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**AB 1901**  (Jones R) Counties: construction projects: design-build.

Digest: Existing law, until July 1, 2014, authorizes counties to use alternative procedures, known as design-build, for bidding on construction projects in the county in excess of $2,500,000, in accordance with specified procedures. These procedures include a requirement for contracts awarded after a certain date that a county board of supervisors 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. These procedures also require specified information to be verified under oath. This bill would extend these provisions until July 1, 2016, and would remove the dollar limitation on this authorization that applies it only to projects in excess of $2,500,000. Because the additionally authorized projects would require payment of fees into the State Public Works Enforcement Fund, a continuously appropriated fund, it would make an appropriation. Also, because the bill would authorize additional contracts to be awarded under these provisions, which would be subject to the requirement that certain information be verified under oath, it would impose a state-mandated local program by expanding the scope of an existing crime. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason. Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.

**SB 1509**  (Simitian D) School facilities: design-build contracts.

Digest: Existing law authorizes, until January 1, 2014, a school district governing board to enter into a design-build contract for both the design and construction of a school facility if specified requirements are met. This bill would delete the January 1, 2014, repeal date, making the chapter operative indefinitely. Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.
(Lara D) Administrative practices.

Digest:  (1) Existing law requires every state agency subject to the Administrative Procedure Act to provide an initial statement of reasons for proposing the adoption, amendment, or repeal of a regulation. Existing law requires that the initial statement of reasons include, among other things, facts, evidence, documents, testimony, or other evidence on which the agency relies to support a specified determination. This bill would additionally require that if a regulation that is a building standard impacts housing, the initial statement of reasons include the estimated cost of compliance and the potential benefits of the regulation and the related assumptions used in determining that estimate, except as specified.  
(2) Existing law requires every state agency to provide notice of the proposed adoption, amendment, or repeal of a regulation and requires a designated agency officer to make publicly available the agency’s evaluation, if any, of the effect of the proposed regulatory action on housing costs. This bill would require that in making the evaluation available to the public, the agency officer include the estimated costs of compliance and the potential benefits of the regulation, except as specified.


(Dickinson D) Environmental quality: building standards: vehicle miles traveled.

Digest:  (1) Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission) to prescribe, by regulation, building design and construction standards and energy and water conservation design standards for new residential and nonresidential buildings. Existing law requires the Energy Commission to certify, within 180 days of the approval of the standards by the State Building Standards Commission, an energy conservation manual for use by designers, builders, and contractors of residential and nonresidential buildings. The bill would prohibit a local building department from issuing a building permit for a residential or nonresidential building unless the department confirms that the building plan complies with those standards. The bill would enact the Healthy Neighborhoods Act of 2012 and would require the Energy Commission to prescribe, by regulation, standards for reducing vehicle miles traveled by occupants of a building that would be applicable to new residential and nonresidential buildings and modification of existing residential and nonresidential buildings. The bill would require the commission to publish the standards, upon adoption, in the energy conservation manual. The bill would prohibit a local building department from issuing a building permit for a residential or nonresidential building unless the department confirms that the building plan complies with the standards. Because a local building department would be required to confirm that a building plan complies with the vehicle miles traveled standards, this bill would impose a state-mandated local program. The bill would authorize a city, county, or city and county to
prescribe, by ordinance or resolution, a schedule of fees sufficient to cover the costs incurred in the enforcement of these standards.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.


**AB 1750**

(Solorio D) Rainwater Capture Act of 2012.

**Digest:** (1) Under existing law, the State Water Resources Control Board (state board) and the California regional water quality control boards prescribe waste discharge requirements for the discharge of stormwater in accordance with the national pollutant discharge elimination system (NPDES) permit program and the Porter-Cologne Water Quality Control Act. Existing law authorizes a city, county, or special district to develop, jointly or individually, stormwater resource plans that meet certain standards. This bill would enact the Rainwater Capture Act of 2012, which would authorize residential, commercial, and governmental landowners to install, maintain, and operate rain barrel systems, as defined, and rainwater capture systems, as defined, for specified purposes, provided that the systems comply with specified requirements. The bill would require a local agency to provide notification to the operator of a public water system, as defined, if the local agency chooses to adopt a permitting program for rainwater capture systems and approves a permit for a rainwater capture system connected to the public water system.

(2) Existing law, the Contractors’ State License Law, creates the Contractors’ State License Board within the Department of Consumer Affairs and provides for the licensing and regulation of contractors. Existing law authorizes a landscape contractor working within the classification of his or her license to enter into a prime contract for the construction of a swimming pool, spa, or hot tub, an outdoor cooking center, or an outdoor fireplace, if certain conditions are met. Under existing law, a violation of these provisions and related provisions of existing law is grounds for disciplinary action. This bill would additionally authorize a landscape contractor working within the classification of his or her license to enter into a prime contract for the construction of a rainwater capture system, as defined, if the system is used exclusively for landscape irrigation. The bill would authorize a landscape contractor holding a specified classification to design and install all exterior components of a rainwater capture system that are not a part of, or attached to, a structure.


**AB 1959**

(Williams D) Building standards: green building standards: toxic air contaminants.

**Digest:** 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. In the absence of a designated state agency, the commission is required to adopt specific building standards, as prescribed. Existing law requires the commission to publish, or cause to
be published, editions of the code in its entirety once every 3 years.
This bill would require the commission, as a part of the next triennial edition of the
California Green Building Standards Code adopted after January 1, 2013, to consider
adopting building standards for toxic air contaminants as a part of the mandatory
minimum building standards.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program:
no.

**AB 2030 (Olsen R) Building standards: press boxes.**

**Digest:** 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 would require the commission to adopt, approve, and codify standards for press
boxes in stadium bleachers that require that the press boxes, as defined, are located on
a route that is accessible to persons with disabilities. The bill would exempt from this
requirement press boxes that are located and structured according to prescribed
specifications.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program:
no.

**AB 2135 (Blumenfield D) Building standards: solar distributed generation technology on
residential and commercial property.**

**Digest:** 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. In the absence of a
designated state agency, the commission is required to adopt specific building
standards, as prescribed. Existing law requires the commission to publish, or cause to
be published, editions of the code in its entirety once every 3 years. The commission is
authorized to act through a procedure for emergency standards, as defined, upon a
finding of an emergency.
This bill would authorize the commission, before the conclusion of the 2012 Triennial
Code Adoption Cycle of the California Building Standards Code on January 1, 2014, to
adopt building standards for solar distributed generation technology on residential and
commercial property pursuant to the procedures for emergency standards without the
necessity of making a finding of an emergency. The bill would also require the
commission to develop a model ordinance and guidelines to assist local agencies to
develop building standards and permitting processes for solar distributed generation
technology on residential and commercial property and post the model ordinance and
guidelines on its Internet Web site.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program:
no.

