-001-9732, 0540-001-0140, 0540-001-6031, 0540-101-6051, 0540-001-6051, 0540-490, 0555-001-0028, 0555-001-0044, 0555-001-0235, 0559-001-0001, 0559-001-3078, 0650-001-0001, 0650-001-0890, 0690-001-0001, 0690-001-0890, 0690-001-6061, 0690-101-0890, 0690-102-0214, 0690-102-0890, 0820-001-0001, 0820-001-0378, 0820-001-0890, 0820-001-3086, 0840-001-0001, 0840-001-0061, 0840-001-0062, 0840-001-0330, 0840-001-0890, 0840-001-0903, 0840-001-0970, 0840-001-0988, 0840-001-6057, 0840-001-9740, 0840-011-0494, 0840-011-0797, 0840-011-0988, 0855-111-0367, 0860-001-0001, 0860-001-0022, 0860-001-0061, 0860-001-0623, 0860-001-3015, 0950-001-0001, 0950-001-9740, 0968-001-0457, 1111-002-0582, 1730-001-0001, 1760-001-0666, 1760-101-0022, 1870-001-0001, 1870-001-0890, 1870-101-0890, 1880-001-0001, 1900-015-0815, 1900-015-0820, 1900-015-0822, 1900-015-0830, 1900-015-0833, 1900-015-0884, 2240-001-0648, 2240-101-0001, 2240-101-0890, 2320-001-0317, 2660-001-0042, 2660-001-0890, 2660-001-6801, 2660-002-3007, 2660-002-3008, 2660-004-6055, 2660-004-6056, 2660-004-6058, 2660-004-6064, 2660-004-6072, 2660-102-0890, 2660-302-0042, 2660-302-0890, 2660-303-0042, 2660-491, 2665-004-6043, 2670-001-0290, 2720-001-0044, 2720-001-0840, 2720-001-0890, 2720-301-0044, 2740-001-0042, 2740-001-0044, 2740-001-0064, 3340-001-0001, 3340-001-0318, 3340-001-6051, 3360-001-0381, 3360-001-0465, 3360-001-0890, 3360-001-3117, 3480-001-0001, 3480-001-0133, 3480-001-0141, 3480-001-0336, 3480-001-3046, 3480-101-0005, 3540-001-0001, 3540-001-0140, 3540-001-0235, 3540-001-0890, 3540-001-</i>

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CHAPTER

**CODE SECTIONS
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BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
ABX4 2 (Evans)	<p>Education</p> <p>Summary: This bill serves as the education trailer bill for the Budget Act of 2009. This only addresses provisions of the bill that affect the DGS through the DGS' Office of Public School Construction (OPSC) administrative support of the State Allocation Board (SAB) and the State School Facility Program (SFP).</p> <p>This bill would:</p> <ul style="list-style-type: none"> • Authorize school districts to use the proceeds from the sale of school district surplus property for one-time general fund purposes given certain conditions. • Require the OPSC to submit a report detailing sales of the surplus school properties to the SAB and specified legislative committees. • Exempt a school district that participates in the SFP from the requirement to deposit a specified amount of funding into its routine restricted maintenance account. • Allow the SAB to increase Deferred Maintenance funding to a school district in specific instances. <p>This bill contains other related provisions and other existing laws. (Urgency Clause – effective date is July 28, 2009)</p>	OPSC	2	<p><i>An act to amend Sections 1240.3, 2550, 2558.46, 8279.7, 8357, 8447, 17070.766, 42238.146, 42605, 44259, 45023.1, 45023.4, 46010.2, 47614.5, 52055.770, 52124.3, 60422.1, and 76300 of, to amend and repeal Section 33128.3 of, to amend, repeal, and add Section 47634.1 of, to add Sections 8481, 42606, 60200.7, 60852.3, and 84043 to, to add and repeal Sections 17463.7, 46201.2, and 52055.60 of, to repeal Section 8278 of, to repeal Article 22 (commencing with Section 8460) of Chapter 2 of Part 6 of Division 1 of Title 1 of, and to repeal and add Section 17587 of, the Education Code, to amend Sections 7906 and 8880.5 of the Government Code, and to amend Section 42 of Chapter 12 of the Statutes of 2009, relating to education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.</i></p>
ABX4 11 (Evans)	<p>Public Resources</p> <p>Summary: Existing law establishes the Toxic Substances Control Account in the General Fund. Existing law authorizes the moneys deposited in the account to be appropriated to the Department of Toxic Substances Control for specified purposes, including the administration of the Human and Ecological Risk Division, the Hazardous Materials Laboratory, and the Office of Pollution Prevention and Technology Development, all within the department. This bill would change the reference to the Hazardous Materials Laboratory to the Environmental Chemistry Laboratory, and specify that moneys deposited in the account also may be appropriated to the department for the administration of the successor organizations of the specified units of the department, and for the implementation of programs administered by those units or successor organizations. The bill would authorize moneys in the account to be appropriated to the department for activities of the department related to pollution prevention and technology development, as specified. This bill contains other related provisions and other existing laws. (Urgency Clause – effective date is July 28, 2009)</p>	RESD	11	<p><i>An act to amend Sections 25173.6, 25299.50.2, and 25404 of the Health and Safety Code, to amend Sections 4464, 4475, 4475.5, 4799.04, 4799.12, 21191, 25218, 25414, 25415, 25416, 25420, 25450, 25450.1, 25450.2, 25450.3, and 48653 of, to add Sections 25422, 25450.4, and 25450.5 to, and to add Chapter 5.6 (commencing with Section 25460) and Chapter 5.7 (commencing with Section 25470) to Division 15 of, the Public Resources Code, to amend Sections 5106 and 5108 of the Vehicle Code, and to add Sections 147 and 79424 to the Water Code, relating to public resources, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.</i></p>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
