



2015 Legislative Session Summary

**Office of Legislative Affairs
October 2015**



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FOREWORD

This report provides an overview of legislation affecting the Department of General Services (General Services) in 2015.

During the first year of the 2015-16 Legislative Session, General Services' Office of Legislative Affairs reviewed 2,772 measures, monitored 454 bills with potential impact to General Services and provided final assessments on 43 bills that reached the Governor's desk. The Governor signed General Services' state surplus property bill, SB 273 (Hueso, Chapter 233, Statutes of 2015). The following pages provide a summary of bills with particular significance to the measures that reached the Governor's desk.

General Services manages a broad range of business lines to meet the active and diverse goals of 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.



**Jacquie Roberts, Senior Advisor, Legislative Affairs
Department of General Services**

ACRONYMS USED FOR THE OFFICE IN THE 2015 LEGISLATIVE SUMMARY

AUDITS	OFFICE OF AUDIT SERVICES
BSC	BUILDING STANDARDS COMMISSION
DSA	DIVISION OF THE STATE ARCHITECT
OAH	OFFICE OF ADMINISTRATIVE HEARINGS
OFA	OFFICE OF FLEET AND ASSET MANAGEMENT
OLS	OFFICE OF LEGAL SERVICES
OPSC	OFFICE OF PUBLIC SCHOOL CONSTRUCTION
OSP	OFFICE OF STATE PUBLISHING
PD	PROCUREMENT DIVISION
RESD	REAL ESTATE SERVICES DIVISION

LEGISLATIVE SUMMARY OF BILLS ENACTED IN 2015

**UNLESS OTHERWISE INDICATED, THESE STATUTES
BECOME EFFECTIVE JANUARY 1, 2016**

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AB 104 (Committee on Budget)	Education finance: education omnibus trailer bill Summary: Existing law provides supplemental funding to qualifying California state preschool classrooms, and requires a part-day preschool program to provide parenting education and to provide staff development for teachers in participating classrooms as a condition of receiving funds. This bill would include within the meaning of parenting education for these purposes improving parental knowledge of local resources for the identification of and services for developmental disabilities, and would include as part of staff development the development of improved behavioral strategies and the provision of interventions for young children to improve kindergarten readiness. This bill contains other related provisions and other existing laws.	OPSC	13	<i>An act to amend Sections 2574, 2575, 8238, 8239, 8263.1, 8265, 8265.5, 8335, 8335.1, 8335.2, 8335.4, 8357, 8447, 10554, 17070.75, 41202, 41203.1, 41207.3, 41976, 42238, 42238.02, 42238.03, 44235, 47614.5, 48000, 49430.5, 51745.6, 52052, 52064.5, 52501.5, 52616, 53011, and 84830 of, to add Sections 41207.41, 60212, and 84920 to, to add Chapter 16.5 (commencing with Section 53070) to Part 28 of Division 4 of Title 2 of, to add Article 9 (commencing with Section 84900) to Chapter 5 of Part 50 of Division 7 of Title 3 of, and to repeal Sections 8335.5, 8335.7, and 84908 of, the Education Code, to amend Sections 17581.6 and 17581.8 of, and to add Section 17581.9 to, the Government Code, to amend Sections 33607.5 and 33607.7 of the Health and Safety Code, and to amend Section 11 of Chapter 325 of the Statutes of 2012, relating to education finance, and making an appropriation therefor, to take effect immediately, bill related to the budget.</i>
AB 114 (Committee on Budget)	Public works: building construction Summary: Existing law, except as specified, prohibits any state agency from expending funds appropriated for design-build projects until the Department of Finance and the State Public Works Board have approved performance criteria or performance criteria and concept drawings for the project. Existing law, for these purposes, defines the term "performance criteria" to mean the information that fully describes the scope of the proposed project, as specified. Existing law, for these purposes, defines the term "concept drawings" to mean any schematic drawings or architectural renderings that are prepared, in addition to performance criteria, in the detail necessary to sufficiently describe the state's needs. This bill would revise the definition of "performance criteria," for these purposes, to include concept drawings, as specified.	RESD	14	<i>An act to amend Sections 13332.19, 15816, 15817.1, 15820.903, 15820.913, 15820.922, 15831, 15832, and 15848 of, and to repeal Section 15770.5 of, the Government Code, relating to public works, and making an appropriation therefor, to take effect immediately, bill related to the budget.</i>
AB 166 (Gaines, Beth R)	Department of General Services Summary: Existing law authorizes the Department of General Services to lease property belonging to the state, as specified. Existing law authorizes the Department of General Services, with the consent of the Department of Corrections and Rehabilitation, to lease a parcel of unimproved real property within the grounds of the California State Prison at Folsom for a water reservoir, as specified. This bill would authorize the Department of General Services, with the	RESD	211	<i>An act to add Section 14672.54 to the Government Code, relating to state government.</i>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
	<p>consent of the Department of Corrections and Rehabilitation, to lease vacant real property on the grounds of California State Prison at Folsom to a nonprofit entity formed especially for the implementation of the construction and operation of a peace officers memorial and museum facility at the prison. The bill would require, among other things, that the lease not exceed a 50-year term. The bill would provide that the construction and operation of the memorial and museum facility by the lessee pursuant to the lease are solely the responsibility of the lessee.</p>			
AB 413 (Chávez R)	California Disabled Veteran Business Enterprise Program	PD	513	<i>An act to amend Section 999 of the Military and Veterans Code, relating to veterans.</i>
	<p>Summary: The California Disabled Veteran Business Enterprise Program addresses the special needs of disabled veterans by assisting state procurement authorities in meeting or exceeding the disabled veteran enterprise participation goal of 3 percent for procurement contracts. Existing law, under the program, authorizes a child or spouse to continue to operate a disabled veteran business enterprise for three years after the death or the certification of a permanent medical disability of a disabled veteran who was the majority owner of that enterprise, but only for purposes of any contract entered into before his or her death or certification of disability. This bill would delete the provision that only allows a child or spouse to operate the business for purposes of the contracts entered into before death or certification of disability. The bill would clarify the scope and purpose of the provision authorizing a child or spouse to continue to operate a disabled veteran business enterprise for three years after the death or the certification of a permanent medical disability of a disabled veteran who was the majority owner of that enterprise.</p>			
AB 532 (McCarty D)	State agencies: collection of data: race or ethnic origin	PD	433	<i>An act to add Section 8310.9 to the Government Code, relating to state agencies.</i>
	<p>Summary: Existing law requires state agencies, boards, or commissions that directly or by contract collect demographic data as to the ancestry or ethnic origin of Californians, and state agencies conducting surveys as to the ancestry or ethnic origin of state civil service employees, to use separate collection categories for each major Asian and Pacific Islander group. This bill would require any state agency, board, or commission that directly or by contract collects demographic data, as soon as reasonably feasible and in no event later than January 1, 2022, to provide forms that offer respondents the option of selecting one more ethnic or racial designations.</p>			
AB 552 (O'Donnell D)	Public works contracts: damages	RESD	434	<i>An act to add Section 7203 to the Public Contract Code, relating to public contracts.</i>
	<p>Summary: Existing law prescribes requirements for contracts between private parties and public entities, as defined. This bill would, among other things, provide that a public works contract entered into on or after January 1, 2016, that contains a clause expressly requiring a contractor to be responsible for delay damages, as defined, is not enforceable unless the delay damages have been liquidated to a set amount and identified in the public works contract. Under the bill, these provisions would not apply to specified state agencies. The bill would also make findings and declarations</p>			