**AB 2644 (Butler D) Building standards: electric vehicle charging stations.**

**Digest:** 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. In the absence of a designated state agency, the commission is required to adopt specific building standards, as prescribed. Existing law requires the commission to publish, or cause to be published, editions of the code in its entirety once every 3 years. This bill would require the commission, as a part of the next triennial edition of the California Building Standards Code adopted after January 1, 2014, to adopt building standards for the construction, installation, and alteration of electric vehicle charging stations for parking spaces in single-family residential real property, in accordance with prescribed requirements. Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

**SB 1222 (Leno D) Solar energy: regulations.**

**Digest:** Existing law provides that it is the policy of the state to promote and encourage the use of solar energy systems, as defined, and to limit obstacles to their use. Existing law requires a city or county to administratively approve applications to install solar energy systems through the issuance of a building permit or similar nondiscretionary permit. Existing law prohibits a city or county from denying an application for a use permit to install a solar energy system unless it makes written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. This bill would make several findings and declarations relating to clean energy. The bill would state the intent of the Legislature to enact legislation that would assist local jurisdictions to develop building standards and permitting policies to ensure that there is a streamlined process for the deployment of solar distributed generation in the residential and commercial building sectors. Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.
Digest: The existing Bill of Rights for State Excluded Employees prescribes various rights and terms and conditions of employment for excluded employees, defined as certain supervisory, managerial, and confidential state employees. This bill would enact the Public Employees' Bill of Rights Act that would apply to state employees other than excluded employees. The stated purpose of this act would be to inform public employees of their rights and terms of employment in order to promote harmonious personnel relations between public employees and their employers. This bill would, among other things, provide that state employees shall be entitled to priority over contractors in filling permanent, overtime, and on-call positions. This bill would also prescribe certain rights for employees who are required to maintain a professional license and would authorize the formation of a peer review committee for those licensed professionals, if there are no management or supervisory professional staff employed by the employer, to provide input regarding workplace operations. Existing law requires notice of any adverse action against any state employee for any cause for discipline based on any civil service law to be served within 3 years after the cause for discipline, upon which the notice is based, first arose. Existing law provides that an adverse action based on fraud, embezzlement, or the falsification of records is valid if notice of the adverse action is served within 3 years after the discovery of the fraud, embezzlement, or falsification. This bill would require notice of the adverse action to be served and the investigation to be completed within one year after discovery of the cause for discipline in order for an adverse action to be valid against any state employee for any cause for discipline based on any civil service law of this state. The bill also would provide that an adverse action based on fraud, embezzlement, or the falsification of records is valid if notice of the adverse action is signed within one year after the discovery of the fraud, embezzlement, or falsification.

Disabled Access

AB 1610 (Wagner R) Special access: liability.

Digest: Under existing law, a person, firm, or corporation that interferes with the access rights of a disabled individual is liable for the actual damages of each offense and any amount determined by a judge or jury of up to 3 times the amount of the actual damages, but in no case less than $1,000. Existing law requires the State Architect to develop and submit for approval and adoption building standards for making buildings, structures, sidewalks, curbs, and related facilities accessible to, and usable by, persons with disabilities, as specified.

This bill would establish notice requirements for an alleged aggrieved party to follow before bringing an action against a business for an alleged violation of the above-described provisions. The bill would require that party to provide specified notice to the owner of the property, agent, or other responsible party where the alleged violation occurred. The bill would require that owner, agent, or other responsible party to respond within 30 days with a description of the improvements to be made or with a rebuttal to the allegations, as specified. If that owner, agent, or other responsible party elects to fix the alleged violation, the bill would provide 120 days to do so. The bill would provide that its provisions do not apply to claims for recovery of special damages for an injury in fact, and would authorize the court to consider previous or pending actual damage awards received or prayed for by the alleged aggrieved party for the same or similar injury. The bill would further state the intent of the Legislature to institute certain educational programs related to special access laws.


AB 1878 (Gaines, Beth R) Disability access: liability.

Digest: Under existing law, a person, firm, or corporation that interferes with the access rights of a disabled individual is liable for the actual damages of each offense and any amount determined by a judge or jury of up to 3 times the amount of the actual damages, but in no case less than $1,000. Existing law requires the State Architect to develop and submit for approval and adoption building standards for making buildings, structures, sidewalks, curbs, and related facilities accessible to, and usable by, persons with disabilities.

This bill would establish notice requirements for an alleged aggrieved party to follow before bringing an action against a microbusiness, as defined, for an alleged violation of the above-described provisions. The bill would require that party to provide specified notice to the owner of the property, agent, or other responsible party where the alleged violation occurred. Further, this bill would require the owner, agent, or other responsible party to respond within 30 days with a description of the improvements to be made or with a rebuttal to the allegations. If the owner, agent, or other responsible party elects to fix the alleged violation, the bill would provide 120 days to apply for any necessary permits and to remedy the alleged violation. The provisions of the bill would not apply to claims for recovery of special damages for an injury in fact, and the bill would require a
court or jury to consider previous or pending actual damage awards received or prayed for by the alleged aggrieved party for the same or similar injury.


**AB 1879 (Gaines, Beth R) Disability access: State Architect.**

**Digest:** Existing law requires the Division of the State Architect to develop and submit building standards regulations, including regulations to increase accessibility to buildings, structures, sidewalks, and curbs by persons with disabilities. These standards are required to be at least as high as those promulgated under the federal Americans with Disabilities Act. Existing law also requires the Division of the State Architect to submit proposed amendments to the California Code of Regulations to the United States Department of Justice to ensure that California's accessibility building standards are consistent with federal regulations.

This bill would require the State Architect to prepare a report containing all federal and state disability access regulations and noting any state disability access regulations that are in direct conflict with federal disability access regulations. This would require the State Architect to make the report available to the Governor and the Legislature by January 1, 2014, in the form that the State Architect decides is the least costly. This reporting provision would become inoperative as of January 1, 2017.


**AB 1994 (Huber D) Disability access: causes of action.**

**Digest:** Under existing law, a person, firm, or corporation that interferes with the access rights of a disabled individual is liable for the actual damages of each offense and any amount determined by a judge or jury of up to 3 times the amount of the actual damages, but in no case less than $1,000. Existing law requires the State Architect to develop and submit for approval and adoption building standards for making buildings, structures, sidewalks, curbs, and related facilities accessible to, and usable by, persons with disabilities, as specified.

This bill would require every county to establish a program that requires an alleged aggrieved party under the state access laws to file a complaint with the county planning department in which an alleged violation occurred. The bill would require the county planning department to refer every complaint received under this act to a certified access specialist to determine what measures are necessary to remedy the alleged violation and the estimated timeframe for remedy. The bill would require the adoption of a compliance schedule and require issuance of building permits to the owner, agent, or responsible party of the alleged violation. The bill would require all complaints to be subject to the compliance schedule prior to a cause of action being filed. The bill would authorize the county to charge a fee to the owner, agent, or responsible party of the alleged violation for the costs of the program and the compliance schedule.

By imposing additional duties on a county, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

**AB 2282 (Berryhill, Bill R)**  **Disabled persons: equal access remedies.**

**Digest:** Existing law provides that individuals with disabilities shall be entitled to full and equal access to specified facilities and places and other places to which the general public is invited, subject only to conditions and limitations established by law. Existing law provides that a person, firm, or corporation who denies or interferes with admittance to or enjoyment of those public facilities, or otherwise interferes with the rights of an individual with a disability under those provisions, is liable for specified damages. Existing law also allows a person who claims to be aggrieved by an alleged unlawful practice in violation of those provisions to file a verified complaint with the Department of Fair Employment and Housing pursuant to certain provisions of law. This bill would make technical, nonsubstantive changes to these provisions.


**AB 2325 (Norby R)**  **Special access: liability.**

**Digest:** Under existing law, a person, firm, or corporation that interferes with the access rights of a disabled individual is liable for the actual damages of each offense and any amount determined by a judge or jury of up to 3 times the amount of the actual damages, but in no case less than $1,000. Existing law requires the State Architect to develop and submit for approval and adoption building standards for making buildings, structures, sidewalks, curbs, and related facilities accessible to, and usable by, persons with disabilities, as specified. This bill would establish notice requirements for an alleged aggrieved party to follow before bringing an action against a business for an alleged violation of the above-described provisions. The bill would require that party to provide specified notice to the owner of the property, agent, or other responsible party where the alleged violation occurred. The bill would require that owner, agent, or other responsible party to respond within 30 days with a description of the improvements to be made or with a rebuttal to the allegations, as specified. If that owner, agent, or other responsible party elects to fix the alleged violation, the bill would provide 120 days to do so. The bill would provide that its provisions do not apply to claims for recovery of special damages for an injury in fact, and would authorize the court to consider previous or pending actual damage awards received or prayed for by the alleged aggrieved party for the same or similar injury. The bill would further state the intent of the Legislature to institute certain educational programs related to special access laws. This bill would declare that it is to take effect immediately as an urgency statute.