ABX4 21 (Evans)	State contracts Summary: Existing law, with regard to certain State contracts, requires the awarding department to award the contract to the lowest responsible bidder meeting or making a good faith effort to meet specified statewide participation goals for disabled veteran business enterprises. Existing law requires that, if a bidder cites an approved utilization plan in response to the disabled veteran business enterprise participation requirements of a solicitation that calls for specified business participation, and the solicitation specifies higher participation goals than the utilization plan, the bidder shall meet the goals in the solicitation or make a good faith effort to do so. This bill would instead require the awarding department to award the contract to the lowest responsible bidder meeting specified business enterprise statewide participation goals. The bill would also, if a solicitation specifies higher participation goals than the bidder's utilization plan, require the bidder to meet the goals in the solicitation. This bill contains other related provisions and other existing laws. (Urgency Clause – effective date is July 28, 2009)	PD	19	<i>An act to amend Sections 10115.2, 10115.15, 10430, 10472, and 12112 of the Public Contract Code, relating to state contracts, and declaring the urgency thereof, to take effect immediately.</i>
ABX4 22 (Evans)	State property: Orange County Fair: inventory: leases: sale and leaseback Summary: Existing law provides that the State is divided into agricultural districts within the boundaries of which district agricultural associations may be formed. Existing law provides that District 32 is the County of Orange. This bill would create District 32a, which would consist of all of that real property that is a portion of District 32 that is commonly known as the Orange County Fair located in the City of Costa Mesa, and would prescribe certain matters applicable to officers of District 32 and District 32a. The bill would, among other things, (A) authorize the DGS to sell all or any portion of the real property that composes District 32a pursuant to a public bidding process, as provided; (B) prohibit District 32a from entering into any contract, lease, or other agreement affecting the use or operation of that real property for a period that exceeds three months; (C) require those contracts, leases, or agreements to contain a certain cancellation notice; (D) authorize the department to be reimbursed for reasonable costs or expenses; (E) authorize bonds involving District 32a property to be paid from the proceeds of any sale or lease of District 32a property; (F) require the Director of the DGS to report specified information to the chairs of the fiscal committees of the Legislature 30 days prior to executing a transaction for the sale of the real property; (G) require the director to include a reservation to the State of mineral rights in the sale of the real property; (H) require the net sale proceeds to be deposited into the District 32a Disposition Fund, which the bill would create in the State Treasury; and (I) require the department to report annually to the Legislature on the status of the sale of the real property. This bill contains other related provisions and other existing laws.	RESD	20	<i>An act to add Sections 3884.1 and 3884.2 to the Food and Agricultural Code, and to amend Sections 11011.13 and 11011.15 of, and to add Sections 11011.2 and 14670.13 to, the Government Code, relating to state property, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.</i>
SB 37 (Strickland)	State employees: statement of deductions Summary: Existing law requires each State agency, at the time of each payment of salary or wages, to furnish each employee, at his or her discretion, an itemized statement in writing or electronically showing all deductions made from his or her salary or wages as required by specified provisions of law. This bill would require that the itemized statement described above be provided electronically to each employee who has authorized the direct deposit by electronic fund transfer of his or her salary or wages, as specified, unless the employee has requested, in writing, to receive a paper version of the statement.	OHR	329	<i>An act to amend Section 19849.7 of the Government Code, relating to public employees.</i>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
SB 98 (Calderon)	Life insurance: contracts and viatical settlements Summary: Existing law establishes when an interest, with respect to life and disability insurance, is insurable. This bill would provide that trusts and special purpose entities, as specified, where one or more beneficiaries of these trusts or special purpose entities do not have an insurable interest in the life of the insured, violate the insurable interest laws and the prohibition against wagering on life. The bill would also provide that any device, scheme, or artifice designed to give the appearance of an insurable interest, where there is no insurable interest, violates the insurable interest laws. This bill contains other related provisions and other existing laws.	OIA	343	<i>An act to amend Section 10110.1 of, to add Sections 10113.3 and 10113.35 to, and to repeal and add Sections 10113.1 and 10113.2 of, the Insurance Code, relating to life insurance.</i>
SB 136 (Huff)	State real property Summary: DGS sponsored bill. Existing law authorizes the Director of the DGS to acquire and dispose of State real property under specified conditions. This bill would authorize the department to dispose of three specified parcels of real property pursuant to certain provisions.	RESD	166	<i>An act relating to state real property.</i>