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
	related to public contracts.			
AB 566 (O'Donnell) D)	School facilities: leasing property: construction contracts	OPSC	214	<i>An act to amend Sections 17406 and 17407 of, and to add Section 17407.5 to, the Education Code, and to amend Section 20111.6 of the Public Contract Code, relating to school facilities.</i>
	Summary: Existing law authorizes the governing board of a school district, without advertising for bids, to lease real property for a minimum rental of \$1 per year if the instrument by which this property is leased requires the lessee to construct, or provide for the construction of, a building to be used by the school district and provides that the title to the building shall vest in the school district at the end of the lease. Existing law, until January 1, 2019, also requires the instrument, if funds for the instrument derive from the Leroy F. Greene School Facilities Act of 1998 or from any future state school bond for a public project that involves a projected expenditure of \$1,000,000 or more, to provide that the person, firm, or corporation that constructs the building shall comply with specified prequalification requirements. This bill would, until January 1, 2019, require the instrument and agreement to provide that the person, firm, or corporation that constructs the building to comply with specified prequalification requirements in this context regardless of the funding source for the public project. The bill would require that certain conditions relating to the use of a skilled and trained workforce on the project or contract be satisfied before the governing board of a school district may enter into a contract with any entity for the construction, or for providing for the construction of, a building to be leased or used by the school district.			
AB 606 (Levine) D)	Water conservation	RESD	665	<i>An act to add Section 11011.29 to the Government Code, relating to state property.</i>
	Summary: Existing law requires the Department of General Services to provide planning, acquisition, construction, and maintenance of state buildings and property, and maintain a statewide property inventory of all real property held by the state. Existing law requires the department, in consultation with the State Energy Resources Conservation and Development Commission, and with the concurrence of the Department of Finance, to identify each public building in the department's state property inventory where it is feasible for that building to reduce energy consumption and achieve energy efficiencies, as specified, and make retrofits, as specified. This bill would, when a state agency builds upon state-owned real property, purchases real property, or replaces landscaping or irrigation, require the state agency to reduce water consumption and increase water efficiencies for that property where feasible, as defined, through specified water efficiency measures. The bill would exempt from its requirements state-owned real property that is leased for agricultural purposes.			
AB 662 (Bonilla) D)	Public accommodation: disabled adults: changing facilities	DSA	742	<i>An act to add Section 19952.5 to the Health and Safety Code, relating to public accommodation.</i>
	Summary: The federal Americans with Disabilities Act of 1990 and the California Building Standards Code require that specified buildings, structures, and facilities be accessible to, and usable by, persons with disabilities. Existing law requires, among others, any person who owns or manages a place of public amusement and resort to provide seating or accommodations for physically disabled persons in a variety of locations within the facility, as specified. Existing law authorizes the district			

