



2012 Legislative Session Summary

**Office of Legislative Affairs
October 2012**



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FOREWARD

This report provides an overview of legislation affecting the Department of General Services (DGS) in 2012.

During the second year of the 2011-12 Legislative Session, DGS' Office of Legislative Affairs monitored and reviewed 2127 measures and provided an assessment on 137 bills. DGS' surplus property bill SB 1580 (Governmental Organization Committee), co-sponsored by the Military Department, was signed by the Governor. The following pages provide a summary of the bills with particular significance to the measures that reached the Governor's desk.

General Services covers a broad range of business lines to meet the goals of this active and diverse department and the State of California. We appreciate everyone's assistance and expertise who contributed to our successful representation of departmental legislative matters before other State agencies, the Legislature, and the Governor.

We look forward to working with the Governor, Legislature, and State agencies in the next Legislative Session. General Services' Office of Legislative Affairs' top priority is to work professionally with all parties and stakeholders involved to achieve a positive outcome for California. If you have questions regarding this summary or would like additional information, please contact Letha Burton at (916) 376-5029 or letha.burton@dgs.ca.gov.



**Bo Nishimura, Deputy Director-Legislative Affairs
Department of General Services**

ACRONYMS USED IN THE 2012 LEGISLATIVE SUMMARY

DGS	DEPARTMENT OF GENERAL SERVICES
DSA	DIVISION OF THE STATE ARCHITECT
GT	GREEN TEAM
IT	INFORMATION TECHNOLOGY
OFA	OFFICE OF FLEET ADMINISTRATION
OFS	OFFICE OF FISCAL SERVICES
OLA	OFFICE OF LEGISLATIVE AFFAIRS
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 2012

**UNLESS OTHERWISE INDICATED, THESE STATUTES
BECOME EFFECTIVE JANUARY 1, 2013**

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AB 16 (Perea)	High-Speed Rail Authority Summary: Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed rail system. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, authorizes \$9.95 billion in general obligation bonds for high-speed rail development and other related purposes. The federal American Recovery and Reinvestment Act of 2009 provides funding for allocation nationally to high-speed rail projects. This bill requires the authority to make every effort to purchase high-speed train rolling stock and related equipment manufactured in California, consistent with federal and State laws.	PD	413	<i>An act to add Section 185036.1 to the Public Utilities Code, relating to high-speed rail.</i>
AB 53 (Solorio)	Insurers: procurement contracts: minority, women, and disabled veteran business enterprises Summary: Existing law requires each admitted insurer to provide information to the Insurance Commissioner on all of its community development investments and community development infrastructure investments in California. This bill requires that each admitted insurer with premiums written equal to or in excess of \$100,000,000 submit to the commissioner, by July 1, 2013, a report on its minority, women, and disabled veteran-owned business procurement efforts, as specified. The bill provides that the failure to file the report by July 1, 2013, subjects the admitted insurer to civil penalties to be fixed and enforced by the commissioner, as provided.	PD	414	<i>An act to add and repeal Article 10.2 (commencing with Section 927) of Chapter 1 of Part 2 of Division 1 of the Insurance Code, relating to insurers.</i>
AB 482 (Williams)	Ventura Port District: dredging contracts Summary: Existing law governing contracts for port districts requires that contracts for new construction work exceeding \$10,000, or the purchase of supplies exceeding \$25,000, or projects involving building maintenance and improvements exceeding \$10,000, be let by the board of the port district by competitive bidding, in accordance with specified procedures. This bill authorizes the Ventura Port District to contract for the performance of dredging work within district boundaries without competitive bidding, provided that both the dredging contractor has been selected through a competitive bidding process for a federal dredging project then underway in Ventura County and the board of the Ventura Port District makes certain findings regarding cost savings.	OLS	51	<i>An act to add Section 20751.2 to the Public Contract Code, relating to public contracts.</i>
AB 633 (Olsen)	California State University: acquisition or replacement of motor vehicles Summary: Under existing law, DGS exercises oversight of the acquisition and replacement of motor vehicles by State agencies. As of July 1, 2012, "State agencies" are defined for these purposes to	OFA	773	<i>An act to amend and repeal Section 13332.09 of the Government Code, relating to state government, and</i>

BILL (AUTHOR)	TOPIC	Office	CHAPTER	CODE SECTIONS AFFECTED
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include each campus of the California State University. This bill deletes the reference to each campus of the California State University from the definition of State agencies under these provisions. (Urgency clause—effective September 29, 2012)

declaring the urgency thereof, to take effect immediately.