**SB 1163 (Walters R)**  **Special access: liability.**

**Digest:** Under existing law, a person, firm, or corporation that interferes with the access rights of a disabled individual is liable for the actual damages of each offense and any amount determined by a judge or jury of up to 3 times the amount of the actual damages, but in no case less than $1,000. Existing law requires the State Architect to develop and submit for approval and adoption building standards for making buildings,
structures, sidewalks, curbs, and related facilities accessible to, and usable by, persons with disabilities, as specified.

This bill would establish notice requirements for an alleged aggrieved party to follow before bringing an action against a business for an alleged violation of the above-described provisions. The bill would require that party to provide specified notice to the owner of the property, agent, or other responsible party where the alleged violation occurred. The bill would require that owner, agent, or other responsible party to respond within 30 days with a description of the improvements to be made or with a rebuttal to the allegations, as specified. If that owner, agent, or other responsible party elects to fix the alleged violation, the bill would provide 120 days to do so. The bill would provide that its provisions do not apply to claims for recovery of special damages for an injury in fact, and would authorize the court to consider previous or pending actual damage awards received or prayed for by the alleged aggrieved party for the same or similar injury. The bill would further state the intent of the Legislature to institute certain educational programs related to special access laws.

This bill would declare that it is to take effect immediately as an urgency statute.


**SB 1186 (Dutton R) Special access: liability.**

**Digest:** Under existing law, a person, firm, or corporation that interferes with the access rights of a disabled individual is liable for the actual damages of each offense and any amount determined by a judge or jury of up to 3 times the amount of the actual damages, but in no case less than $1,000. Existing law requires the State Architect to develop and submit for approval and adoption building standards for making buildings, structures, sidewalks, curbs, and related facilities accessible to, and usable by, persons with disabilities, as specified.

This bill would establish notice requirements for an alleged aggrieved party to follow before bringing an action against a business for an alleged violation of the above-described provisions. The bill would require that party to provide specified notice to the owner of the property, agent, or other responsible party where the alleged violation occurred. The bill would require that owner, agent, or other responsible party to respond within 30 days with a description of the improvements to be made or with a rebuttal to the allegations, as specified. If that owner, agent, or other responsible party elects to fix the alleged violation, the bill would provide 90 days to do so. The bill would provide that its provisions do not apply to claims for recovery of special damages for an injury in fact, and would authorize the court to consider previous or pending actual damage awards received or prayed for by the alleged aggrieved party for the same or similar injury. The bill would further state the intent of the Legislature to institute certain educational programs related to special access laws.

This bill would declare that it is to take effect immediately as an urgency statute.

Digest: Existing law authorizes counties and cities to form infrastructure financing districts, in accordance with a prescribed procedure, and requires that a district finance only public capital facilities of communitywide significance, as specified. Existing law authorizes a legislative body, by ordinance, to adopt an infrastructure financing plan and create the district with the full force and effect of law, if 2/3 of the registered voters within the territory of the proposed district are in favor of creating the district. This bill would authorize a legislative body to establish an infrastructure financing district in a renewable energy zone area, as defined, for the purpose of promoting renewable energy projects. The bill would exempt the creation of the district from the voter-approval requirement.
Under the California Constitution, the Legislature is prohibited, except by a 2/3 vote, from changing the pro rata shares in which ad valorem property tax revenues are allocated among local agencies in a county.
Because this measure would provide property tax revenues that would otherwise be received by affected taxing entities from incremental tax revenue of the city or county to instead be received by the newly formed infrastructure financing district, the bill would constitute a change in the pro rata share of property tax allocations in that county and require the passage of the bill by a 2/3 vote.
(Gatto D) Development: expedited permit review.

Digest: (1) The Permit Streamlining Act requires each state agency and local agency to compile one or more lists that specify in detail the information that will be required from any applicant for a development project, and requires a public agency that is the lead agency for a development project, or a public agency which is a responsible agency for a development project that has been approved by the lead agency, to approve or disapprove the project within applicable periods of time. The act also requires any state agency which is the lead agency for a development project to inform the applicant that the Office of Permit Assistance has been created to assist, and provide information to, developers relating to the permit approval process.

This bill would require the office to provide information to developers explaining the permit approval process at the state and local levels, or assisting them in meeting statutory environmental quality requirements, as specified, and would prohibit the office or the state from incurring any liability as a result of the provision of this assistance. The bill would require the office to assist state and local agencies in streamlining the permit approval process, and an applicant in identifying any permit required by a state agency for the proposed project. The bill would authorize the office to call a conference of parties at the state level to resolve questions or mediate disputes arising from a permit application for a development project. The bill would require that the office be located exclusively in Sacramento, and to consist of no more than 4 personnel through 2013.

This bill would require the office to develop guidelines providing technical assistance to local agencies for the establishment and operation of an expedited development permit process, and would require the guidelines to contain specified components. The bill would also require the office, upon appropriation by the Legislature, to provide grants and technical assistance to cities, counties, and cities and counties for the establishment of an expedited development permit process according to the guidelines. The bill would further require a city, county, or city and county that receives a grant to enact an ordinance adopting an expedited development permit process according to the guidelines within 10 months of the date of receipt of the grant.

This bill would also require the office, in consultation with the Natural Resources Agency and the California Environmental Protection Agency, to develop a consolidated project information form to be used by applicants for commercial or industrial development projects. The bill would require the form to collect sufficient information to allow the office to determine the state agencies that have permitting requirements applicable to the development project for which the form was submitted.

This bill would authorize the office to charge the applicant fees for the above-described services, not to exceed the estimated reasonable cost of their provision, and would require the office to adopt or amend regulations to provide for these fees prior to charging or levying them.

The bill would require a city, county, or city and county, including a charter city, charter county, or charter city and county, with a population of 100,000 or more, upon the request of an applicant, to designate an administrative entity, as defined, to serve as the applicant's single point of contact with the local agency with respect to all applications and permits required by the local agency for the applicant's commercial or industrial
development project. The administrative entity would be required to provide the applicant information regarding the status of, and to coordinate the review and decisionmaking process with respect to, the applications and permits required by the local agency for the development project. The bill would require the administrative entity, upon the request of the applicant, to coordinate with the office regarding any applications or permits required by the state for the development project. The bill would authorize a city, county, or city and county to charge a fee to defray costs incurred by the administrative entity in providing the above-described services to the applicant. By establishing a new requirement on specified local agencies, this bill would impose a state-mandated local program.

This bill would also express a legislative finding and declaration that its provisions apply to all cities, including charter cities.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

(3) This bill would declare that it is to take effect immediately as an urgency statute.


AB 2050

Digest: Existing law, the General Corporation Law, provides for the regulation of corporations. Under existing law, every publicly traded domestic corporation is required to file annually a statement, on a form prescribed by the Secretary of State, that includes, among other things, the name of the independent auditor that prepared the most recent auditor's report on the corporation's annual financial statements and information about the board of directors. This bill would prohibit a domestic corporation from making any monetary contribution to any candidate for local or state office in this state or any other state. The bill would also require every domestic corporation making any monetary contribution in excess of $1,000 to any candidate for federal office or any statewide ballot, referendum, or initiative voted on in this state to make a specified disclosure to the Secretary of State within 10 days thereof. The bill would require the Secretary of State to make the disclosure public, including on its Internet Web site. Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

AB 2288
(Cedillo D) Labor-related liabilities: original contractor.