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
<p>attorney, the city attorney, the Attorney General or, in certain instances, the Department of Rehabilitation acting through the Attorney General, to bring an action to enjoin a violation of prescribed requirements relating to access to buildings by disabled persons. This bill would require a person, private firm, organization, or corporation that owns or manages a commercial place of public amusement, as defined, constructed on or after January 1, 2020, or renovated on or after January 1, 2025, to install and maintain at least one adult changing station, as defined, for a person with a physical disability, as specified. The bill would require a facility to ensure that the entrance to each adult changing station has conspicuous signage indicating its location, and, if the facility has a central directory, ensure that the central directory indicates the location of the adult changing station.</p>				
<p>AB 692 (Quirk D)</p>	<p>Low-carbon transportation fuels</p> <p>Summary: The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to adopt a statewide greenhouse gas emissions limit to be achieved by 2020 equivalent to the statewide greenhouse gas emissions levels of 1990. The state board additionally is required to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions. Pursuant to the act, the state board has adopted the Low-Carbon Fuel Standard regulations. This bill, commencing January 1, 2017, would require, except as provided, at least 3 percent of the aggregate amount of bulk transportation fuel purchased by the state government to be procured from very low carbon transportation fuel sources. The bill would require, except as provided, the percentage to be increased by 1 percent each year thereafter until January 1, 2024. The bill would require the Department of General Services to coordinate with state agencies that are buyers of transportation fuel and submit an annual progress report to the Legislature. The bill would define very low carbon transportation fuel for these purposes.</p>	<p>OFA</p>	<p>588</p>	<p><i>An act to add Section 43870 to the Health and Safety Code, relating to greenhouse gases.</i></p>
<p>AB 728 (Hadley R)</p>	<p>State government: financial reporting</p> <p>Summary: Existing law, the State Leadership Accountability Act, provides that state agency heads are responsible for the establishment and maintenance of a system or systems of internal accounting and administrative control within their agencies, as specified. Existing law requires state agency heads to, biennially, conduct an internal review and prepare a report on the adequacy of the agency's systems of internal accounting, administrative control, and monitoring practices. Copies of the reports are required to be submitted to the Legislature, the California State Auditor, the Controller, the Department of Finance, the Secretary of Government Operations, and to the State Library where the copy is required to be available for public inspection. This bill would also require the report to be posted on the agency's Internet Web site within five business days after acceptance by the department.</p>	<p>AUDITS</p>	<p>371</p>	<p><i>An act to amend Section 13405 of the Government Code, relating to state government.</i></p>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
AB 1185 (Ridley-Thomas D)	Los Angeles Unified School District: best value procurement: pilot program	OPSC	786	<i>An act to add and repeal Article 3.3 (commencing with Section 20119) of Chapter 1 of Part 3 of Division 2 of the Public Contract Code, relating to best value procurement.</i>
AB 1259 (Levine D)	Bees: apiculture: state-owned lands	RESD	380	<i>An act to amend Section 1745.2 of the Fish and Game Code, and to add Section 14670.14 to the Government Code, relating to bees, and declaring the urgency thereof, to take effect immediately.</i>
AB 1290 (Dahle R)	Health care districts: public contracts: design-build	RESD	34	<i>An act to add Section 32132.8 to the Health and Safety Code, relating to health care districts, and declaring the urgency thereof, to take effect immediately.</i>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
AB 1358 (Dababneh D)	School facilities: design-build contracts	OPSC	752	<i>An act to add Section 17250.55 to, and to amend, repeal, and add Chapter 2.5 (commencing with Section 17250.10) of Part 10.5 of Division 1 of Title 1 of, the Education Code, and to repeal Section 4 of Chapter 421 of the Statutes of 2001, relating to school facilities.</i>
AB 1423 (Stone , Mark D)	Prisoners: medical treatment	OAH	381	<i>An act to add Section 2604 to the Penal Code, relating to medical treatment of prisoners.</i>
AB 1431 (Gomez D)	Local Agency Public Construction Act: job order contracting	RESD	753	<i>An act to amend Section 20919.15 of, and to add and repeal Article 60.4 (commencing with Section 20919.20) of Chapter 1 of Part 3 of Division 2 of, the Public Contract Code, relating to local public contracting.</i>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
<p>school district containing specified information verified under oath. By expanding the crime of perjury, this bill would impose a state-mandated local program.</p>				
<p><u>SB 82</u> (Committee on Budget and Fiscal Review)</p>	<p>Developmental Services</p>	<p>RESD</p>	<p>23</p>	<p><i>An act to add Section 14670.36 to the Government Code, to amend Sections 1267.75 and 1531.15 of the Health and Safety Code, to amend Sections 4418.25, 4474.1, 4519.5, 4629, 4646.5, 4648, 4681.6, 4684.81, 4685.8, 4691.6, 4691.9, and 7505 of, to add Section 4474.11 to, and to repeal and add Section 7502.5 of, the Welfare and Institutions Code, relating to developmental services, and making an appropriation therefor, to take effect immediately, bill related to the budget.</i></p>
<p>Summary: Existing law authorizes the Director of General Services, with the consent of the State Department of Developmental Services, to lease up to 60 acres located within the grounds of Fairview Developmental Center for a period of up to 55 years, for the purpose of developing affordable housing for the employees of, and transitional housing for patient-clients of, Fairview Developmental Center. This bill would additionally authorize the Director of General Services, with the consent of the Director of Developmental Services, to lease up to 20 acres located within the grounds of Fairview Developmental Center for a period of up to 55 years, at a price that will permit the development of affordable housing for people with developmental disabilities. The bill would require the proceeds of this housing project and the housing project described above to be deposited in the Department of Developmental Services Trust Fund, which the bill would create. The bill would require that money in the fund be used, upon appropriation by the Legislature, to provide housing and transitional services for people with developmental disabilities, and would require that any funds not needed to support individuals with developmental disabilities be transferred to the General Fund.</p>				
<p><u>SB 83</u> (Committee on Budget and Fiscal Review)</p>	<p>Public Resources</p>	<p>PD, RESD</p>	<p>24</p>	<p><i>An act to amend Sections 1504 and 2099.10 of the Fish and Game Code, to add Section 4103.5 to the Food and Agricultural Code, to amend Sections 6103.4 and 99523 of the Government Code, to amend Sections 8012, 8016, 25173.6, 44126, 116275, 116365, 116577, 116585, and 116595 of, to amend and repeal Sections 116570 and 116580 of, to amend, repeal, and add Sections 12723, 12726, 116565, and 116590 of, to add Section 57015 to, to add and repeal Section 57014 of, and to repeal Article 3 (commencing with Section 8025) of Chapter 5 of Part 2 of Division 7 of, the Health and Safety Code, to amend Sections 2795, 3401, 5005, 5097.94, 21190, 25422, 25464, 25471, 25806, and 42885.5 of, to add Article 2.5 (commencing with Section 3130) to Chapter 1 of Division 3 of, and to repeal Section 3132 of, the Public Resources Code, to amend Sections 2827 and 2851 of the Public Utilities Code, and to amend Section 13752 of the Water Code, relating to public resources, and making an appropriation therefor, to take effect immediately, bill</i></p>
<p>Summary: Existing law regulates real property acquired and operated by the state as wildlife management areas, and requires the Department of Fish and Wildlife, when income is directly derived from that real property, as provided, to annually pay to the county in which the property is located an amount equal to the county taxes levied upon the property at the time it was transferred to the state. Existing law further requires the department to pay the assessments levied upon the property by any irrigation, drainage, or reclamation district, and requires all of those payments to be made from funds available to the department. This bill would authorize, instead of require, the department to make these payments and only from funds appropriated to the department for those purposes. The bill would also prohibit allocations of these moneys to a school district, community college district, or a county superintendent of schools.</p>				