AB 744 (John A. Pérez)	Intellectual Property Summary: Existing law permits various State agencies to enter into contracts and agreements, create liabilities, and develop, own, and control the use of intellectual property developed by the State. This bill authorizes DGS to carry out various powers and duties relating to assisting a State agency in the management and development of intellectual property developed by State employees or with State funding, including, among other duties, developing a database of State-owned intellectual property using specified data.	IT	463	<i>An act to add Chapter 2 (commencing with Section 13988) to Part 4.5 of Division 3 of Title 2 of the Government Code, relating to intellectual property.</i>
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AB 1478 (Blumenfield)	State Parks: finances Summary: Existing law establishes, in the Department of Parks and Recreation, the State Park and Recreation Commission consisting of nine members appointed by the Governor, subject to confirmation by the Senate. Existing law requires the Commission, among other things, to establish general policies for the guidance of the Director of Parks and Recreation in the administration, protection, and development of the State park system. This bill establishes qualification criteria for the members of the Commission, including requiring one member to have demonstrated expertise in cultural or historical resources management. The bill requires the Speaker of the Assembly and the Senate Committee on Rules to each appoint one ex officio legislative member. The bill requires the Commission to evaluate and assess the department's deferred obligations. The bill also authorizes the Commission to, among other things, conduct an annual workshop to review the department's annual operating budget and proposed capital improvement projects. The bill appropriates \$120,000 annually in the 2012-13 and 2013-14 Fiscal Years from the State Parks and Recreation Fund to the Commission to perform these activities. The bill appropriates \$20,500,000 from the State Parks and Recreation Fund to the department for expenditure as specified. The bill prohibits the department from closing or proposing the closure of a State park in the 2012-13 and 2013-14 Fiscal Years. The bill also appropriates \$10,000,000 from the Safe Drinking Water, Water Quality and Water Supply, Flood Control, River and Coastal Protection Bond Act of 2006, to be expended as specified, including for purposes of capital outlay and support for capital outlay projects of a State park.	RESD, OFS	530	<i>An act to amend Sections 530 and 5010.7 of, and to add Sections 535.5, 541.5, and 541.6 to, the Public Resources Code, relating to public resources, and making an appropriation therefor, to take effect immediately, bill related to the budget.</i>
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BILL (AUTHOR)	TOPIC	Office	CHAPTER	CODE SECTIONS AFFECTED
AB 1481 (Committee on Budget)	Public safety Summary: Existing law requires each party demanding a jury trial to deposit advance jury fees in the amount of \$150 with the clerk or judge. Existing law requires the court to transmit the advance jury fees to the State Treasury for deposit in the Trial Court Trust Fund within 45 calendar days after the end of the month in which the advance jury fees are deposited with the court. This bill instead requires that at least one party demanding a jury on each side of a civil case pay a nonrefundable fee of \$150, unless the fee has been paid by another party on the same side of the case. The bill makes that fee due on or before the date scheduled for the initial case management conference in the action, except in specified circumstances. (Urgency clause—effective September 17, 2012)	RESD, OFS	342	<i>An act to amend Sections 631 and 631.3 of the Code of Civil Procedure, and to amend Sections 607, 1719, 1719.5, 1769, and 1771 of the Welfare and Institutions Code, relating to public safety, and making an appropriation therefor, to take effect immediately, bill related to the budget.</i>
AB 1498 (Buchanan)	Department of Technology: State contracts: information technology goods and services acquisition Summary: Existing law provides that there is in State government the California Technology Agency, which duties include establishing and enforcing State information technology strategic plans, policies, standards, and enterprise architecture. The agency is governed by the Secretary of California Technology. This bill, if GRP 2 becomes effective, requires the Director of Technology to report directly to the Governor on issues relating to information technology.	IT	139	<i>An act to amend, repeal, and add Section 11545 of the Government Code, relating to state technology.</i>
AB 1517 (Buchanan)	Public contracts: information technology goods and services Summary: Existing law generally requires DGS, for any contract for information technology goods or services meeting specified requirements, to provide that not less than 10 percent of the contract price is withheld until final delivery and acceptance of the goods and services, and requires the department to conduct a risk evaluation. Existing law, until July 1, 2013, requires the department, if it determines that lesser withholding levels are appropriate based on the evaluation of risk, to withhold no less than 5 percent of the contract price, if the contract price is \$10,000,000 or more, or no less than 3 percent of the contract price, if the contract price is less than \$10,000,000, until final delivery and acceptance of the goods or services. This bill deletes the dates on which the above provisions become inoperative and are repealed, and makes them operative indefinitely. The bill also removes the requirement that, on and after July 1, 2013, a contractor submit a faithful performance bond.	IT	187	<i>An act to amend and repeal Section 12112 of the Public Contract Code, relating to public contracts.</i>
AB 1565 (Fuentes)	Public contracts: school districts: bidding requirements Summary: Under existing law, the governing board of a school district may require each prospective bidder for specified contracts to submit a standardized questionnaire and financial statement, including information relating to financial ability and experience in performing public works, which is	OPSC	808	<i>An act to add and repeal Section 20111.6 of the Public Contract Code, relating to public contracts.</i>

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required to be verified under oath. Existing law further requires a school district requiring the above information to adopt and apply a uniform system of rating bidders on the basis of the completed questionnaires and financial statements, as specified. This bill, for contracts awarded on and after January 1, 2014, and until January 1, 2019, requires the governing board of the district, except for school districts with an average daily attendance of less than 2,500, for certain public projects, to use procedures, which require a standardized questionnaire and financial statement to be verified under oath, for bidding applicable to public entities, as prescribed. This bill requires the questionnaire and uniform system of rating bidders to cover, at a minimum, the issues covered by the standardized questionnaire and model guidelines for rating bidders developed by the Department of Industrial Relations, as specified. This bill provides that the questionnaire and uniform system of rating bidders would not preclude the governing board of the district from prequalifying or disqualifying a subcontractor. This bill provides that bidders would include the general contractor and, if utilized, all electrical, mechanical, and plumbing subcontractors. This bill authorizes the board of the district to establish a process for prequalifying prospective bidders on a quarterly or annual basis, as provided. The bill also requires the Director of Industrial Relations, on or before January 1, 2018, to submit a report to the Legislature evaluating whether labor violations have decreased, as specified, and to recommend improvements to the system for prequalifying contractors and subcontractors on school district projects. By expanding the scope of an existing crime and by imposing new duties on local officials, this bill imposes a State-mandated local program.