Digest: Under existing law, an action may be brought for nonpayment of wages, fringe benefits, or health and welfare or pension fund contributions. This bill would require a direct contractor, as defined, making or taking a contract in the state for the erection, construction, alteration, or repair of a building, structure, or other work, to assume, and be liable for, any debt owed to a wage claimant for labor incurred by a subcontractor or contractor acting under, by, or for the direct contractor in performing labor, construction, or other work included in the subject of the original contract. The bill would authorize civil actions to enforce this liability, as provided. Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.
**SB 1115**  (Dutton R)  Flexible work schedules.

**Digest:** Existing law, with certain exceptions, establishes 8 hours as a day's work and a 40-hour workweek, and requires payment of prescribed overtime compensation for additional hours worked. Existing law authorizes the adoption, by 2/3 of employees in a work unit, of alternative workweek schedules providing for workdays no longer than 10 hours within a 40-hour workweek. Under existing law, any person who violates the provisions regulating work hours is guilty of a misdemeanor.

This bill would permit an individual nonexempt employee employed by an employer with 10 or less employees to request an employee-selected flexible work schedule providing for workdays up to 10 hours per day within a 40-hour workweek, and would allow the employer to implement this schedule without any obligation to pay overtime compensation.


**SB 1507**  (Fuller R)  Regulations.

**Digest:** The Administrative Procedure Act governs the process for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law.

This bill would state the intent of the Legislature to enact legislation implementing the recommendations proposed by the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy to improve the state's regulatory process.

Health Facilities

AB 1862  (Logue R) Health facilities: licensure.

Digest: Existing law provides for the licensure and regulation of health facilities, including general acute care hospitals, by the State Department of Public Health. Existing law requires the department, when an applicant for a general acute care hospital license meets the applicable requirements of licensure, to issue a single consolidated general acute care hospital license that includes more than one physical plant maintained and operated on separate premises or that has multiple licenses for a single health facility on the same premises, if any of certain criteria are met. One of these criteria is that the physical plants maintained and operated by the licensee that are to be covered by the single consolidated license are located not more than 15 miles apart.

This bill would require the department to issue a single consolidated license to certain general acute care hospitals that include more than one physical plant maintained and operated on separate premises, if one of the physical plants is used as an emergency center that provides service 24 hours a day, 7 days a week, and other specified conditions are met. The bill would authorize the transfer of ownership of a freestanding emergency center if specified conditions are met. It would also require the department to establish a committee to evaluate the quality and efficiency of services and improvement in patient access provided by freestanding emergency centers and provide a specified report to the Legislature and the Governor.

SB 1189  (Hancock D) The Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century: project funding.

Digest: Existing law, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides that $950 million of net proceeds of bonds issued pursuant to the bond act shall be allocated to eligible recipients for capital improvements to intercity and commuter rail lines and urban rail systems that provide direct connectivity to high-speed rail, as specified.

This bill would state the intent of the Legislature to enact legislation that would appropriate funding from the $950 million net proceeds of bonds described above to projects that eligible operators have requested and that have been approved by the California Transportation Commission.

Digest: The Bergeson-Peace Infrastructure and Economic Development Bank Act authorizes the California Infrastructure and Economic Development Bank, governed by a board of directors, to make loans and provide other assistance to public and private entities for various types of economic development projects, among other things. The activities of the bank under these provisions are funded from the California Infrastructure and Economic Development Bank Fund, which is continuously appropriated for these purposes.

This bill would authorize the board to enter into development and financing agreements for projects within the California-Mexico border region, as defined. The bill would authorize the bank to establish and participate in a binational financing authority to facilitate and support the economic development of communities within the border region. The bill would require the bank to develop guidelines for the selection, review, and approval of border region projects and authorize the bank to issue bonds, the proceeds of which would be deposited in the Binational Development Account, which the bill would create within the fund. By expanding the purposes for which a continuously appropriated fund may be used, the bill would make an appropriation.

Liability

**AB 1892 (Halderman R) Construction defects: homeowners.**

**Digest:** Existing law establishes the Department of Consumer Affairs. Existing law also specifies the rights of a homeowner to bring an action against a builder for construction defects, including the applicable standards for home construction, the statute of limitations, the burden of proof, the damages recoverable, prelitigation procedures, and the obligations of the homeowner.

This bill would require the Department of Consumer Affairs to post information on its Internet Web site concerning a homeowner's rights and responsibilities in bringing an action against a builder for construction defects.


**SB 1374 (Harman R) Liability: good faith reliance on administrative regulation.**

**Digest:** Existing law provides that every person is responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person, except so far as the latter has, willfully or by want of ordinary care, brought the injury upon himself or herself.

Existing law governs the tort liability and immunity of, and claims and actions against, public entities and their officers and employees. Existing law provides that a public employee who acts in good faith, without malice, and under the apparent authority of an enactment that is unconstitutional, invalid, or inapplicable, is not liable for an injury caused thereby, except to the extent that he or she would have been liable had the enactment been constitutional, valid, and applicable.

This bill would provide that any person who relies upon a written administrative regulation, order, ruling, approval, interpretation, practice, or enforcement policy of a state agency shall not be liable or subject to punishment for a violation of a civil statute or regulation in a judicial or administrative proceeding if the person pleads and proves to the trier of fact that, at the time the alleged act or omission occurred, the person was acting in good faith and in conformity with, and in reliance on, an applicable state agency's written administrative regulation, order, ruling, approval, interpretation, practice, or enforcement policy. The bill would provide that these provisions apply to all actions and proceedings that have not resulted in a final judgment on or after January 1, 2013, regardless of whether the action or proceeding was commenced, or based upon, an alleged act or omission that occurred before, on, or after January 1, 2013.

(Atkins D) Professions and vocations: reservist licensees: fees and continuing education.

Digest: Existing law provides for the regulation of various professions and vocations by boards, commissions, or bureaus within the Department of Consumer Affairs and for the licensure or registration of individuals in that regard. Existing law authorizes any licensee whose license expired while he or she was on active duty as a member of the California National Guard or the United States Armed Forces to reinstate his or her license without examination or penalty if certain requirements are met. This bill would require the boards, commissions, or bureaus described above to waive the renewal fees and continuing education requirements, if either is applicable, of any licensee or registrant who is a reservist called to active duty as a member of the United States Military Reserve or the California National Guard if certain requirements are met.


(Norby R) Professions and vocations: occupational regulations.

Digest: Existing law provides for the licensure and regulation of various professions and vocations by state agencies. Under existing law, protection of the public is the highest priority for those state agencies in exercising their licensing, regulatory, and disciplinary functions. This bill would provide a person with a right to engage in a lawful profession or vocation without the imposition of an occupational regulation, as defined, that imposes a substantial burden on a person unless the state or other person relying upon the occupational regulation demonstrates that it has a compelling interest in protecting against harm to the public health or safety, and the occupational regulation is the least restrictive means of furthering that interest. The bill would authorize a person to bring an action for declaratory judgment or equitable relief for a violation of that right. The bill would also authorize a person to assert as a defense the right to engage in a lawful profession or vocation in a proceeding to enforce a violation of that right. The bill would declare the intent of the Legislature in this regard.


(Berryhill, Bill R) California Architects Board.

Digest: Existing law, the Architects Practice Act, provides for the licensure and regulation of architects by the California Architects Board, which consists of 5 architect members appointed by the Governor, 3 public members appointed by the Governor, and 2 public members appointed by the Legislature, as specified. Existing law requires these members to serve 4-year terms. This bill would provide for the staggering of the terms of the members appointed by the Governor whose terms commence on specified dates by requiring certain of those
members to serve 5- and 6-year terms, as specified.