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
SB 84 (Committee on Budget and Fiscal Review)	<p>State government</p> <p>Summary: Existing law prohibits a person, firm, corporation, or association that is a nongovernmental entity and contracts to perform public health and safety labor or services for a public agency from displaying on a vehicle a logo of the public agency that reasonably could be interpreted or construed as implying that the labor or services are being provided by employees of the public agency, unless the vehicle conspicuously displays a specified statement. Existing law similarly prohibits a person or employee of that entity from wearing a uniform bearing a logo of the public agency that reasonably could be interpreted or construed as making that implication, unless the uniform conspicuously displays the logo and specific additional information. Existing law defines "public health and safety labor or services" to include emergency medical services. This bill would revise that definition to include prehospital emergency medical services.</p>	RESD	25	<p><i>An act to amend Section 3273 of the Civil Code, to amend Section 4061 of the Food and Agricultural Code, to amend Sections 905.2, 4467, 4470, 8600, 11011.1, 12432, 13400, 13401, 13402, 13403, 13404, 13405, 13406, 13407, 13974.1, 16522, 16551, 16552, 16553, 16554, 16626, 16627, 16628, 16629, and 27397 of, to amend the heading of Chapter 5 (commencing with Section 13400) of Part 3 of Division 3 of Title 2 of, to add Sections 8619.5, 17604, 19213, 21231, 21232, 65050, and 65051 to, and to add Article 3.9 (commencing with Section 8574.30) and Article 5.9 (commencing with Section 8590.6) to Chapter 7 of Division 1 of Title 2 of, the Government Code, to amend Sections 50661 and 50716 of, and to add and repeal Chapter 4 (commencing with Section 34090) of Part 1.6 of Division 24 of, the Health and Safety Code, to add Sections 10089.395 and 10089.397 to the Insurance Code, to amend Sections 6309 and 7314 of the Labor Code, to amend Section 10340 of the Public Contract Code, and to amend Sections 10878, 41030, 41032, 42010, and 42023 of, and to add Sections 17138.3, 24308.7, 42010.7, 42023.5, 42101.7, and 42104 to, the Revenue and Taxation Code, relating to state government, and making an appropriation therefor, to take effect immediately, bill related to the budget.</i></p>
SB 204 (Pavley D)	<p>State parks</p> <p>Summary: Existing law establishes the Department of Parks and Recreation and vests the department with the control of the state park system. This bill would require the Director of Parks and Recreation to promote and regulate the use of the state park system in a manner that conserves the scenery, natural and historic resources, and wildlife in the individual units of the system for the enjoyment of future generations.</p>	OLS, RESD	573	<p><i>An act to amend Section 10110 of the Public Contract Code, and to amend Sections 513, 5001, 5002.2, 5080.16, and 5080.42 of, and to add Sections 5001.2 and 5080.44 to, the Public Resources Code, relating to state parks.</i></p>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
SB 273 (Hueso D)	State real property: surplus Summary: Existing law provides that the Director of General Services may acquire and dispose of surplus state real property where that property is not needed by another state agency and the Legislature has authorized disposal of the property. Existing law also specifies the manner in which the department is to dispose of surplus state real property. This bill would authorize the director to dispose of two specified parcels of state property pursuant to these provisions.	RESD	233	<i>An act relating to state real property, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.</i>
SB 287 (Hueso D)	Automated external defibrillators (AEDs) Summary: Existing law requires any person or entity that supplies an AED, which means an automated or automatic external defibrillator (AED), to notify an agent of the local emergency medical services agency of the existence, location, and type of AED acquired and to provide the acquirer of the AED with all information governing the use, installation, operation, training, and maintenance of the AED. Existing law provides that any person or entity that acquires an AED is not liable for civil damages resulting from any acts or omissions in the rendering of emergency care, except as provided, if certain conditions are met, including, but not limited to, that the AED is checked for readiness after each use and at least every 30 days if the AED has not been used in the preceding 30 days. Existing law also provides that a person or entity that provides AED training to a person who renders emergency care is not liable for any civil damages, as specified. This bill would require certain occupied structures that are not owned or operated by any local government entity and are constructed on or after January 1, 2017, to have an AED on the premises. The bill would require a person or entity that supplies an AED to comply with specified existing law regarding AEDs, and would exempt a person or entity that acquires an AED for emergency care from liability for civil damages resulting from any acts or omissions in the rendering of emergency care if certain requirements have been met. The bill would make these provisions operative on January 1, 2017.	BSC	449	<i>An act to add Chapter 3 (commencing with Section 19300) to Part 3 of Division 13 of the Health and Safety Code, relating to automated external defibrillators.</i>
SB 302 (Lara D)	Claims against the state: appropriation Summary: Existing law requires the Attorney General to pay certain judgments against the state. This bill would appropriate \$141,250 from the Athletic Commission Fund and \$24,106,173.50 from the General Fund to pay specified judgments.	OLS	5	<i>An act relating to the payment of claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.</i>
SB 374 (Hueso D)	Local agency design-build projects: transit districts Summary: Existing law authorizes local agencies to use the design-build method of project delivery	RESD	715	<i>An act to amend Sections 20209.14 and 22161 of the</i>