**AB 1598
(Buchanan)**

Public contracts: public works: installation

OLS

810

Summary: Existing law defines the term "public works" for purposes of requirements regarding the payment of prevailing wages. Existing law generally defines "public works" to include construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds. Existing law makes a willful violation of laws relating to the payment of prevailing wages on public works a misdemeanor. This bill modifies the definition of installation to include the assembly and disassembly of freestanding and affixed modular office systems. Because this bill expands the definition of a crime, it imposes a State-mandated local program.

An act to amend Section 1720 of the Labor Code, relating to public contracts.

**AB 1652
(Olsen)**

California American Portuguese Veterans Memorial

RESD

719

Summary: Existing law prescribes various duties for DGS in connection with development and maintenance of the park around the State Capitol Building. This bill authorizes the American Portuguese Club Incorporated, in consultation with the department and a specifically created committee, to construct and maintain a memorial in the existing All Veterans Memorial to honor California American Portuguese veterans. It requires that the planning, construction, and maintenance of the memorial be funded with private donations through the American Portuguese Club Incorporated. It prohibits construction of the memorial until the master plan of the State Capitol

An act to add Section 14631 to the Government Code, relating to the State Capitol, and declaring the urgency thereof, to take effect immediately.

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Park is approved and adopted by the Joint Committee on Rules and the Joint Committee on Rules, and the Department of Finance have determined that sufficient private funding is available to construct and maintain the memorial. (Urgency clause—effective September 28, 2012)

AB 1748 (Fong)	<p>California Community Colleges: fair market value of leases</p> <p>Summary: Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this State. Existing law establishes community college districts, administered by a governing board, throughout the State. Existing law authorizes the governing board of a community college district to let, in the name of the district, specified property not needed for academic activities, and prohibits the fair market value of that lease from exceeding \$25,000 per year, as certified by the governing board. This bill removes the requirement that the lease not exceed \$25,000 per year.</p>	RESD	78	<i>An act to amend Section 81378.1 of the Education Code, relating to community colleges.</i>
AB 1783 (Perea)	<p>Public contracts: small business preferences</p> <p>Summary: Existing law requires State agencies to give small businesses a 5 percent preference in contracts for construction, the procurement of goods, or the delivery of services, establishes a procedure by which a business can be certified as a small business by DGS for the purposes of these preferences, and specifies that a business that has been certified by, or on behalf of, another governmental entity may be eligible for certification as a small business if the certifying entity uses substantially the same or more stringent definitions as those set forth in existing law, as provided. This bill revises the small business certification procedure to provide that DGS has the sole responsibility for certifying and determining eligibility of small businesses and provides that local agencies have access to the department's list of certified small businesses</p>	PD	114	<i>An act to amend Section 14839.1 of the Government Code, and to amend Section 2002 of the Public Contract Code, relating to public contracts.</i>
AB 1960 (Dickinson)	<p>State contracts: reports: lesbian, gay, bisexual, and transgender businesses</p> <p>Summary: Existing law requires DGS to make available a report on contracting activity containing specified information, including the level of participation of business enterprises, by race, ethnicity, and gender of owner, in specified contracts. This bill requires DGS to include in the report on contracting activity information regarding the level of participation of lesbian, gay, bisexual, or transgender owned businesses in specified contracts, as provided.</p>	PD	861	<i>An act to amend Section 10111 of the Public Contract Code, relating to public contracts.</i>

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AB 2030 (Olsen)	<p>Building standards: press boxes</p> <p>Summary: The California Building Standards Law provides for the adoption of building standards by State agencies by requiring all State agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval and adoption. This bill requires the Commission, as part of the next triennial building code cycle that begins on or after January 1, 2013, to adopt standards for press boxes that require that the press boxes, as defined, are located on a route that is accessible to persons with disabilities. The bill exempts from this requirement press boxes that are located and structured according to prescribed specifications.</p>	RESD	370	<i>An act to add Section 18934.9 to the Health and Safety Code, relating to building standards.</i>
AB 2181 (Galgiani)	<p>State government: prompt payment of claims</p> <p>Summary: The California Prompt Payment Act dictates that a State agency failing to make a timely payment for goods or services acquired pursuant to a contract with a specified business or organization is subject to a late payment penalty. This bill includes, within the list of specified businesses and organizations, State-certified small businesses working on the development, design, and construction of California's high-speed rail system under the California High-Speed Rail Act.</p>	PD	199	<i>An act to amend Section 927.2 of the Government Code, relating to state government.</i>
AB 2358 (Hagman)	<p>State Capitol: Ronald Reagan statue</p> <p>Summary: Existing law prescribes various duties for DGS in connection with development and maintenance of the park around the State Capitol Building. This bill authorizes the Ronald Reagan Centennial Capitol Foundation, in consultation with DGS, to plan a statue of Ronald Reagan in the State Capitol Building Annex. The bill requires DGS and the Ronald Reagan Centennial Capitol Foundation to approve the design and any other aspect of the statue. The bill requires that the planning, construction, and maintenance of the statue be funded with private donations through the Ronald Reagan Centennial Capitol Foundation. The bill prohibits construction of the statue until the Joint Committee on Rules has approved and adopted the plan for the statue, and the Joint Committee on Rules and the Department of Finance have determined that sufficient private funding is available to construct and maintain the statue.</p>	RESD	682	<i>An act to add Section 14632 to the Government Code, relating to the State Capitol.</i>
AB 2388 (Beall)	<p>Santa Clara County Open-Space Authority: authorization to contract</p> <p>Summary: The Santa Clara County Open-Space Authority Act establishes procedures for the creation of the Santa Clara County Open-Space Authority, and prescribes the functions and duties of the authority with regard to the management of lands and facilities under the jurisdiction of the authority. The act authorizes the authority to contract with any person or public agency for any services, supplies, equipment, or materials, or for the construction or completion of any building,</p>	OLS	259	<i>An act to amend Section 35159 of the Public Resources Code, relating to the Santa Clara County Open-Space Authority.</i>