SB 178 (Aanestad)	State property: Department of Forestry and Fire Protection Summary: Existing law authorizes the Director of the DGS to acquire and convey real property for the State, whenever that transfer of the real property is authorized or contemplated by law. This bill would authorize the director to sell, exchange, lease, as defined, or any combination thereof, all or a portion of the Cypress Property, approximately three acres of real property in the City of Redding, currently used by the Department of Forestry and Fire Protection as its Shasta-Trinity Unit Headquarters, that is specifically declared not to be surplus to the needs of the State. The bill would require the director to use the proceeds of any sale, exchange, lease, or combination thereof of all or a portion of the Cypress Property to acquire or lease a substitute location and substitute facilities for the Shasta-Trinity Unit Headquarters, thereby making an appropriation. The bill would require the State to retain ownership of the portion of the Cypress Property where the telecommunications tower and the vault are located. The bill would prohibit the director from disposing of that portion of the Cypress Property, unless the director makes a specified determination. The bill would authorize the director to enter into one or more agreements, contracts, or leases to provide a substitute location and substitute facilities for the Shasta-Trinity Unit Headquarters, but would also require the director to provide for the continuous operation of the Shasta-Trinity Unit Headquarters at the Cypress Property until relocation is accomplished. The bill would require the director to initially offer the Cypress Property for disposition, subject to specified terms and conditions, to the City of Redding. The bill would authorize the director to offer the Cypress Property to the public through a competitive selection process determined by the director to be in the best interest of the State, if the City of Redding is unable to enter an agreement for the disposition of the Cypress Property, consistent with the requirements of the initial offer and within 120 days after notice from the DGS. The bill would provide that any use or redevelopment of the Cypress Property awarded to a nongovernmental entity not involving the exercise of sovereign activities of the State or another government agency would be subject to the zoning and building code regulations of the City of Redding. The bill would require the DGS to notify the chairperson of the committee in each house of the Legislature that considers appropriations and the Chairperson of the Joint Legislative Budget Committee in writing of the director's intention to enter into a lease or an agreement not less than the minimum time that the Chairperson of the Joint Legislative Budget Committee is authorized to determine in each instance.	RESD	564	<i>An act to add Section 14673.9 to the Government Code, relating to state property, and making an appropriation therefor.</i>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
SB 209 (Corbett)	<p>Civil actions: disabled access</p> <p>Summary: Existing law requires a court, with respect to an action involving a construction-related accessibility claim, to issue an order that, among other things, grants a 90-day stay of the proceedings with respect to that claim, schedules an early evaluation conference, and directs the defendant to file with the court under seal and serve on the plaintiff a copy of any relevant Certified Access Specialist inspection report, which shall be subject to a protective court order, as specified, if the defendant has satisfied certain requirements relating to inspection of the site at issue. Existing law requires the early evaluation conferences be conducted by a superior court judge or commissioner, or a court early evaluation conference officer, as defined. This bill would instead require the Certified Access Specialist inspection report to remain confidential and would allow disclosure only to the parties to the action, the parties' attorneys, and others involved in the evaluation and settlement of the case, as specified. The bill would also require the report to remain confidential until the conclusion of the claim, unless there is a showing of good cause by any party. This bill contains other related provisions.</p>	DSA	569	<i>An act to amend Section 55.54 of the Civil Code, relating to disability access.</i>
SB 256 (Aanestad)	<p>State property: Department of the California Highway Patrol</p> <p>Summary: Existing law authorizes the Director of the DGS to acquire and convey real property for the State, whenever that transfer of the real property is authorized or contemplated by law. This bill would authorize the director to sell, lease, exchange, or any combination thereof, all or a portion of the Fir Street Property, approximately 1.69 acres of real property in the City of Chico, currently used by the Department of the California Highway Patrol as its Chico area office, that is specifically declared not to be surplus to the needs of the State. The bill would also authorize the director to use the proceeds of any sale, lease, exchange, or any combination thereof, of all or a portion of the Fir Street Property to acquire the land and facilities necessary to provide a substitute location for the Chico area office of the Department of the California Highway Patrol capable of accommodating its presently necessary and future expansion, thereby making an appropriation. The bill would require the director to initially offer the Fir Street Property for disposition to the City of Chico for local government purposes and under terms and conditions that provide for continuous operation of the State's facilities at the Fir Street Property until relocation is accomplished. The bill would authorize the director to offer the Fir Street Property to the public through a competitive selection process determined by the director to be in the best interest of the State, if the City of Chico is unable to enter an agreement for the disposition of the Fir Street Property within 120 days after notice from the DGS. The bill would require the DGS to be reimbursed for any reasonable cost or expense incurred in the disposition of the Fir Street Property from the proceeds of the disposition. The bill would also require the DGS to obtain approval from the Department of Finance prior to the execution of any disposition agreement regarding the Fir Street Property, and to notify the Chairperson of the Senate Committee on Appropriations, the Chairperson of the Assembly Committee on Appropriations, and the Chairperson of the Joint Legislative Budget Committee, or his or her designee, in writing of the director's intention to enter into a lease or an agreement, not less than the minimum time that the Chairperson of the Joint Legislative Budget Committee may in each instance determine.</p>	RESD	572	<i>An act to add Section 14673.3 to the Government Code, relating to state property, and making an appropriation therefor.</i>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