BILL (AUTHOR)	TOPIC	OFFICE	CHAPTER	CODE SECTIONS AFFECTED
	<p>for specified projects, except for projects on the state highway system. Existing law defines "local agency" for purposes of these provisions as cities and counties, certain special districts relating to wastewater, solid waste, water recycling, and fire protection facilities, joint powers authorities formed to provide transit service, and specified types of local public entities responsible for the construction of transit projects. These provisions further define "project" specifically for each category of local agency. Existing law requires specified information submitted by a design-build entity, as defined, in the design-build procurement process to be certified under penalty of perjury. This bill would specify that the definition of a local agency authorized to use the design-build method of project delivery includes the San Diego Association of Governments. The bill would define projects, as it pertains to the San Diego Association of Governments, to include development projects adjacent, or physically or functionally related, to transit facilities developed by the association. By expanding the design-build authorization of the San Diego Association of Governments to additional development projects, the bill would expand the scope of crime of perjury and would impose a state-mandated local program.</p>			<p><i>Public Contract Code, relating to local public contracts.</i></p>
<p>SB 436 (Committee on Education)</p>	<p>Education: omnibus bill</p> <p>Summary: (1) Existing law establishes the K-12 High-Speed Network, as specified, for the purpose of enriching pupil educational experiences and improving pupil academic performance by providing high-speed, high-bandwidth Internet connectivity to the public schools. Existing law requires the Superintendent of Public Instruction to use a competitive grant process to select a local educational agency to serve as the Lead Education Agency to administer the network on behalf of the Superintendent. Existing law requires the Superintendent to establish a K-12 HSN advisory board to include the Superintendent, the county superintendent of schools of the Lead Education Agency, the President of the State Board of Education, and other officers of local educational agencies, including three schoolsite representatives, as specified. This bill would specify that the schoolsite representatives appointed to the advisory board under this provision would serve renewable two-year terms.</p>	<p>OPSC</p>	<p>386</p>	<p><i>An act to amend Sections 5225, 5229, 11800, 16150, 16151, 16157, 16160, 16236, 17070.75, 17088.2, 17463, 17582, 17592.5, 35709, 41360, 42623, 49073.1, 56155.5, 56325, 56366, 56366.3, 56441.5, and 60900 of, and to repeal Sections 17591, 48200.7, 48200.8, 52171.6, 52184, and 54006 of, the Education Code, relating to education.</i></p>
<p>SB 536 (Roth D)</p>	<p>Armories</p> <p>Summary: Existing law authorizes the Director of General Services, with the approval of the Adjutant General, to lease and sell real property held for armory purposes, subject to legislative approval. Existing law establishes the Armory Fund and requires that all proceeds from the sale or lease of armories be deposited into the fund, for use, upon appropriation by the Legislature, for specified purposes related to armories. This bill would instead require the net proceeds, as defined, from the sale or lease of an armory to be deposited into the Armory Fund. The bill would, upon appropriation by the Legislature, require the Department of General Services to use moneys from the Property Acquisition Law Money Account for the purposes of selling armory properties. The bill would also specify that the sale of an armory is on an "as is" basis, and is exempt from specified laws.</p>	<p>RESD</p>	<p>355</p>	<p><i>An act to amend Section 435 of the Military and Veterans Code, relating to armories.</i></p>