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structure, or improvement. The act requires that a contract for any services, supplies, equipment, or materials, with the exception of certain legal appraisal services, that exceeds \$10,000 be contracted for and let to the lowest responsible bidder, but authorizes the governing board of the authority, if two or more bids are the same and the lowest, to accept the one it chooses. The act permits contracts of \$50,000 or less to be let by informal bidding procedures, but requires contracts of more than \$50,000 to be let by formal bidding procedures. This bill instead requires that a contract for any supplies, equipment, or materials that exceeds \$25,000 be contracted for and let to the lowest responsible bidder, but authorizes the governing board of the authority, if two or more bids are the same and lowest, to accept the one it chooses. The bill further permits contracts of \$75,000 or less to be let by informal bidding procedures, but requires that contracts of more than \$75,000 be let by formal bidding procedures. The bill specifies that those requirements do not apply to contracts for services, including, but not limited to, planning, consulting, legal, or appraisal services, or to contracts for services authorized to be procured pursuant to specified provisions with private architects, engineering, land surveying, and construction project management firms, if the governing board awards the contract to the most responsible and qualified bidder, as defined.

AB 2440 (Lowenthal,B.)	Los Angeles County Metropolitan Transportation Authority: contracting	PD	703	<i>An act to amend Sections 130232 and 130242 of, to add Section 130051.22 to, and to repeal Sections 130051.21 and 130243 of, the Public Utilities Code, relating to transportation.</i>
	Summary: Existing law creates the Los Angeles County Metropolitan Transportation Authority, with specified powers and duties. Existing law requires a contract by the authority for a purchase of supplies, equipment, or materials with the purchase price exceeding \$100,000 to be let to the lowest responsible bidder, or best value proposer. This bill increases that amount to \$150,000.			
AB 2445 (Dickinson)	State Capitol	RESD	547	<i>An act to amend Sections 8164.1, 8164.2, 8164.3, and 9149.1 of the Government Code, relating to the State Capitol.</i>
	Summary: Existing law provides that the Capitol Area Plan is the official State master plan for the development of the central city of the City of Sacramento, and provides that DGS is responsible for the ongoing formulation and revision of this plan. Existing law establishes the Capitol Area Committee, which consists of nine appointed members, for the purpose of independently reviewing reports of the Department to the Legislature and counsel and advising the Department in carrying out its responsibilities regarding the Capitol Area Plan. Existing law requires the Committee to meet at least quarterly or upon the call of the chairperson or the written request of any three members. Existing law provides for the repeal of the provisions that establish and govern the operation of the Capitol Area Committee on January 1, 2013. This bill instead requires the Committee to meet annually and upon the call of the chairperson or the written request of any three members. The bill extends the repeal date for those provisions regarding the committee to January 1, 2018, thereby extending the operation of the committee by an additional five years.			

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AB 2508 (Bonilla)	<p>Public contracts: public health agencies</p> <p>Summary: Existing law requires a State agency to comply with specified procedures in awarding agency contracts. This bill prohibits, with specified exceptions, a State agency authorized to enter into contracts relating to public benefit programs from contracting for services provided by a call center that directly serves applicants for, recipients of, or enrollees in, those public benefit programs with a contractor or subcontractor unless that contractor or subcontractor certifies in its bid for the contract that the contract, and any subcontract performed under that contract, will be performed solely with workers employed in California. This bill imposes a civil penalty, as provided, for knowingly providing false information in that certification. This bill also requires the contract to include a clause providing for a right by the State to terminate the contract for noncompliance and specified penalties, if the contractor or subcontractor performs the contract or the subcontract with workers employed outside California during the life of the contract. This bill allows a State agency to conduct a solicitation without applying the provisions described above if the California Health and Human Services Agency or the board of the California Health Benefit Exchange makes certain determinations, including if a prior solicitation was conducted and the bids received were priced unreasonably high as a result of including these provisions.</p>	PD	824	<i>An act to add Chapter 3.7 (commencing with Section 12140) to Part 2 of Division 2 of the Public Contract Code, relating to public contracts.</i>
AB 2516 (Bradford)	<p>Independent System Operator</p> <p>Summary: The existing restructuring of the electrical industry within the Public Utilities Act provides for the establishment of an Independent System Operator (ISO) as a nonprofit public benefit corporation. Existing law requires the ISO to manage the transmission grid and related energy markets in a manner that is consistent with (1) making the most efficient use of available energy resources, (2) reducing, to the extent possible, overall economic cost to the state's consumers, (3) applicable state law intended to protect the public's health and the environment, and (4) maximizing the availability of existing electric generation resources necessary to meet the needs of the state's electricity consumers. This bill, in addition, requires the ISO to manage the transmission grid and related energy markets in a manner that is consistent with (5) conducting internal operations in a manner that minimizes cost impact on ratepayers to the extent practicable and consistent with the provisions applicable to the operation of the ISO and (6) communicating with all balancing area authorities in California in a manner that supports electrical reliability.</p>	GT	127	<i>An act to amend Section 345.5 of the Public Utilities Code, relating to electricity.</i>
AB 2544 (Gordon)	<p>Forestry and fire protection: land purchases and property use</p> <p>Summary: Existing law authorizes the Department of Forestry and Fire Protection (Department), with the approval of DGS, to purchase land for lookout sites and for other administrative purposes. This bill deletes that authority for the purchase of land for lookout sites or other administrative purposes</p>	RESD	306	<i>An act to amend Sections 4031, 4115, and 4141 of, and to add Sections 4032, 4033, and 4034 to, the</i>