SB 312 (Romero)	<p>Public meetings and hearings</p> <p>Summary: Existing law establishes the State Board of Education for the purpose of, among other things, studying the educational conditions and needs of the State and making plans for the improvement of the administration and efficiency of the public schools of the State. Existing law requires that the State Board of Education adhere to specified requirements relating to meetings and hearings. Existing law establishes the SAB, consisting of specified members and charged with specified duties, including, but not limited to, determining how bond funds are allocated for public school construction and modernization projects. Existing law requires the SAB to adhere to specified requirements relating to meetings and hearings. This bill would require the State Board of Education and the SAB to provide for live video and audio transmission of all meetings and hearings that are open to the public through a technology that is accessible to as large a segment of the public as possible. The technologies to be used would include, but not be limited to, cable, satellite, over-the-air, or any other type of transmission that can be accessed through a television, and Web cast. The State Board of Education and the SAB would be required to ensure that any Web cast transmission implemented pursuant to these provisions be transmitted over and accessed through the K-12 High-Speed Network. The State Board of Education and the SAB also would be required to consult with the State Chief Information Officer for the purposes of implementing the provisions of the bill.</p>	OPSC	179	<i>An act to add Section 33009.7 to the Education Code, and to add Section 15491 to the Government Code, relating to public meetings and hearings.</i>
SB 334 (Ducheny)	<p>School facilities: new construction grant eligibility: special education pupils</p> <p>Summary: The Leroy F. Greene School Facilities Act of 1998 requires the SAB to allocate to applicant school districts prescribed per-unhoused-pupil State funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition. This bill would require an increase made to the per-unhoused-pupil grant amounts also to be made to the per-unhoused-pupil who is a qualifying individual with exceptional needs grant amounts. If an increase to the per-unhoused-pupil grant amounts differentiates among the pupil groups based on whether the pupils are elementary, middle, or high school pupils, the bill would require the Office of Public School Construction to recommend to the board a methodology to adjust those amounts for pupils who are qualifying individuals with exceptional needs so that they reflect these increases. This bill contains other existing laws.</p>	OPSC	349	<i>An act to amend Section 17072.10 of the Education Code, relating to school facilities.</i>
SB 369 (Maldonado)	<p>Prisoner-of-War/Missing-in-Action Flag: State-owned buildings and facilities</p> <p>Summary: Existing law requires the flag of the National League of POW/MIA Families to be flown over specified State buildings where the United States Flag and the California State Flag currently fly on certain dates during business hours, to the extent structurally feasible. This bill would instead require the flag to be flown during business hours at all State-owned buildings and facilities where the United States Flag and the California State Flag fly, as specified.</p>	RESD	47	<i>An act to amend Section 1831 of the Military and Veterans Code, relating to the POW/MIA Flag.</i>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
SB 509 (Committee on Education)	Education Summary: Existing law requires the SAB to apportion certain funds from the State School Deferred Maintenance Fund to school districts, and specifies that those funds be apportioned after December 1 of each fiscal year. This bill would delete the provision specifying that those funds be apportioned after December 1. This bill contains other related provisions and other existing laws.	OPSC	303	<i>An act to amend Sections 1270, 14035, 16197, 17584, 17592.5, 24216.5, 37254, 44259, 44961, 47660, 51452, 52052, 52127, and 54026 of, and to repeal Sections 41857 and 47623 of, the Education Code, and to amend Section 53892.1 of the Government Code, relating to education.</i>
SB 510 (Corbett)	Structured settlements: payment transfers Summary: Existing law provides that no direct or indirect transfer of structured settlement payment rights is effective unless the transfer has been approved in advance in a final court order based on certain written court findings. This bill would specify that those provisions only apply to agreements with certain connections to California. This bill would also specify new information to be included in the written disclosure statement provided to the payee prior to executing the transfer agreement. This bill would specify circumstances the court must consider before approving the transfer. This bill would provide that every application for approval of a transfer of structured settlement payment rights shall contain specified information. This bill would also specify notice and disclosure requirements that must be complied with prior to any transfer.	OIA	593	<i>An act to amend Sections 10134, 10135, 10136, 10137, 10138, 10139, 10139.3, and 10139.5 of the Insurance Code, relating to structured settlements.</i>