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The bill would authorize the Director of General Services, with the approval of the Adjutant General, to sell specified armories pursuant to these provisions.				
SB 703 (Leno D)	<p>Public contracts: prohibitions: discrimination</p> <p>Summary: Existing law authorizes state agencies to enter into contracts for the acquisition of goods or services upon approval by the Department of General Services. Existing law sets forth various requirements and prohibitions for those contracts, including, but not limited to, a prohibition on entering into contracts for the acquisition of goods or services of \$100,000 or more with a contractor that discriminates between spouses and domestic partners or same-sex and different-sex couples in the provision of benefits. Existing law provides that a contract entered into in violation of those requirements and prohibitions is void and authorizes the state or any person acting on behalf of the state to bring a civil action seeking a determination that a contract is in violation and therefore void. Under existing law, a willful violation of those requirements and prohibitions is a misdemeanor. This bill would also prohibit a state agency from entering into contracts for the acquisition of goods or services of \$100,000 or more with a contractor that discriminates between employees on the basis of gender identity in the provision of benefits, as specified. By expanding the scope of a crime, this bill would impose a state-mandated local program.</p>	PD	578	<i>An act to add Section 10295.35 to the Public Contract Code, relating to public contracts.</i>
SB 762 (Wolk D)	<p>Competitive bidding: best value: pilot program: design-build</p> <p>Summary: The Local Agency Public Construction Act requires counties, among others, to comply with specified procedures for contracting for public works projects, including the use of a competitive bidding process and awarding contracts to the lowest responsible bidder. Existing law provides that specified provisions of the act applicable to public works contracts awarded by counties, as specified, do not apply to certain contracts by the County of Napa and the County of San Diego. This bill would establish a pilot program to allow the Counties of Alameda, Los Angeles, Riverside, San Bernardino, San Diego, Solano, and Yuba to select a bidder on the basis of best value, as defined, for construction projects in excess of \$1,000,000. The bill would establish procedures and criteria for the selection of a best value contractor. The bill would require that bidders verify specified information under oath, thereby imposing a state-mandated local program by creating a new crime. The bill would require the board of supervisors of a participating county, before January 1, 2020, to submit a report to specified legislative committees. The bill would repeal the pilot program provisions on January 1, 2020.</p>	RESD	627	<i>An act to amend Sections 10187.5 and 22161 of, and to add and repeal Article 3.7 (commencing with Section 20155) of Chapter 1 of Part 3 of Division 2 of, the Public Contract Code, relating to public contracts.</i>

LEGISLATIVE SUMMARY OF BILLS VETOED IN 2015

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AB 362 (Waldron R)	State printing: demonstration project: process free printing Summary: Existing law establishes the Office of State Printing within the Department of General Services. Existing law requires that all state printing be done in the Office of State Printing. This bill would authorize the department to engage in a demonstration project to show the economic and environmental advantages of sustainable printing practices, including the use of process free printing plates, as defined, and associated technology for specified types of printing jobs. The bill would permit a vendor that participates in the demonstration project to pay any costs associated with the demonstration.	OSP	VETOED	<i>An act to add Section 14861 to the Government Code, relating to state printing.</i>
AB 429 (Dahle R)	Public contracts: preferences: forest products Summary: Existing law generally requires state agencies to comply with competitive bidding procedures in soliciting and evaluating bids for public works projects. Existing law authorizes bidding preferences for certain categories of business owners. This bill would require a state agency, as specified, that contracts for, or acquires, lumber or other solid wood products, excluding paper and other types of secondary manufactured goods, to give preference, to the extent consistent with federal law, if price, fitness, and quality are equal, based upon verifiable, self-certification from the supplier, to lumber and other solid wood products that are harvested in compliance with the Z'berg-Nejedly Forest Practice Act of 1973, rules governing federal timber sales, or a forest certification program identified by the Director of the Department of Forestry and Fire Protection, as prescribed. The bill would authorize the Director of the Department of Forestry and Fire Protection to identify, after consideration at a public hearing, a forest certification program or programs that may be used for the purpose of purchasing preferences for lumber and solid wood products. The bill would require the Director of the Department of Forestry and Fire Protection to notify the Department of General Services of this identification in writing.	PD	VETOED	<i>An act to add Section 12405 to the Public Contract Code, relating to public contracts.</i>
AB 764 (Quirk D)	Parking lots: design: insurance discount Summary: Existing law provides that building standards shall be filed by the California Building Standards Commission with the Secretary of State and codified only after they have been approved by the commission. Existing law regulates the issuance and renewal of liability insurance policies in this state. This bill would require the commission, in collaboration with the State Architect and the State Fire Marshal, to consider standards, and to update standards as it determines necessary, for the installation of vehicle barriers, as specified, to protect persons located within, or in or on the property of, buildings, or to protect pedestrians, from collisions into those buildings by motor vehicles. The bill would also authorize an insurer to consider the installation of vehicle barriers in or on a	BSC	VETOED	<i>An act to add Section 18940.7 to the Health and Safety Code, and to add Chapter 6 (commencing with Section 11895) to Part 3 of Division 2 of the Insurance Code, relating to parking lots.</i>

BILL (AUTHOR)	TOPIC	OFFICE	VETOED	CODE SECTIONS AFFECTED
<p>commercial property parking lot as a safety measure and would authorize an insurer to provide or offer a discount on the property owner's insurance covering damage or loss to the covered commercial property, or liability arising out of the ownership, maintenance, or use of the commercial property relative to the reduced risk of installation of the barriers. The bill would require that any discounts be determined to be actuarially sound and approved by the commissioner prior to their use.</p>	Insurance Commissioner: administrative hearings	OAH	VETOED	<i>An act to amend Section 1667 of the Insurance Code, relating to insurance.</i>
<p>AB 1232 (Garcia, Cristina D)</p>	<p>Summary: Existing law grants the Insurance Commissioner certain powers and duties. Existing law prohibits the commissioner from denying an insurance agent or broker license to an applicant without an opportunity to be heard. The hearing is required to be conducted in accordance with specified provisions of the Administrative Procedure Act. This bill would, if the applicant or permanent licensee is a natural person and requests a hearing, authorize the person, at his or her option, to have the hearing held by either the Office of Administrative Hearings, or an administrative law judge appointed by the commissioner to conduct the hearing. If the natural person does not indicate a preference of forum when requesting that hearing, the bill would authorize the commissioner to refer the matter for hearing to either the Office of Administrative Hearings, or to an administrative law judge appointed by the commissioner to conduct the hearing.</p>			
<p>AB 1293 (Holden D)</p>	State public employment: labor negotiations	OLS	VETOED	<i>An act to amend Section 19130 of the Government Code, relating to civil service.</i>
	<p>Summary: The California Constitution provides that the civil service includes every officer and employee in the state except as otherwise provided in the Constitution. Existing law, the State Civil Service Act, however, permits the use of personal services contracts by state agencies if specified conditions are met. In this regard, a state agency may use a personal service contract to achieve cost savings if, among other conditions, the contract does not cause the displacement, as defined, of civil service employees. Existing law also permits the use of personal services contracts in response to particular conditions, including during emergencies, if the contract is for a new state function and the Legislature has mandated or authorized the performance of work by independent contractors, or to protect against a conflict of interest, among others. This bill would make the use of personal services contracts in response to particular conditions, as described above, conditional on the contract not causing the displacement, as defined, of civil service employees.</p>			