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	<p>and instead authorizes the Department, to enter into agreements, easements, licenses, or permits to acquire real property rights for the purposes of establishing fire protection, fire prevention, fire suppression, demonstration State forests, pest control, forest and range protection, and enhancement activities and related uses. The bill requires these agreements, easements, licenses, or permits to be for no more than fair market value and requires DGS to sign all applicable certificates of acceptance.</p>			<p><i>Public Resources Code, relating to forestry and fire protection.</i></p>
<p>AB 2580 (Furutani)</p>	<p>Public contracts: job order contracting</p> <p>Summary: Existing law authorizes job order contracting, as provided, by the Los Angeles Unified School District, until December 1, 2012. Existing law requires the job order contracts to be competitively bid and awarded to the responsible qualified bidder with the lowest responsive bid. Existing law requires that the unified school district create a report of any job order contract procured and submit an interim report to certain committees in the Legislature and the Office of Public School Construction, as specified. Existing law requires the unified school district to provide specified notice of work for subcontractors, whose bids will be taken by the primary job order contractor. Existing law requires for contracts awarded pursuant to these provisions that the Los Angeles Unified School District pay a fee into the State Public Works Enforcement Fund, which funds are continuously appropriated for the Department of Industrial Relations' enforcement of prevailing wage requirements on public works projects. This bill extends the operation of these provisions until December 31, 2020, and alters the dates for reporting requirements, as specified. This bill requires the job order contracts to be awarded to the most qualified bidder, as provided, so long as that bidder is in compliance with the unified school district's project stabilization agreement. This bill requires the primary job order contractor to provide the specified notice and take bids for work available for subcontractors. This bill further requires a primary job order contractor to provide notice and justification in order to make a substitution to the subcontractor list and authorizes the district to request a hearing to evaluate the request. Because any additionally authorized projects would require payment of fees into the State Public Works Enforcement Fund, this bill makes an appropriation.</p>	<p>OPSC</p>	<p>825</p>	<p><i>An act to amend Sections 20919, 20919.1, 20919.3, 20919.4, 20919.5, 20919.6, 20919.9, 20919.12, and 20919.15 of the Public Contract Code, relating to public contracts, and making an appropriation therefor.</i></p>
<p>AB 2583 (Blumenfield)</p>	<p>Alternatively fueled vehicles: State fleet: public parking</p> <p>Summary: Existing law requires the Secretary of State and Consumer Services, in consultation with DGS and other appropriate agencies, on or before July 1, 2009, to develop and implement, and submit to the Legislature and the Governor, a plan to reduce or displace the State fleet's consumption of petroleum products. This bill requires the department to encourage the operation of State alternatively fueled vehicles, as defined, on the alternative fuel for which the vehicle is designed and the development of commercial infrastructure for alternative fuel pumps and charging stations at or near State vehicle fueling or parking sites, and to work with other public agencies to incentivize and promote State employee operation of alternatively fueled vehicles through preferential or reduced-</p>	<p>OFA</p>	<p>676</p>	<p><i>An act to amend Section 25722.8 of, and to add Section 25722.9 to, the Public Resources Code, and to amend Section 22518 of the Vehicle Code, relating to vehicular air pollution.</i></p>

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cost parking, access to charging, or other means. The bill requires DGS and the Department of Transportation to develop and implement advanced technology vehicle parking incentive programs in specified public parking facilities of 50 spaces or more and specified park-and-ride lots to incentivize the purchase and use of alternatively fueled vehicles, as defined, in the State, as specified. This bill contains other related provisions and other existing laws.

AB 2679 (Committee on Transportation)	Transportation: omnibus bill Summary: Existing law authorizes the Department of Transportation (Department) to pay claims or damages up to a maximum of \$5,000 without the approval of the California Victim Compensation and Government Claims Board. This bill adjusts the claim limit that may be paid by the Department under these provisions to equal the maximum amount of a claim that can be brought in small claims court.	RESD	769	<i>An act to amend Sections 935.7, 14685, and 29532.4 of the Government Code, to amend Sections 99155, 99155.5, 99206.5, 99207, 99214, 99220, 99233.12, 99238, 99238.5, 99260.7, 99262, 99268.5, 99285.2, and 99401.5 of the Public Utilities Code, to amend Sections 6480.1 and 60116 of the Revenue and Taxation Code, to amend Sections 349, 366, 374, 392, 411, 446, 452, 478, 485, 493, 527, and 538 of, and to amend and repeal Section 410 of, the Streets and Highways Code, and to amend Sections 5201, 22112, 22500.5, 22504, 22651, and 29004 of the Vehicle Code, relating to transportation.</i>
SB 1 (Kehoe)	State Race Track Leasing Commission Summary: Existing law establishes the State Race Track Leasing Commission and authorizes the Commission to enter into leases or other agreements for the use of the Del Mar Race Track and any other property owned or controlled by the 22nd District Agricultural Association that the Commission deems necessary to provide horse racing at Del Mar Race Track. Existing law repeals the Commission on January 1, 2013. This bill deletes the repeal date, thereby indefinitely extending the existence of the Commission.	RESD	216	<i>An act to amend Section 4351 of the Food and Agricultural Code, relating to the State Race Track Leasing Commission.</i>