**AB 1904**  
(Block D) **Professions and vocations: military spouses: temporary licenses.**

**Digest:** Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law provides for the issuance of reciprocal licenses in certain fields where the applicant, among other requirements, has a license to practice within that field in another jurisdiction, as specified. Under existing law, licensing fees imposed by certain boards within the department are deposited in funds that are continuously appropriated. This bill would authorize a board within the department to issue a temporary license to an applicant who, among other requirements, holds an equivalent license in another jurisdiction, as specified, and is married to, or in a legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in California under official active duty military orders. The bill would require a board to expedite the process for issuing these temporary licenses. The bill would require the applicant to pay any fees required by the board and would require that those fees be deposited in the fund used by the board to administer its licensing program. To the extent that the bill would increase the amount of money deposited into a continuously appropriated fund, the bill would make an appropriation.

**AB 2482**  
(Ma D) **Registered interior designers.**

**Digest:** Existing law defines certified interior designers and interior design organizations, permits a certified interior designer to obtain and use a stamp identifying the designer, and, among other things, makes it an unfair business practice for a person to represent himself or herself as a certified interior designer unless he or she complies with certain requirements.

This bill would create the California Registered Interior Designers Board within the Department of Consumer Affairs. The bill would require the membership of the board to consist of an unspecified number of members who are required to be registered interior designers and an unspecified number of public members. The bill would require the Governor to appoint the public members and the Senate Committee on Rules and the Speaker of the Assembly to appoint unspecified numbers of the licensee members. The bill would provide for the licensure and regulation by the board of persons who engage in the practice of registered interior design, as defined. The bill would require the board to issue a license to a person who meets specified requirements, including, but not limited to, completing an application, paying a specified fee, submitting proof of successful completion of certain education and work experience, and submitting proof of passage of an examination approved by the board or a specified examination prepared and administered by the National Council for Interior Design. The bill would also require the board to issue a license to, among others, specified certified interior designers or persons with certain interior design experience if they are certified by the National Council for Interior Design or have passed an examination approved by the board or a specified examination administered by the National Council for Interior Design. The bill would enact various provisions regarding the practice of registered interior design, including, but not limited to, practice requirements, license requirements, conditions for
license renewals including the completion of continuing education, and grounds for
revocation or suspension of a license, among other disciplinary actions.
The bill would authorize licensees, architects, landscape architects, and engineers to
join or form business organizations or associations, except as specified, with persons
outside their field of practice if certain requirements are met. The bill would authorize a
licensee, if required by a local government in relation to the issuance of a permit, to
prepare and seal interior design documents to be submitted for certain building permits.
The bill would create the California Registered Interior Designers Board Fund and would
authorize the committee to impose various fees on registered interior designers to be
deposited in that fund.
The bill would make it unlawful for a person to hold himself or herself out as, or solicit
business as, a registered interior designer or use the title "registered interior designer"
unless licensed pursuant to these provisions. The bill would also prohibit a person from
engaging in the practice of registered interior design without a license. The bill would
make a violation of any of these provisions a misdemeanor and, by creating a new
crime, would impose a state-mandated local program. The bill would enact related
provisions.
The California Constitution requires the state to reimburse local agencies and school
districts for certain costs mandated by the state. Statutory provisions establish
procedures for making that reimbursement.
This bill would provide that no reimbursement is required by this act for a specified
reason.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program:
yes.

AB 2570  Licensees: settlement agreements.

Digest: Existing law provides that it is a cause for suspension, disbarment, or other
discipline for an attorney to agree or seek agreement that the professional misconduct
or the terms of a settlement of a claim for professional misconduct are not to be reported
to the disciplinary agency, or to agree or seek agreement that the plaintiff shall withdraw
a disciplinary complaint or not cooperate with an investigation or prosecution conducted
by the disciplinary agency.
This bill would prohibit a licensee who is regulated by the Department of Consumer
Affairs or various boards, bureaus, or programs, or an entity or person acting as an
authorized agent of a licensee, from including or permitting to be included a provision in
an agreement to settle a civil dispute that prohibits the other party in that dispute from
contacting, filing a complaint with, or cooperating with the department, board, bureau, or
program, or that requires the other party to withdraw a complaint from the department,
board, bureau, or program. A licensee in violation of these provisions would be subject
to disciplinary action by the board, bureau, or program. The bill would also prohibit a
board, bureau, or program from requiring its licensees in a disciplinary action that is
based on a complaint or report that has been settled in a civil action to pay additional
moneys to the benefit of any plaintiff in the civil action.
Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program:
no.

SB 975  Professions and vocations: regulatory authority.

Digest: Existing law, the Business and Professions Code, provides for the licensure and
regulation of various professions and vocations by boards, bureaus, and commissions
within the Department of Consumer Affairs. This bill would provide that those boards, bureaus, and commissions have the sole and exclusive authority in state government to license and regulate the practice of professions and vocations regulated by those boards pursuant to provisions of that code, and that no licensing requirements, as specified, shall be imposed upon a person licensed to practice one of those professions or vocations other than under that code or by regulation promulgated by the applicable board through its authority granted under that code.


**SB 1165** (Wright D) Denial of license.

**Digest:** Existing law provides for the licensure, regulation, and discipline of various professions and vocations. These provisions are administered by the boards and examining committees established within the Department of Consumer Affairs. Existing law provides that a licensing authority may deny a license to an applicant for specified reasons.

Existing law provides that an applicant may request a hearing with the licensing authority to reconsider the decision to deny the license. Such a hearing must be held within 90 days of the request, except as specified.

This bill would require the licensing authority to send notice of the hearing date to the applicant within 30 days of receiving the request for a hearing.


**SB 1424** (Harman R) Professions and vocations: architects, professional engineers, and land surveyors: contracting with state or local agencies.

**Digest:** Existing law provides for the licensure and regulation of persons engaged in the practice of architecture by the California Architects Board and authorizes that board to discipline architects. Existing law provides for the licensing and regulation of professional engineers and land surveyors by the Board for Professional Engineers, Land Surveyors, and Geologists, and authorizes that board to discipline professional engineers and licensed land surveyors.

Existing law allows the making of contracts by state and local agency heads for architectural, landscape architectural, engineering, environmental services, land surveying, or construction project management services based on demonstrated competence and professional qualifications rather than competitive bidding. Existing law also requires state and local agencies to adopt procedures that prohibit unlawful activity in the making of contracts for these services, including rebates or kickbacks, and requires that individuals or firms proposing to provide services under these provisions provide evidence to the state or local agency of their expertise and experience in the provision of these services.

This bill would require that architects licensed by the California Architects Board, as well as professional engineers and land surveyors licensed by the Board for Professional Engineers, Land Surveyors, and Geologists, comply with these provisions when competing for contracts with state or local agencies for the provision of architectural, engineering, or land surveying services.