SB 548 (Huff)	California Disabled Veteran Business Enterprise Program Summary: Under existing law, the DGS, except in the case of contracts for professional bond services, is the administering agency of the California Disabled Veteran Business Enterprise Program, which requires State agencies and all other State entities contracting for materials, supplies, equipment, alteration, repair, or improvement to have at least 3 percent participation goals for disabled veteran business enterprises. Existing law specifies the duties of the DGS and the Department of Veterans Affairs in meeting that requirement, and sets standards for meeting the program's participation goals, as provided. This bill would require an awarding department, upon completion of an awarded contract for which a commitment to achieve a disabled veteran business enterprise goal was made, to require the prime contractor that entered into a subcontract with a disabled veteran business enterprise to certify to the awarding department certain information pertaining to the contract, and that all payments under the contract have been made to the disabled veteran business enterprise. This bill would also require an awarding department to keep that certification on file. This bill would specify that a person or entity that knowingly provides false information is subject to a civil penalty, as specified, and that an action for a civil penalty may be brought by any public prosecutor in the name of the people of the State of California. This bill contains other related provisions.	PD	595	<i>An act to amend Section 999.5 of the Military and Veterans Code, relating to veterans.</i>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
SB 592 (Romero)	<p>Charter Schools Facilities Program Summary: DGS sponsored bill. Existing law establishes the Charter Schools Facilities Program to provide funding to qualifying entities for the purpose of establishing school facilities for charter school pupils. Existing law requires the California School Finance Authority, in consultation with the SAB, to adopt regulations establishing uniform terms and conditions that would apply equally to funding for charter school facilities projects, including security provisions that include the requirement that title to project facilities be held by the school district in which the facility is to be physically located, in trust, for the benefit of the State public school system. This bill, in addition, would authorize a local governmental entity, as specified, or a charter school to hold title to charter school project facilities. The bill would require applicants, prior to the release of funds for site acquisition or new construction final apportionments, to provide documentary evidence that the school district in which the facility is to be physically located, a local governmental entity, as specified, or the charter school holds title to the project facilities, subject to specified conditions. The bill would authorize a charter school to request a school district to transfer title to project facilities to an entity authorized by the bill, as specified, if the district entered into an agreement, prior to January 1, 2010, to hold title to the project facilities. The bill would authorize a school district that receives such a request to transfer the title to the entity designated in the request pursuant to terms and conditions mutually agreed upon by the district and the charter school. This bill contains other related provisions. (Urgency Clause – effective date is October 11, 2009)</p>	OPSC	192	<i>An act to amend Sections 17078.57 and 17078.62 of, and to add Section 17078.63 to, the Education Code, relating to school facilities, and declaring the urgency thereof, to take effect immediately.</i>
SB 760 (Aanestad)	<p>State property: City of Red Bluff Summary: DGS sponsored bill. Existing law authorizes the Director of the DGS to acquire and convey real property for the State, whenever that transfer of the real property is authorized or contemplated by law. This bill would authorize the director to sell, lease, exchange, or any combination thereof approximately 3.14 acres of real property in the City of Red Bluff that is specifically declared not to be surplus to the needs of the State, and, in return, to acquire up to 40,000 net square feet of usable office and related space for consolidated administrative operations of the State. The bill would also provide that the funds derived from the disposition of the real property would be appropriated to the DGS to expend for the purposes of the bill.</p>	RESD	64	<i>An act to add Section 14673.11 to the Government Code, relating to state property, and making an appropriation therefor.</i>
SBX2 4 (Cogdill)	<p>Public contract: design-build: public private partnerships Summary: Existing law designates the Judicial Council as the entity having full responsibility, jurisdiction, control, and authority over trial court facilities for which title is held by the State, including the acquisition and development of facilities. This bill would also authorize the Director of the DGS or the Secretary of the Department of Corrections and Rehabilitation, as appropriate, to use the design-build procurement process in contracting and procuring a State office facility or prison facility, and would authorize the Judicial Council to use that same process in contracting and procuring a court facility, but would limit this authorization to five total projects, to be approved by the Department of Finance, as specified. The bill would require the DGS, the Department of Corrections and Rehabilitation, and the Judicial Council to submit to the Joint Legislative Budget Committee, before January 1, 2014, a report containing a description of each public works project procured through the design-build process, as specified. The bill would require a bidder participating in the process to provide written declarations, subject to misdemeanor penalties, and would thereby impose a State-mandated local program. This bill contains other related provisions and other existing laws.</p>	RESD	2	<i>An act to add Sections 14661.1 and 70391.7 to the Government Code, to add and repeal Section 20688.6 of, and to add and repeal Chapter 6.5 (commencing with Section 6800) of Part 1 of Division 2 of, the Public Contract Code, and to amend Section 143 of the Streets and Highways Code, relating to public contracts.</i>

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BILL (AUTHOR)	TOPIC	OFFICE	STATUS	CODE SECTIONS AFFECTED