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AB 1342 (Steinorth R)	Disability access Summary: Existing law requires the State Architect to establish and publicize a program for the voluntary certification by the state of any person who meets specified criteria as a Certified Access Specialist (CASp). Existing law requires each applicant for CASp certification or renewal to pay certain fees, and requires the State Architect to periodically review those fees, as specified. Existing law provides for the deposit of those fees into the Certified Access Specialist Fund, which is continuously appropriated for use by the State Architect to implement the CASp program. This bill would require applicants for CASp certification or renewal to additionally provide to the State Architect the name of the city, county, or city and county in which the applicant intends to provide or has provided services, and would require the State Architect to post that information on his or her Internet Web site.	DSA	VETOED	<i>An act to amend Section 1938 of the Civil Code, and to amend Sections 4459.8 and 8299.06 of the Government Code, relating to disability access.</i>
AB 1347 (Chiu D)	Public contracts: claims Summary: Existing law prescribes various requirements regarding the formation, content, and enforcement of state and local public contracts. Existing law applicable to state public contracts generally requires that the resolution of claims related to those contracts be subject to arbitration. Existing law applicable to local agency contracts prescribes a process for the resolution of claims related to those contracts of \$375,000 or less. This bill would establish, for contracts entered into on or after January 1, 2016, a claim resolution process applicable to all claims by contractors in connection with public works. The bill would define a claim as a separate demand by the contractor for one or more of the following: a time extension for relief from damages or penalties for delay, payment of money or damages arising from work done pursuant to the contract for a public work, or payment of an amount disputed by the public entity, as specified.	RESD	VETOED	<i>An act to add and repeal Section 9204 of the Public Contract Code, relating to public contracts.</i>
AB 1354 (Dodd D)	Discrimination: equal pay: state contracting Summary: Existing law subjects an employer who is, or wishes to become, a contractor with the state for public works, or for goods or services, to various nondiscrimination requirements. Existing law authorizes requiring an employer to submit a nondiscrimination program to the Department of Fair Employment and Housing for approval and certification, prior to becoming a contractor or subcontractor with the state, as well as requiring the provision of periodic reports of contractor or subcontractor compliance with that program. This bill would enact the Equal Pay for Equal Work Act of 2015. The bill would require an employer with 100 or more employees in state, as specified, and a contract of 30 days or more, prior to becoming a contractor or subcontractor with the state, to submit a nondiscrimination program to the Department of Fair Employment and Housing and to submit periodic reports no more than annually of its compliance with that program. The bill would authorize	OLS	VETOED	<i>An act to amend Section 12990 of the Government Code, relating to discrimination.</i>

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the department to require approval and certification of the program. The bill would permit the department to require an employer with fewer than 100 employees in state or a contract of less than 30 days to submit a nondiscrimination report. The bill would require the department to define an employee for these purposes. The bill would require the nondiscrimination program to include policies and procedures designed to ensure equal employment opportunities for all applicants and employees, an analysis of employment selection procedures, and a workforce analysis, as specified. The bill would specify that its provisions are not to be construed to negate certain exemptions established by regulation that predate its enactment or to require the department to reevaluate the validity of these exemptions, as specified.

**SB 119
(Hill D)**

Protection of subsurface installations

BSC

VETOED

Summary: Existing law requires every operator of a subsurface installation, except the Department of Transportation, to become a member of, participate in, and share in the costs of, a regional notification center. Existing law requires any person who plans to conduct any excavation to contact the appropriate regional notification center before commencing that excavation, as specified. Existing law defines a subsurface installation as any underground pipeline, conduit, duct, wire, or other structure. Existing law requires an operator of a subsurface installation, who receives notification of proposed excavation work, within two working days of that notification, excluding weekends and holidays, to mark the approximate location and number of subsurface installations that may be affected by the excavation or to advise that no subsurface installations operated by him or her would be affected. Existing law requires an operator of a subsurface installation that has failed to comply with these provisions to be liable to the excavator for damages, costs, and expenses. This bill, the Dig Safe Act of 2015, would declare the need to clarify and revise these provisions. The bill would define and redefine various terms relating to a regional notification center. The bill would expand the definition of a subsurface installation to include an underground structure or submerged duct, pipeline, or structure, except as specified.

An act to amend Sections 4216, 4216.1, 4216.2, 4216.3, 4216.4, 4216.5, 4216.6, 4216.7, 4216.8, and 4216.9 of, and to add Sections 4216.12, 4216.13, 4216.14, 4216.15, 4216.16, 4216.17, 4216.18, 4216.19, 4216.20, 4216.21, and 4216.22 to, the Government Code, to add Sections 17921.11 and 18940.8 to the Health and Safety Code, and to amend Sections 955.5 and 1702.5 of, and to add Sections 320.5, 911.2, and 971 to, the Public Utilities Code, relating to excavations.