Public Works

**AB 1543**  **(Alejo D) Public contracts: Buy American.**

**Digest:** The California Buy American Act requires that a governing body of any political subdivision, municipal corporation, or district, and any public officer or person charged with the letting of contracts for the construction, alteration, or repair of public works or for purchasing materials for public use to only let those contracts to a person who agrees to use or supply materials produced or manufactured in the United States, as prescribed. Existing law does not apply this requirement to specified medical and scientific equipment and instruments, sewing machines, printing presses, or office machines or supplies, as specified. This bill would, on and after January 1, 2014, also apply a similar requirement to public contracts let for the purchase or lease of any manufactured tangible personal property or for any materials or structural components to be incorporated into real property, and would provide for specified exceptions, as provided. This bill would repeal those provisions that prohibit the application of the existing United States-made preference to specified medical and scientific equipment and instruments, sewing machines, printing presses, or office machines or supplies. By imposing new duties upon local governments with respect to public contracts, this bill would impose a state-mandated local program. This bill would also make related changes. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions. Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

**AB 1598**  **(Buchanan D) Public contracts: public works: installation.**

**Digest:** 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 would modify the definition of installation to include the assembly and disassembly of freestanding and affixed modular office systems. Because this bill would expand the definition of a crime, it would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

**AB 2164 (Dickinson D) Community college facilities.**

**Digest:** Existing law generally requires the approval of the Department of Finance and the State Public Works Board before a state agency, including, among others, the California Community Colleges, may expend funds from an appropriation for capital outlay purposes. With respect to the California Community Colleges, this approval is only required for the allocation of state capital outlay funds appropriated by the Legislature.

This bill would exempt from this requirement amounts incurred by a community college district, after the date of final project proposal approval by the California Community Colleges Chancellor’s Office, for working drawings and construction. The bill would provide that these amounts may be reimbursed pursuant to an appropriation by the Legislature of funds for preliminary plans, working drawings, and construction and project approval by the Department of Finance and the State Public Works Board. Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.
Redevelopment

AB 1555 (Norby R) Redevelopment: debt forgiveness agreements.

Digest: Existing law dissolved redevelopment agencies and community development agencies, as of February 1, 2012, and provides for the designation of successor agencies, as defined. Existing law imposes various requirements on successor agencies and subjects successor agency actions to the review of oversight boards. Existing law requires each oversight board to direct the successor agency to, among other things, cease performance in connection with and terminate all existing agreements that do not qualify as enforceable obligations, as defined. This bill would, in directing the successor agency to take a specified action, prohibit the oversight board from requiring the successor agency to take any action that results in the forgiveness, wholly or partially, of a loan, advance, or indebtedness that is owed by a public body to the dissolved redevelopment agency. The bill would authorize the oversight board, consistent with a specified provision of law, to set aside any agreements relating to the forgiveness of indebtedness, loans, or advances owed by the dissolved redevelopment agency dating back to January 1, 2011.


AB 1585 (John A. Pérez D) Redevelopment.

Digest: Existing law dissolved redevelopment agencies and community development agencies, as of February 1, 2012, and provides for the designation of successor agencies, as defined. Existing law requires successor agencies to wind down the affairs of the dissolved redevelopment agencies and to, among other things, repay enforceable obligations, as defined, and to remit unencumbered balances of redevelopment agency funds, including housing funds, to the county auditor-controller for distribution to taxing entities.

Existing law authorizes the city, county, or city and county that authorized the creation of a redevelopment agency to retain the housing assets, functions, and powers previously performed by the redevelopment agency, excluding amounts on deposit in the Low and Moderate Income Housing Fund.

This bill would modify the scope of the term "enforceable obligation" and modify provisions relating to the transfer of housing funds and responsibilities associated with dissolved redevelopment agencies. The bill would provide that any amounts on deposit in the Low and Moderate Income Housing Fund of a dissolved redevelopment agency be transferred to specified entities. The bill would make conforming changes.

Existing law provides that, upon a specified date, agreements, contracts, or arrangements between the city or county, or city and county that created the redevelopment agency and the redevelopment agency are invalid. Notwithstanding this provision, an agreement that provided loans or other startup funds for the agency that was entered into within 2 years of the formation of the agency is valid and binds the successor agency.

The bill would expand this exception to include an agreement involving a loan specific to
a project area and other specified obligations. The bill would provide that other loan agreements entered into between the redevelopment agency and the city, county, or city and county that created it are deemed to be enforceable obligations, except as specified. The bill would further expand upon, and clarify, the scope of the successor agency's and the oversight board's responsibilities. This bill would declare that it is to take effect immediately as an urgency statute. Vote: 2/3. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

**AB 1692**  
(Wieckowski D) Bankruptcy: redevelopment: successor agencies.  

Digest: Existing law suspended various activities of redevelopment agencies and prohibited those agencies from incurring indebtedness for a specified period. Existing law dissolved redevelopment agencies on February 1, 2012, and provides for the designation of successor agencies, as defined. Existing law requires successor agencies to wind down the affairs of the dissolved redevelopment agencies and to, among other things, repay enforceable obligations, as defined, and to remit unencumbered balances of redevelopment agency funds, including housing funds, to the county auditor-controller for distribution to taxing entities. Existing law authorizes a local public entity, as defined, to file a petition and exercise powers pursuant to applicable federal bankruptcy law, subject to specified procedures, including participation in a neutral evaluation process with interested parties, as defined, or upon a declaration of fiscal emergency, as specified. This bill would authorize a successor agency to file for bankruptcy under applicable federal bankruptcy law, subject to existing procedures. Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

**SB 986**  
(Dutton R) Redevelopment: bond proceeds.  

Digest: Existing law dissolves redevelopment agencies and community development agencies, as of February 1, 2012, and designates successor agencies, as defined. Existing law requires that successor entities perform certain duties, including, among others, remitting unencumbered funds of that agency to the county auditor-controller, and overseeing the use of bond proceeds. Existing law requires each successor agency to have an oversight board that is composed of 7 members who meet certain qualifications. Existing law requires the oversight board to approve certain actions of the successor agency. This bill would provide that all bond proceeds that were generated by the former redevelopment agency shall be deemed to be encumbered and would prohibit a successor agency from remitting these proceeds to the county auditor-controller. This bill would also require that the proceeds of bonds issued by a former redevelopment agency must be used by the successor agency for the purposes for which the bonds were sold pursuant to an enforceable obligation, as defined, that was entered into either by the former redevelopment agency prior to its dissolution, or is entered into by the successor agency by December 14, 2014. This bill would also provide that if an enforceable obligation is not entered into by that time, or if the purpose for which the bonds were sold can no longer be achieved, then the bond proceeds shall be used to defease the bonds or to purchase outstanding bonds on the open market for cancellation. This bill would also require the oversight board to approve of the establishment of an enforceable obligation with respect to bond proceeds. This bill would prohibit the oversight board from disapproving the establishment of an enforceable obligation with
SB 1056  (Hancock D) Redevelopment: enforceable obligations.

Digest: Existing law suspends various redevelopment agency activities and dissolves redevelopment agencies as of February 1, 2012. Existing law designates successor agencies to act as successor entities to the dissolved redevelopment agencies and requires successor agencies to, among other things, continue to make payments due for enforceable obligations, as defined.

This bill would add financial obligations relating to a project funded with a combination of property tax increment from the former redevelopment agency and a Federal Qualified School Construction Bond issued prior to January 1, 2012, to the definition of the term "enforceable obligation."

This bill would declare that it is to take effect immediately as an urgency statute.


SB 1151  (Steinberg D) Redevelopment: long range asset management plan.

Digest: Existing law dissolved redevelopment agencies and community development agencies, as of February 1, 2012, and provides for the designation of successor agencies, as defined. Existing law imposes various requirements on successor agencies and subjects successor agency actions to the review of oversight boards. Existing law requires successor agencies to wind down the affairs of the dissolved redevelopment agencies and to, among other things, dispose of assets and properties of the former redevelopment agencies, as directed by the oversight board. Proceeds from the sale of assets are transferred to the county auditor-controller for distribution as property tax proceeds to taxing entities, as prescribed.

This bill would require the successor agency to prepare a long range asset management plan that outlines a strategy for maximizing the long-term value of the real property and assets of the former redevelopment agency for ongoing economic development and housing functions. The bill would require the successor agency to submit the plan to the Department of Finance and the oversight board by December 1, 2012, and would require the approval of the plan by the department and oversight board by December 31, 2012.