BILL (AUTHOR)	TOPIC	Office	CHAPTER	CODE SECTIONS AFFECTED
SB 71 (Leno)	<p>State agencies: boards, commissions, and reports</p> <p>Summary: Existing law requires various State agencies to submit certain reports, plans, evaluations, and other similar documents to the Legislature and other State agencies. This bill eliminates the requirement that certain State agencies submit certain reports to the Legislature and other State agencies relating to a variety of subjects. The bill also modifies various requirements of certain reports by, among other ways, requiring specified reports be placed on the Internet site of the reporting agency rather than submitted to the Legislature or other State agencies, requiring certain agencies to collaborate with other agencies in preparing specified reports, consolidating certain reports, deleting the requirement that specified State agencies make specified information available on their Internet sites, and transferring reporting duties from one agency to another.</p>	OFS	728	<p><i>An act to amend Sections 1917.1, 2028.5, 3627, 4076.5, 5092, 5093, 5094.6, 12104, and 19622.2 of, and to repeal Sections 2023, 2028, 2168.5, 3628, 3640.1, 5094.5, and 7139.7 of, the Business and Professions Code, to repeal Section 9527 of the Commercial Code, to amend Sections 14030.2, 14037.7, and 14076 of the Corporations Code, to amend Sections 1986, 17285, 17292.5, 20080, 22352, 24400, 42263, 48005.45, 52314, 53101, and 66040.7 of, and to repeal Sections 8007, 18884, 20081, 20082, and 22218.5 of, the Education Code, to amend Sections 7571 and 17555 of the Family Code, to amend Sections 456, 1727, 1850, 2079, 2086, 2861, and 7862 of, and to repeal Sections 1363.5, 1851, 3409, 3864, 4904, and 8610.10 of the Fish and Game Code, to repeal Sections 12794.5, 54446, and 58591 of the Food and Agricultural Code, to amend Sections 8169.5, 8587.5, 13103.5, 14453, 14613.7, 15438.6, 16367.5, 16428.6, 17562, 19849.11, 22959.6, 30061, and 64000 of, to repeal Sections 8164, 11535, 12805.4, 14051, 14556.36, 14714, 15813.6, 20233, and 20238 of, to repeal Article 3 (commencing with Section 11675) of Chapter 6 of Part 1 of Division 3 of Title 2 of, to repeal Article 5 (commencing with Section 14760) of Chapter 5 of Part 5.5 of Division 3 of Title 2 of, the Government Code, to repeal Sections 63.6 and 1159.5 of the Harbors and Navigation Code, to amend Sections 1342.7, 1357.16, 1626, 24275, 25150.7, 25174, 25299.50, 43105.5, 44003, 44014.6, 44024, 44081.6, 44100, 44104.5, 100500, 104200, 109951, 110552, 111198, 120910, 120955, 121285, 121340, 123516, 124174.5, 124590, 128600, and 130252 of, and to repeal Sections 25244.11, 25299.112, 102920, 103641, 120476, 124925, and 128557.5 of, the Health and Safety Code, to amend Section 15002 of, to repeal Section 1872.1 of the Insurance Code, to amend Sections 111, 3201.5, 3201.7, 3716.1, 4755, and 5502 of the Labor Code, to amend Section 431 of the Military and Veterans Code, to amend Sections 3049.5, 3050, 4801,</i></p>

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6131, 6242.6, 8061, 11166, 11501, 13777, and 13847 of, and to repeal Section 1174.7 of, the Penal Code, to amend Sections 4124, 4137, 4214, 5004.5, 5095.53, 5096.162, 5096.242, 5096.320, 5096.340, 5631, 6217.8, 6331.5, 25401.9, 25722.5, 25722.8, 32556, 41821.5, and 71211 of, to amend, repeal, and add Section 30404 of, to repeal Sections 4612, 5632, 12290, 12291, 29773.5, 30533, 32556.2, 42889.3, 47123, and 5096.829 of, the Public Resources Code, to amend Section 185032 of, to repeal Section 9502 of, the Public Utilities Code, to amend Sections 8352.4 and 10752.2 of the Revenue and Taxation Code, to amend Sections 97, 164.56, 182.8, 2424, and 30161.5 of the Streets and Highways Code, to repeal Section 9907 of the Unemployment Insurance Code, to amend Sections 9250.7, 9250.14, and 9250.19 of the Vehicle Code, to amend Sections 162, 1228.2, 13369, 13396.9, 79083, and 79555 of, and to repeal Sections 138.9 and 78684.13 of, and to repeal Chapter 4 (commencing with Section 80250) of Division 27 of, the Water Code, to amend Sections 1760.8, 4024, 6601, 10605.2, 10614.5, 10791, 11265.5, 11462, 14005.30, 14021.31, 14022.4, 14067, 14087.305, 14089, 14089.05, 14091.3, 14094.3, 14132, 14133.9, 14161, 14521.1, 14701, 18901.2, and 18993.8 of, and to repeal Section 19106 of, the Welfare and Institutions Code, to amend Section 2 of Chapter 133 of the Statutes of 1984, to amend Section 1 of Chapter 1436 of the Statutes of 1988, to amend Section 5 of Chapter 585 of the Statutes of 1993, to amend Section 3 of Chapter 1030 of the Statutes of 1993, to amend Section 1 of Chapter 561 of the Statutes of 1997, to amend Section 8 of Chapter 329 of the Statutes of 2000, to amend Section 2 of Chapter 790 of the Statutes of 2000, to amend Section 5 of Chapter 7 of the First Extraordinary Session of 2001, to amend Section 24 of Chapter 1127 of the Statutes of 2002, to amend Section 37 of Chapter 80 of the Statutes of 2005, to amend Item 0690-102-0001 of Section 2.00 of the Budget Act of 2006 (Chapter 47 of the Statutes