**SB 251
(Roth D)**

Disability access: civil rights: income tax credit

DSA

VETOED

Summary: Existing law prohibits discrimination on the basis of various specified personal characteristics, including disability. The Construction-Related Accessibility Standards Compliance Act establishes standards for making new construction and existing facilities accessible to persons with disabilities and provides for construction-related accessibility claims for violations of those standards. Existing law requires that a demand letter alleging a violation of a construction-related accessibility standard or asserting a construction-related accessibility claim include specified information, and that copies of the demand letter be sent to the State Bar of California. Existing law repeals the requirement that a copy of a demand letter be sent to the State Bar of California on

An act to amend Sections 55.32, 55.53, and 55.56, of the Civil Code, to amend Sections 4459.7, 4459.8, and 8299.06 of, to add Section 65941.6 to, and to add Article 4 (commencing with Section 65946) to Chapter 4.5 of Division 1 of Title 7 of, the Government Code, and to add and repeal Sections 17053.43 and 23643 of the Revenue and Taxation Code, relating to disability

BILL (AUTHOR)	TOPIC	OFFICE	VETOED	CODE SECTIONS AFFECTED
	January 1, 2016. This bill would extend the above-described January 1, 2016, repeal date, to January 1, 2019.			<i>access.</i>
SB 376 (Lara D)	<p>Public contracts: University of California</p> <p>Summary: Existing provisions of the California Constitution provide that the University of California constitutes a public trust and require the university to be administered by the Regents of the University of California (regents), a corporation in the form of a board, with full powers of organization and government, subject to legislative control only for specified purposes, including such competitive bidding procedures as may be applicable to the university by statute for the letting of construction contracts, sales of real property, and purchasing of materials, goods, and services. Existing law requires the regents, except as provided, to let all contracts involving an expenditure of \$100,000 or more annually for goods and materials or services, excepting personal or professional services, to the lowest responsible bidder meeting certain specifications, or to reject all bids. Existing law, until January 1, 2018, also authorizes the bid evaluation and selection for these contracts to be determined by the best value. This bill would require a bidder, to qualify as a lowest responsible bidder or best value awardee on contracts for specified services, to certify in writing to the University of California (UC) that the bid includes a total employee compensation package that is valued on a per-employee basis at a level sufficient that it does not materially undercut the average per-employee value of total compensation for UC employees who perform comparable work at the relevant campus, medical center, or laboratory at which the bidder proposes to perform the work. The bill would require the UC to include in its request for proposals a calculation of the average per-employee value of total compensation for UC employees who perform comparable work at the relevant location, as prescribed. The bill would require contracts for services involving an expenditure of \$100,000 or more annually to include any renewals or extensions of the contract that would result in an expenditure of \$100,000 or more annually.</p>	PD	VETOED	<i>An act to amend Section 10507.7 of, and to add Section 10507.6 to, the Public Contract Code, relating to public contracts.</i>
SB 539 (Glazer D)	<p>Public property: names: Confederate States of America</p> <p>Summary: Existing law prohibits the sale or display of the Battle Flag of the Confederacy, as specified, or its image, by the State of California, subject to exceptions serving educational or historical purposes. This bill would, on and after January 1, 2017, prohibit the use of an elected leader or senior military officer of the Confederate States of America to name state or local property. The bill would require a name associated with the Confederate States of America used to name state or local property prior to January 1, 2017, to be changed and any sign associated with the name to be removed. The bill would prohibit its provisions from being construed to require renaming of a city, county, or other political jurisdiction named after an elected leader or senior military officer of the Confederate States of America, or from requiring the renaming of property, as specified, that</p>	RESD	VETOED	<i>An act to amend the heading of Chapter 2.9 (commencing with Section 8195) of Division 1 of Title 2 of, and to add Section 8197 to, the Government Code, relating to public property.</i>

BILL (AUTHOR)	TOPIC	OFFICE	VETOED	CODE SECTIONS AFFECTED
	incorporates the name of the city, county, or political jurisdiction in which it is situated. By increasing the duties of local officials, this bill would impose a state-mandated local program.			
SB 599 (Mendoza D)	Employment: public transit service contracts	OLS	VETOED	<i>An act to amend Section 1071 of the Labor Code, relating to employment.</i>
	Summary: Existing law requires a local government agency to give a 10 percent preference to any bidder on a service contract to provide public transit services who agrees to retain employees of the prior contractor or subcontractor for a period of not less than 90 days, as specified. This bill would expand these provisions to require a state agency to also give a 10 percent preference to any bidder under these provisions.			
SB 682 (Leno D)	Courts	OLS	VETOED	<i>An act to add Section 71621 to the Government Code, relating to courts.</i>
	Summary: The Trial Court Employment Protection and Governance Act establishes a trial court employee personnel system that provides authority to hire trial court personnel, regulates the classification and compensation of trial court employees, labor relations, and personnel files, and requires each trial court to establish a system of employment selection and advancement and an employment protection system. This bill would establish specified standards if a trial court intends to enter into a contract for any services that are currently or customarily performed by that trial court's employees. Among other things, the bill would require the trial court to clearly demonstrate that the proposed contract will result in actual overall cost savings to the trial court. The bill would provide that those standards do not apply to a contract under certain circumstances, including, among others, when the services are incidental to a contract for the purchase or lease of real or personal property.			