SB 1335  (Pavley D) Redevelopment: brownfield sites.

Digest: Existing law dissolved redevelopment agencies and community development agencies, as of February 1, 2012, and provides for the designation of successor agencies, as defined. Existing law imposes various requirements on successor agencies and subjects successor agency actions to the review of oversight boards. Existing law requires successor agencies to wind down the affairs of the dissolved redevelopment agencies and to, among other things, dispose of assets and properties of the former redevelopment agencies, as directed by the oversight board. Existing law requires proceeds from the sale of assets that are no longer needed to be transferred to the
county auditor-controller for distribution as property tax proceeds to taxing entities, as prescribed.
This bill would, notwithstanding the above provisions, authorize a successor agency to retain land of the former redevelopment agency that is a brownfield site, as defined, and is either on or immediately adjacent to land previously developed for qualified urban uses, as defined. The bill would, upon appropriation by the Legislature, authorize the successor agency to develop the land if the associated development project meets specified requirements.

SB 1439 (Huff R) Redevelopment: City of Monrovia.

Digest: Existing law suspends various activities of redevelopment agencies and prohibits the agencies from incurring indebtedness for a specified period. Existing law also dissolves redevelopment agencies and community development agencies, as of October 1, 2011, and designates successor agencies, as defined.
This bill would exempt the Monrovia Redevelopment Agency from the suspension and dissolution provisions and authorize the agency to continue to exist and carry out redevelopment activities. These provisions would become operative only if a specified provision of law is operative. The bill would make specified findings and declarations that the special legislation contained in the act is necessarily applicable only to the City of Monrovia.
This bill would declare that it is to take effect immediately as an urgency statute.
School Facilities

**AB 1753 (Fletcher R)** School facilities: certificate of compliance.

**Digest:** Existing law requires the Department of General Services to issue a certification that a school building complies with specified statutory requirements when construction of the school building is completed, specified documents have been submitted, and other specified requirements have been satisfied. This bill would make, nonsubstantive changes to that provision.


**SB 1271 (Corbett D)** School facilities: Field Act: seismic safety standards: workgroup.

**Digest:** Existing law requires the Department of General Services, under the police power of the state, to supervise the design and construction of any school building or the reconstruction or alteration of or addition to any school building, if not exempted, to ensure that plans and specifications comply with specified rules, regulations, and building standards and to ensure that the work of construction is performed in accordance with the approved plans and specifications, for the protection of life and property. Existing law authorizes the department to issue a stop work order when construction work on a public school is not being performed in accordance with existing law and would compromise the structural integrity of the building, thereby endangering the public safety, but requires the department to allow construction of incidental and minor nonstructural additions or nonstructural alterations without invoking its stop work authority.

Existing law establishes in the Department of General Services the Division of the State Architect and provides that the State Architect has general charge, under the Department of General Services, of the erection of all state buildings. This bill would require the Department of General Services to convene a workgroup to develop and adopt standards, subject to the approval of other members of the working group, with respect to the seismic safety of schools and to make recommendations to the Legislature on ways to amend the Field Act to make it more effective. The bill would require the workgroup to include representatives from the office of the State Auditor, the Superintendent of Public Instruction, the Office of Emergency Services, and the State Architect. The bill would require the workgroup to adopt the standards and submit the recommendations by January 1, 2014. The bill would repeal these provisions on January 1, 2016.

**Sustainable Design**

**AB 1801**  (Campos D) Land use: fees.

**Digest:** Existing law requires fees charged by a local agency for specified purposes to not exceed the estimated reasonable cost of providing the service for which the fee is charged, unless a question regarding the amount of the fee charged in excess of this cost is submitted to, and approved by, 2/3 of the electors. This bill would prohibit a local agency from charging a fee for permit for a renewable energy system, as defined, that exceeds the actual cost of issuing the permit. Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.


**Digest:** The Solar Water Heating and Efficiency Act of 2007 makes findings and declarations of the Legislature relating to the promotion of solar water heating systems and other technologies that reduce natural gas demand and define terms for purposes of the act. The act requires the Public Utilities Commission (PUC) to evaluate data available from a specified pilot program, and, if it makes a specified determination, to design and implement a program of incentives for the installation of 200,000 solar water heating systems, as defined, in homes and businesses throughout the state by 2017. The act requires the PUC, in consultation with the State Energy Resources and Conservation Commission (Energy Commission) and interested members of the public, to establish eligibility criteria for the solar water heating systems receiving gas customer funded incentives. The PUC is required to establish conditions on those incentives. Pursuant to the act, a solar water heating system is defined to be a solar energy device that has the primary purpose of reducing demand for natural gas through water heating, space heating, or other methods of capturing energy from the sun to reduce natural gas consumption in a home, business, or any building receiving natural gas sold or transported for consumption in this state and that meets or exceeds the eligibility criteria. The act excludes solar pool heating systems from the definition of a solar water heating system. This bill would expand the definition of a solar water heating system to include a facility meeting the specified requirements and would qualify the exclusion from the definition of a solar water heating system as being limited to a single-family residential solar pool heating system. The bill would expand the statement of legislative intent to include schools as being sites where the 200,000 solar water heating systems may be located. The bill would revise certain eligibility criteria as being applicable to installation of solar water heating systems at municipal and educational sites. The bill would make other technical, nonsubstantive changes to the act. The Solar Water Heating and Efficiency Act of 2007 requires the governing body of each publicly owned utility providing gas service to retail end-use gas customers to adopt, implement, and finance a solar water heating system incentive program to meet certain requirements. By expanding the definition of a solar water heating system to include a facility meeting
the specified requirements and qualifying the exclusion from the definition of a solar water heating system as being limited to a single-family residential solar pool heating system, the bill would impose a state-mandated local program.
The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.
This bill would provide that no reimbursement is required by this act for a specified reason.

**AB 2485** (Hueso D) Roadside rest areas.

Digest: Existing law provides that the Department of Transportation has full possession and control of all state highways and associated property. Existing law provides for the planning, design, and construction of a system of safety roadside rest areas on the state highway system, which is maintained by the department. Existing law authorizes up to 6 additional rest areas to be developed as joint economic development demonstration projects.
This bill would authorize the department to enter into one or more agreements for the operation of safety roadside rest areas by private entities in conjunction with the development of a retail establishment, under which certain payments would be made to the state. The bill would authorize the department to seek modification of existing real estate contracts if that would be cost effective for the state. The bill would specify the requirements for these agreements and would require the department to seek any federal waivers that may be necessary to implement these provisions.

**SB 1130** (De León D) Energy: energy assessment: commercial buildings: financing.

Digest: Existing law requires the California Alternative Energy and Advanced Transportation Financing Authority to establish programs to provide financial assistance to participating parties to purchase alternative source energy and to develop renewable energy projects. Existing law authorizes the authority to issue revenue bonds secured by revenues generated by a project to provide financing for those purposes.
This bill would enact the Commercial Building Energy Retrofit Financing Act of 2012 and would require the authority to establish the Commercial Building Energy Retrofit Financing Program to provide financial assistance, through the issuance of revenue bonds, to owners of eligible buildings for implementing energy efficiency retrofit measures for the buildings. The bill would provide that the bonds are secured by the recording of an energy remittance repayment agreement, as defined, on the deed of the building for which the energy efficiency retrofits are performed. The bill would require the State Board of Equalization to collect installment payments from owners of eligible buildings whose applications have been approved by the authority. This bill would authorize the authority and the State Board of Equalization to assess a fee to reimburse them for the administrative costs incurred in implementing the program.
This bill would require the authority to meet, on a semiannual basis, for the purpose of issuing the revenue bonds to generate moneys sufficient to finance energy efficiency retrofit measures specified on applications that have been approved prior to the meeting.
This bill would establish the Commercial Building Energy Retrofit Debt Servicing Fund, the Loan Loss Reserve Account, the Administration Account, and the Collection Administration Account within the fund. The bill would require the State Board of Equalization to deposit the installment payment received from the owners of eligible buildings into the fund and the fees collected by the authority and the State Board of Equalization into the specified accounts. The bill would continuously appropriate the moneys in the fund and the accounts to repay the principal and interest on the bonds, and to cover the administrative costs incurred by the authority and the State Board of Equalization, thereby making an appropriation.