BILL (AUTHOR)	TOPIC	Office	CHAPTER	CODE SECTIONS AFFECTED
SB 829 (Rubio)	<p>Public contracts: public entities: project labor agreements</p> <p>Summary: Existing law sets forth the requirements for the solicitation and evaluation of bids and the awarding of contracts by public entities and authorizes a public entity to use, enter into, or require contractors to enter into, a project labor agreement for a construction project if the agreement includes specified taxpayer protection provisions. Existing law also provides that if a charter provision, initiative, or ordinance of a charter city prohibits the governing board's consideration of a project labor agreement for a project to be awarded by the city, or prohibits the governing board from considering whether to allocate funds to a city-funded project covered by such an agreement, State funding or financial assistance may not be used to support that project, as specified. This bill additionally provides that if a charter provision, initiative, or ordinance of a charter city prohibits, limits, or constrains in any way the governing board's authority or discretion to adopt, require, or utilize a project labor agreement that includes specified taxpayer protection provisions for some or all of the construction projects to be awarded by the city, State funding or financial assistance may not be used to support any construction projects awarded by the city, as specified.</p>	PD	11	<p><i>of 2006), to amend Item 0690-102-0001 of Section 2.00 of the Budget Act of 2007 (Chapter 171, Statutes of 2007) to repeal Section 72 of Chapter 758 of the Statutes of 2008, to repeal Section 38 of Chapter 759 of the Statutes of 2008, to repeal Section 173 of Chapter 717 of the Statutes of 2010, and to repeal Sections 37 and 38 of Chapter 6 of the Statutes of 2011, relating to state government.</i></p> <p><i>An act to add Section 2503 to the Public Contract Code, relating to public contracts.</i></p>
SB 1186 (Steinberg)	<p>Disability access</p> <p>Summary: Existing law requires an attorney to provide a written advisory to a building owner or tenant with each demand for money or complaint for any construction-related accessibility claim, as specified. A violation of this requirement may subject the attorney to disciplinary action. This bill instead, requires an attorney to provide a written advisory with each demand letter or complaint, as defined, sent to or served upon a defendant or potential defendant for any construction-related accessibility claim, as specified. The bill requires the Judicial Council to update the form that may be used by attorneys to comply with this requirement on or before July 1, 2013. The bill requires an allegation of a construction-related accessibility claim in a demand letter or complaint to State facts sufficient to allow a reasonable person to identify the basis for the claim. The bill requires any complaint alleging a construction-related accessibility claim to be verified by the plaintiff, and makes any complaint filed without verification subject to a motion to strike. The bill prohibits a demand letter</p>	DSA	383	<p><i>An act to amend, repeal, and add Section 6106.2 of the Business and Professions Code, to amend Sections 55.3, 55.52, 55.53, 55.54, and 55.56 of, to add Sections 55.31, 55.545, and 1938 to, and to add, repeal, and add Section 55.32 of, the Civil Code, to add Section 425.50 to the Code of Civil Procedure, to amend</i></p>

BILL (AUTHOR)	TOPIC	Office	CHAPTER	CODE SECTIONS AFFECTED
	<p>from including a request or demand for money or an offer or agreement to accept money. The bill also prohibits an attorney, or other person acting at the direction of an attorney, from issuing a demand for money to a building owner or tenant, or an agent or employee of a building owner or tenant, on the basis of one or more construction-related accessibility violations, as specified. The bill requires an attorney to include his or her State Bar license number in a demand letter, and to submit copies of the demand letter to the California Commission on Disability Access and, until January 1, 2016, to the State Bar. The bill also requires, until January 1, 2016, an attorney to submit a copy of a complaint to the Commission. The bill provides that a violation of these requirements may subject the attorney to disciplinary action, as specified. (Urgency clause—effective September 19, 2012)</p>			<p><i>Sections 4459.8 and 8299.05 of, to add Chapter 7.5 (commencing with Section 4465) to Division 5 of Title 1 of, and to repeal and add Sections 8299.06, 8299.07, and 8299.08 of, the Government Code, and to add and repeal Section 18944.5 of the Health and Safety Code, relating to disability access, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.</i></p>
<p>SB 1217 (Dutton)</p>	<p>State hospitals: Patton State Hospital Summary: Existing law authorizes DGS to perform various duties relating to State real property, including leasing a building located at Patton State Hospital to a nonprofit corporation or local government, for a period not to exceed 20 years, for the purpose of providing services to elderly persons. This bill reauthorizes the Department to lease the specified premises, as described above.</p>	<p>RESD</p>	<p>707</p>	<p><i>An act to repeal and add Section 14672.95 of the Government Code, relating to state hospitals.</i></p>
<p>SB 1266 (Corbett)</p>	<p>Resource conservation lands: appraisal process Summary: Existing law authorizes various State agencies to acquire land for purposes related to conservation, and requires an acquisition agency, as defined, prior to any action by the acquisition agency to approve a major acquisition of conservation lands, to contract for at least one independent appraisal of the fair market value of the land. A "major acquisition" is defined as an acquisition for which an agency proposes to spend more than \$25,000,000 of state funds. This bill redefines major acquisition as an acquisition for which one or more agencies propose to spend more than \$15,000,000 of State funds. The bill revises the provisions requiring an appraisal to instead require that, if more than \$150,000 of State funds are proposed for expenditure or grant by an acquisition agency of any conservation lands, the acquisition agency or the project partner, as defined, shall contract for an independent appraisal, as provided. The bill requires that the appraisal, appraiser, and contract meet specified requirements. The bill also allows the project partner or landowner to contribute to the costs of the appraisal, be identified as a user of the appraisal, and be named as the co-client of the appraiser or firm preparing the appraisal except, on and after January 1, 2015, the bill</p>	<p>RESD</p>	<p>394</p>	<p><i>An act to amend Sections 5096.501 and 5096.512 of, to add Section 5096.510 to, to repeal Section 5096.511 of, and to repeal and add Section 5096.517 of, the Public Resources Code, relating to state lands.</i></p>