AB 43 (Blakeslee)	California Earthquake Authority: employees Summary: Existing law authorizes the California Earthquake Authority to hire up to 25 employees and subjects those employees to State civil service provisions, as specified. Existing law also authorizes the authority to contract for the services of a chief executive officer, a chief financial officer, and an operations manager. This bill would remove the 25-person limit on the number of authority employees subject to civil service provisions and would also authorize the authority to contract for the services of a chief mitigation officer. The bill would additionally establish the responsibilities of the chief mitigation officer, as specified.	OIA	Vetoed	<i>An act to amend Section 10089.7 of the Insurance Code, relating to the California Earthquake Authority.</i>
AB 600 (Hall)	Surplus State property: Compton Armory Summary: Existing law authorizes the Director of the DGS to dispose of surplus State property, subject to specified conditions, including authorization by the Legislature. This bill would, until January 1, 2012, authorize the director, with the approval of the Adjutant General, to complete a lease to the City of Compton at fair market value, of specified State-owned property known as the Compton Armory. The bill would specify a five-year term for the lease and would authorize renewal of the lease or other lease agreements of the Compton Armory for a total term not to exceed 25 additional years. The bill would, notwithstanding the requirement for payment of lease proceeds into the Deficit Recovery Bond Retirement Sinking Fund Subaccount, require the proceeds of the lease to be deposited into the Armory Fund pursuant to a specified provision of law. This bill contains other related provisions.	RESD	Vetoed	<i>An act relating to state property, and declaring the urgency thereof, to take effect immediately.</i>
AB 608 (Evans)	State real property Summary: Existing law authorizes the Director of the DGS to acquire and dispose of State real property under specified conditions. This bill would authorize the department to execute an agreement in the best interests of the State to modify the real property boundary lines, dividing State and private property, along the area known as the River to Ridge Trail, from Kennedy Park to Skyline Park, in Napa County.	RESD	Vetoed	<i>An act relating to state real property.</i>
AB 685 (Davis)	School facilities: athletics: compliance Summary: Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the SAB to allocate to applicant school districts State funding for the construction and modernization of school facilities, provided that the school districts demonstrate eligibility for this funding by complying with various requirements. The State Department of Education has specified responsibilities in the process of determining whether a project proposed for funding complies with pertinent requirements. This bill, with respect to athletics-related facilities only, as defined, would require the State Department of Education to include, as part of its review of an application for new construction plan approval, a determination of whether the proposed project would provide the opportunity for gender equitable access to athletic facilities or provide equity in the size and quality of areas to be used exclusively by either boys or girls. This bill contains other related provisions and other existing laws.	OPSC	Vetoed	<i>An act to add 17070.54 to the Education Code, relating to school facilities.</i>

BILL (AUTHOR)	TOPIC	OFFICE	STATUS	CODE SECTIONS AFFECTED
AB 725 (Jones)	<p>Auto insurance: low-cost automobile insurance Summary: Existing law establishes, within the California Automobile Assigned Risk Plan, a low-cost automobile insurance program. Existing law establishes the low-cost automobile insurance program in several specified counties and makes the expansion to all other counties in California subject to a determination of need made by the Insurance Commissioner following a public meeting, as specified. Existing law provides for the issuance of automobile liability policies pursuant to this program under specified terms and conditions, and provides that a policy so issued satisfies specified requirements regarding financial responsibility. Existing law provides that the low-cost automobile insurance program shall remain in effect only until January 1, 2011. This bill would name the program the "Martha Escutia and Jackie Speier low-cost automobile insurance program." This bill contains other related provisions.</p>	OIA	Vetoed	<i>An act to amend Sections 11629.7 and 11629.84 of the Insurance Code, relating to auto insurance.</i>
AB 756 (Eng)	<p>Public contracts: information: Internet Web site Summary: Existing law governing contracting between State agencies and private contractors sets forth requirements for the procurement of supplies, materials, equipment, and services by State agencies and sets forth the various responsibilities of the DGS and other State agencies in overseeing and implementing State contracting procedures and policies. This bill would require a State agency, except as specified, to provide a link to a centrally located and accessible State-run Internet Web site that includes a list of the personal services and consulting services contracts, as defined, entered into by the agency. This bill would require the listings on the State's Internet Web site to include specified information, and would require, on and after January 1, 2012, a summary of a contract to be initially posted within 15 working days of being signed by all parties. This bill would require the Director of the DGS to maintain the Internet Web site and to establish the publishing of the contract listing information. This bill would also authorize the department to use the services of any State agency. This bill contains other related provisions.</p>	PD	Vetoed	<i>An act to add Section 10111.5 to the Public Contract Code, relating to public contracts.</i>