SB 1268 (Pavley D) Energy: energy conservation assistance.

Digest: (1) The Energy Conservation Assistance Act of 1979 requires the State Energy Resources Conservation and Development Commission, until January 1, 2013, to administer the State Energy Conservation Assistance Account, a continuously appropriated account, to provide grants and loans to local governments and public institutions to maximize energy use savings. The act defines "energy conservation measures" to include measures primarily intended to reduce energy consumption or allow the use of a more desirable energy source. The act defines "unit of local government" to be a unit of general purpose government below the state or a special district. The act requires entities receiving a loan to repay the loan plus interest in not more than 30 equal semiannual payments with the first semiannual payment made on or before December 22 of the fiscal year following the year in which the project is completed. The act authorizes the commission to borrow moneys from specified entities from proceeds of revenue bonds issued by those entities. The act requires unencumbered funds in the account, on January 1, 2013, to revert back to the General Fund.

This bill would extend the act to January 1, 2028. The bill would additionally include measures primarily intended to reduce peak electricity demand as "energy conservation measures" and any combination of units of local government below the state and special districts formed for the joint exercise of power as "units of local government" for the purposes of the act. The bill would provide instead that the loan repayments be made in accordance with a schedule established by the commission. The bill would require any unexpended funds from the proceeds of revenue bonds sold for the purposes of the act remaining in the account on January 1, 2028 to remain in the account until all bond obligations have been satisfied and thereafter revert the remaining unexpended funds to the General Fund. The bill would require unexpended funds from the federal American Recovery and Reinvestment Act of 2009 remaining in the account on January 1, 2028, to revert to the Federal Trust Fund. Because this bill would extend the operation of a continuously appropriated account and would expand the purpose and entities qualified for assistance from the account, this bill would make an appropriation.

(2) Existing law establishes, until January 1, 2016, the Local Jurisdiction Energy Assistance Account to provide funds administrated by the commission for loans to local jurisdictions to reduce energy costs. Existing law requires the commission to periodically set interest rates on the loans based on surveys of existing financial markets and at rates not less than 3% per annum. Existing law requires that unencumbered funds in the account on January 1, 2028, be deposited in the Federal Trust Fund.

This bill would extend the operation of the account to January 1, 2028. The bill would require the act to set the interest rates on the loans at not less than 1% per annum. The
Digest: (1) The Personal Income Tax Law imposes taxes based upon taxable income, at specified rates, and allows a taxpayer to elect to take a standard deduction, as provided. This bill would revise the rates of tax imposed under the Personal Income Tax Law and would revise the standard deduction, as specified.
(2) Existing law imposes state sales and use taxes on retailers and on the storage, use, or other consumption of tangible personal property in this state at the rate of 6 1/4% of the gross receipts from the retail sale of tangible personal property in this state and of the sales price of tangible personal property purchased from any retailer for storage, use, or other consumption in this state. This bill would, on and after January 1, 2013, reduce the rate of state sales and use tax to 4% of the gross receipts from the retail sale of tangible personal property in this state and of the sales price of tangible personal property purchased from any retailer for storage, use, or other consumption in this state. This bill would also, on and after January 1, 2013, impose a state sales and use tax on the privilege of selling services at retail and on the storage, use, or other consumption of services in this state, except as specified, at the rate of 4% of the sales price of the services.
(3) This bill would include a change in state taxes for the purpose of increasing state revenues within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of 2/3 of the membership of each house of the Legislature.
(4) This bill would take effect immediately as a tax levy.

Digest: (1) The Sales and Use Tax Law imposes a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. The State Board of Equalization administers that law, the violation of which is a crime. This bill would expand the Sales and Use Tax Law to impose a tax on the gross receipts from the sale in this state of, or the storage, use, or other consumption in this state of, specified services, as defined. This bill would require all taxes, interest, and penalties imposed and all other amounts required to be paid to the state to be remitted and deposited in the same manner as required by the Sales and Use Tax Law. By expanding the application of the Sales and Use Tax Law, the violation of which is a crime, this bill imposes a state-mandated local program.
(2) Under existing law, it is presumed that parties to a contract for the sale of tangible personal property agree to the addition of sales tax reimbursement to the sales price of goods sold at retail under specified conditions. Existing law requires the State Board of Equalization to prepare and make available a sales tax reimbursement schedule, which
specifies the amount of tax to be charged as to specific sales prices. This bill would extend that provision to a contract for the sale of specified services.

(3) The Personal Income Tax Law imposes taxes based upon taxable income. That law also allows specified credits, exemptions, and exclusions, and imposes an alternative minimum tax with respect to certain items of tax preferences.

This bill would, for taxable years beginning on or after January 1, 2012, exclude from taxable income under this law an amount equal to 20% of the business income of a taxpayer, not to exceed $10,000, as specified.

(4) This bill would include a change in state statute that would result in a taxpayer paying a higher tax within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of 2/3 of the membership of each house of the Legislature.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(5) This bill would take effect immediately as a tax levy.

SB 964 (Wright D) Administrative Procedure Act: State Water Resources Control Board and California regional water quality control boards.

Digest: Existing law establishes the State Water Resources Control Board and the California regional water quality control boards and authorizes them to adopt regulations to carry out their powers and duties. Existing law generally requires state agencies to adopt regulations in accordance with prescribed procedures and requirements, and requires the Office of Administrative Law to review adopted regulations and to make specified determinations. However, existing law grants to the State Water Resources Control Board and the California regional water quality control boards various exemptions to the above requirements, including an exemption for the adoption of regulations for the issuance, denial, or revocation of specified waste discharge requirements and permits.

This bill would provide that the exemption for the adoption of regulations for the issuance, denial, or revocation of specified waste discharge requirements and permits shall not apply to any general permits or waivers issued under state law or the federal National Pollutant Discharge Elimination System, as defined, thereby requiring the State Water Resources Control Board and the California regional water quality control boards to comply with provisions that require the adoption of regulations under those circumstances.


SB 965 (Wright D) State Water Resources Control Board and California regional water quality control boards: ex parte communications.

Digest: Existing law establishes the State Water Resources Control Board and the California regional water quality control boards and authorizes them to adopt regulations to carry out their powers and duties and to conduct administrative adjudicative proceedings. The Administrative Procedure Act establishes the conduct of administrative adjudicative proceedings, which are defined as evidentiary hearings for determination of facts pursuant to which a state agency formulates and issues a decision. Existing law defines a decision as an agency action of specific application that determines a legal right, duty, privilege, immunity, or other legal interest of a particular person.

This bill would prohibit a state board, regional board member, or a person, other than a board staff member acting in his or her official capacity, who intends to influence the decision of a board member on a matter before the board, from conducting an ex parte communication, as defined. This bill would provide that if an ex parte communication occurs, the board member shall notify the interested party that a full disclosure of the ex parte communication shall be entered in the board's record. This bill would also provide that certain communications cease to be ex parte communications, as specified.