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	prohibits the landowner from being named as a co-client of the appraiser or firm preparing the appraisal.			
SB 1280 (Pavley)	Public contracts: University of California and community college districts: competitive bidding: best value	OLS	708	<i>An act to add and repeal Sections 10507.8 and 20651.7 of the Public Contract Code, relating to public contracts.</i>
	Summary: Existing law requires the Regents of the University of California, except as provided, to let all contracts involving an expenditure of more than \$100,000 annually for goods and materials or services to the lowest responsible bidder meeting certain specifications, or to reject all bids. Existing law requires the governing board of any community college district to let specified contracts involving an expenditure of more than \$50,000 to the lowest responsible bidder meeting certain specifications, or else to reject all bids. This bill provides that, before January 1, 2018, the bid evaluation and selection for these contracts may be determined by the best value for the University of California or community college district, as specified.			
SB 1509 (Simitian)	School facilities: design-build contracts	OPSC	736	<i>An act to amend Sections 17250.10, 17250.25, 81700, and 81703 of the Education Code, to amend Section 4 of Chapter 421 of the Statutes of 2001, and to amend Section 4 of Chapter 637 of the Statutes of 2002, relating to school facilities.</i>
	Summary: Existing law authorizes, until January 1, 2014, a school district governing board or community college district governing board to enter into a design-build contract for both the design and construction of a school facility or community college facility, respectively, if specified requirements are met. This bill extends this design-build authority until January 1, 2020.			
SB 1510 (Wright)	Contracts	PD	421	<i>An act to amend Section 14837 of the Government Code, and to amend Section 999 of the Military and Veterans Code, relating to contracts.</i>
	Summary: The Small Business Procurement and Contract Act requires the Director of DGS and the heads of other State agencies that enter into contracts for the provision of goods, services, and information technology and for the construction of State facilities to establish goals for the participation of small businesses in these contracts, to provide for a small business preference in the award of these contracts, to give special consideration and special assistance to small businesses, and, whenever possible, to make awards to small businesses, as specified. The act authorizes the Director to set standards, established by regulation, for a certified small business or microbusiness to contribute to the fulfillment of contract requirements by performing a commercially useful function, as defined. This bill modifies the definition to include additional conditions under which a certified small business or microbusiness is deemed to perform a commercially useful function.			

BILL (AUTHOR)	TOPIC	Office	CHAPTER	CODE SECTIONS AFFECTED
SB 1580 (Committee on Governmental Organization)	State surplus property: armories: sales Summary: Existing law authorizes the Director of DGS to dispose of State surplus property, subject to specified conditions, including authorization by the Legislature. This bill authorizes the Director to dispose of three specified parcels of State property. The bill also rescinds the surplus property sale authorization of a specified parcel. The bill subjects the proceeds from one parcel to the reimbursement of federal equity financing, as specified.	RESD	798	<i>An act relating to state surplus property, and making an appropriation therefor.</i>

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AB 2442 (Williams)	<p>State property: California Hope Public Trust</p> <p>Summary: Existing law requires each State agency to report annually to DGS any proprietary State lands under the jurisdiction of that agency that are in excess of the foreseeable needs of that agency. Existing law provides certain exceptions from this requirement, including, among others, lands under the jurisdiction of specified State entities. Existing law authorizes the Director of DGS to require a State agency to transfer to the department jurisdiction over any land declared excess by a State agency. Existing law authorizes the department to take specified actions with respect to that property, including, among others, asking permission from the Legislature to sell or dispose of the property. Existing law authorizes the department to give priority to any property that involves the exchange of surplus lands listed in specified reports. Existing law requires the department to maintain a complete and accurate statewide inventory of all real property held by the state. This bill would have exempted additional agencies from the requirement to report annually to DGS any property held by that agency that is in excess of its needs. The bill would have authorized the Department to give priority to proposals to further the purposes of the provisions governing the California Hope Public Trust.</p>	RESD	Vetoed	<p><i>An act to amend Sections 11011 and 54221 of, and to add and repeal Part 11.5 (commencing with Section 15870) of Division 3 of Title 2 of, the Government Code, relating to state property.</i></p>
AB 2672 (Committee on Jobs, Economic Dev. & the Economy)	<p>Procurement omnibus bill</p> <p>Summary: Existing law requires the State to provide bidding preferences, as specified, to companies meeting specified requirements and making specified declarations related to work within an enterprise zone or a local agency military base recovery area. This bill, would have commencing January 1, 2013, and every year thereafter, required DGS to report to the Department of Housing and Community Development on the number of businesses that claim enterprise zone preferences and local agency military base recovery area preferences, as specified.</p>	PD	Vetoed	<p><i>An act to amend Sections 7084 and 7118 of the Government Code, and to amend Section 10349 of the Public Contract Code, relating to economic development.</i></p>