AB 1006 (Buchanan)	<p>State buildings: building locations: considerations Summary: The State Building Construction Act of 1955 generally sets forth procedures for the acquisition and construction of State buildings. Existing law requires the DGS to prepare plans and specifications for any public building constructed pursuant to the act. This bill would require, notwithstanding any other provision of law, the department to consider specified factors in selecting a location for the lease, lease with the option to purchase, construction, or purchase of a State building in excess of 10,000 square feet.</p>	RESD	Vetoed	<i>An act to add Section 15817.5 to the Government Code, relating to state buildings.</i>
AB 1087 (Ma)	<p>State Board of Equalization: sales and use taxes: administration: transportation charges: public contracts with expatriate corporations: tax treaty Summary: This bill would continue the prohibition to State agencies from entering into any contract with a publicly held expatriate corporation or its subsidiaries, except under specified circumstances. However, this bill changes the definition of an expatriate corporation to one that is also domiciled in a country lacking a tax treaty with the United States . This bill contains other related provisions and other existing laws.</p>	PD	Vetoed	<i>An act to amend Section 10286.1 of the Public Contract Code, and to amend Sections 6011 and 6012 of the Revenue and Taxation Code, relating to taxation.</i>

BILL (AUTHOR)	TOPIC	OFFICE	STATUS	CODE SECTIONS AFFECTED
AB 1120 (Niello)	<p>School facilities: constructability reviews</p> <p>Summary: Existing law, the Field Act, requires the DGS under the police power of the State to supervise the design and construction of a school building or the reconstruction or alteration of, or addition to, a school building, if not exempted under specified law, to ensure that plans and specifications comply with adopted rules and regulations and building standards published in regulations, and to ensure that the work of construction is performed in accordance with the approved plans and specifications for the protection of life and property. This bill would require the department to distribute information on the use of constructability reviews of plans and specifications used for the construction of school facilities and the potential for cost savings that may be realized by the use of a constructability review. The bill would state the intent of the Legislature that the department incorporate this information into existing venues and schedules of communication that the department has established with school districts as a result of its role in the review and approval of school construction plans. The bill would define "constructability review" as a cost control technique by which the project plans and specifications are reviewed to identify potential claim or problem areas and deficiencies in the plans and specifications that may occur as a result of errors, ambiguities, omissions, discrepancies, and conflicts in the plans and specifications. One or more professionals, including, but not limited to, mechanical, electrical, structural, or construction professionals would be authorized to conduct a constructability review.</p>	OPSC	Vetoed	<i>An act to add Section 17269 to the Education Code, relating to school facilities.</i>
ABX1 4 (Evans)	<p>Budget Act of 2008</p> <p>Summary: This bill addresses school facilities issues affecting the OPSC, within the DGS. Among other education program items, this bill would implement funding reductions for K-12 programs in the 2008 California State Budget by:</p> <ul style="list-style-type: none"> • Eliminating the \$100 million appropriation made in the Fiscal Year 2008-09 Budget Act to the School Facilities Emergency Repair Account that supports the Emergency Repair Program, and redirecting those funds to other educational programs. • Suspending any transfer of funds from the Proposition 98 Reversion Account into the School Facilities Emergency Repair Account for 2008-09 and 2009-10. • Reducing the required amount of funding reserved by districts for routine facilities maintenance. • Eliminating the requirement in Fiscal Year 2008-09 that school districts who do not dedicate a specified percentage of funding toward maintenance of facilities must provide a report to the Legislature. • Prohibiting school districts from using School Facilities Emergency Repair Account funds to supplant State funds provided for deferred maintenance, and from depositing these funds into district deferred maintenance accounts. <p>This bill contains other related provisions and other existing laws.</p>	OPSC	Vetoed	<i>An act to amend Sections 2558.46, 17592.71, 42238.146, 47634.1, and 49452.8 of, to amend, repeal, and add Section 17584.1 of, to add Sections 17070.766, 17592.74, 41207.3, 41509, 52055.60, and 52055.651 to, and to add and repeal Sections 1240.3 and 60422.1 of, the Education Code, to amend Section 36 of, and to repeal Section 33 of, Chapter 757 of, the Statutes of 2008, to amend Items 6110-105-0001, 6110-196-0001, 6110-196-0890, 6110-244-0001, 6110-485, 6110-488, 6360-101-0001, 6870-101-0001, and 6870-295-0001 of, and to add Item 6870-485 to, Section 2.00 of, and to amend Section 12.40 of, the Budget Act of 2008 (Chapters 268 and 269 of the Statutes of 2008), relating to education finance, and making an appropriation therefor.</i>
ABX1 12 (Evans)	<p>Tax: withholding on payments for goods and services</p> <p>Summary: Existing law requires every employer who pays wages to an employee for services performed in this State to withhold from those wages, except as provided, specified income taxes, and authorizes the Franchise Tax Board to impose specified requirements for withholding of those taxes. This bill would modify existing law to extend that withholding requirement to payments made to a private entity or person pursuant to a contract for goods or services, as provided. This bill would specify that the withholding rate applicable to those payments would be 3 percent, and would exempt from the withholding requirement, among other payments, the first \$600 of a payment for goods or services made to the contracting party in a calendar year. This bill contains other related provisions and other existing laws.</p>	PD	Vetoed	<i>An act to amend Sections 19002 and 19355 of the Revenue and Taxation Code, and to amend Sections 2118, 13000, 13010, 13021, 13022, 13052, and 13052.5 of, and to add Sections 13020.1 and 13050.1 to, the Unemployment Insurance Code, relating to taxation.</i>

BILL (AUTHOR)	TOPIC	OFFICE	STATUS	CODE SECTIONS AFFECTED
SB 305 (Corbett)	<p>School facilities: construction: seismic mitigation</p> <p>Summary: Existing law requires the DGS, in consultation with the Seismic Safety Commission, to conduct an inventory of public school buildings that are concrete tilt-up school buildings and school buildings with nonwood frame walls that do not meet specified standards. The Kindergarten-University Public Education Facilities Bond Act of 2006 makes available up to \$199.5 million for the purposes of seismic repair, reconstruction, or replacement pursuant to the Hardship Assistance Program of the Leroy F. Greene School Facilities Act of 1998. This bill would require the Office of the State Architect, within its existing resources, to update the seismic safety inventory of school buildings and related report to more accurately identify building deficiencies in school facilities currently being used for public school purposes. The bill would require the SAB to use the information from this updated inventory and report to inform the development of eligibility criteria for the Seismic Mitigation Program, as defined.</p>	OPSC	Vetoed	<i>An act to add Section 17075.20 to the Education Code, relating to school facilities.</i>
SB 396 (Calderon)	<p>Insurance Commissioner: reports</p> <p>Summary: Existing law requires the commissioner, on or before the first day of August to make a report to the Governor, the Legislature, and the committees of the Senate and Assembly having jurisdiction over insurance containing a tabular statement and synopsis showing the general condition of insurance, and related matters, in this State. This bill would require the commissioner to include in this report information, by license type, relating to the number of first-time insurance license examinees who passed the exam, their overall pass rate, the total number of examinations, the mean examination score for examinees, and, for license types with an overall pass rate of less than 65 percent, ethnicity/race, gender, and level of education data for applicants, as specified.</p>	OIA	Vetoed	<i>An act to amend Section 1707.7 of the Insurance Code, relating to the Insurance Commissioner.</i>
SB 397 (Calderon)	<p>Life insurance</p> <p>Summary: Existing law regulates the sale of life insurance to seniors, including annuities, as specified. Existing law requires a person who meets with a senior in the senior's home regarding the sale of life insurance to deliver a notice in writing to the senior no less than 24 hours prior to that individual's meeting, and to abide by other restrictions regarding contacting the senior in the senior's home. This bill would specify that the above notice could be provided at the time of the meeting in the senior's home and that the other provisions do not apply if the meeting concerns the sale of life insurance designated by the purchaser as payment for funeral and burial expenses, the life insurance policy has an initial face amount of \$15,000 or less, the policy provides a "free look" period in which the purchaser has 60 days to cancel the policy and be refunded payments made, and the seller is licensed, as specified. The bill would require the issuer of one of these policies exempted from the provisions requiring 24-hour advance notice and related requirements to provide a written notice of the purchase and the 60-day right of cancellation with specified content to the senior and certain other persons, except as specified. This bill contains other related provisions and other existing laws.</p>	OIA	Vetoed	<i>An act to amend Sections 789.10 and 10127.7 of the Insurance Code, relating to life insurance.</i>

BILL (AUTHOR)	TOPIC	OFFICE	STATUS	CODE SECTIONS AFFECTED
SB 802 (Leno)	<p>Works of improvement: progress payments: notice: retention proceeds</p> <p>Summary: Existing law requires that, for private and public works of improvement, and in a public works contract, a prime contractor or subcontractor pay to any subcontractor, not later than 10 days after receipt of each progress payment, unless otherwise agreed to in writing, the respective amount allowed the contractor on account of the work performed by the subcontractors, to the extent of each contractor's interest therein, as prescribed. This bill would, instead, require that those amounts be paid not later than seven days after receipt of each progress payment. This bill contains other related provisions and other existing laws.</p>	RESD	Vetoed	<p><i>An act to amend Section 7108.5 of the Business and Professions Code, to amend Section 3252 of the Civil Code, and to amend Sections 10262 and 10262.5 of, to amend, repeal, and add Section 10261 of, and to add and repeal Section 7201 of, the Public Contract Code, relating to works of improvement.</i></p>
SBX1 4 (Ducheny)	<p>Environmental quality: surplus State property</p> <p>Summary: Existing law, the CEQA requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. Other provisions of existing law authorize the DGS to dispose of real property that the Legislature has declared surplus, and has directed the disposal of, by the DGS. This bill would exempt from CEQA, unless a specified condition exists, the disposition of a parcel of surplus State real property if the project consists exclusively of the sale or transfer of that property by a State agency. This bill contains other related provisions and other existing laws.</p>	RESD	Vetoed	<p><i>An act to amend Section 11011 of the Government Code, and to add Section 21080.15 to the Public Resources Code, relating to environmental quality.</i></p>