

**ASAC Bill Status Report as of 9/17/2019
Skip Daum, Capitol Communications Group**

AFFORDABLE HOUSING

[AB 264](#) (Melendez R) Income taxes: credits: development impact fees.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws. This bill would establish credits against the taxes imposed by those laws for taxable years beginning on or after January 1, 2020, in an amount equal to the total amount paid or incurred during the taxable year by a qualified taxpayer, as defined, for the payment of development impact fees and connection fees applied to newly constructed single-family and multifamily homes.

Position: Pending

[SB 50](#) (Wiener D) Planning and zoning: housing development: streamlined approval: incentives.

Last Amended: 6/4/2019

Desk	Policy	2 year	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would authorize a development proponent of a neighborhood multifamily project located on an eligible parcel to submit an application for a streamlined, ministerial approval process that is not subject to a conditional use permit. The bill would define a "neighborhood multifamily project" to mean a project to construct a multifamily structure on vacant land, or to convert an existing structure that does not require substantial exterior alteration into a multifamily structure, consisting of up to 4 residential dwelling units and that meets local height, setback, and lot coverage zoning requirements as they existed on July 1, 2019.

Position: Pending

BIDDING & PREQUALIFICATIONS

[AB 1736](#) (Daly D) Notification requirements.

Last Amended: 7/3/2019

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Local Agency Public Construction Act requires with certain exceptions that a responsible bidder who submitted the lowest bid, as determined in accordance with certain procedures, be awarded the contract. This bill would require a local agency to create and maintain a policy for notifying the apparent low bidder, and the subcontractors listed by the apparent low bidder, within a reasonable time after the bid opening, as provided.

Position: Sponsor

[SB 128](#) (Beall D) Public contracts: Best Value Construction Contracting for Counties Pilot Program.

Last Amended: 7/10/2019

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would authorize the County of Santa Clara and the County of Monterey to utilize this pilot program and would extend the operation of those provisions until January 1, 2025. The bill, instead, would require the board of supervisors of a participating county to submit the report described above to the appropriate policy committees of the Legislature and the Joint Legislative Budget Committee before March 1, 2024. By expanding the crime of perjury, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Pending

SB 553 (Wilk R) Public contracts: bid preference: ESOPs.

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Under the State Contract Act, projects not under the jurisdiction of the Department of Water Resources, the Department of Parks and Recreation, the Department of Corrections and Rehabilitation, the Department of Transportation, the High-Speed Rail Authority, or the Military Department are under the sole charge and direct control of the Department of General Services. This bill would require an entity awarding a contract pursuant to the act to provide a 3% bid preference to a qualified ESOP bidder, as defined.

Position: Pending

Career Technical Education

AB 1303 (O'Donnell D) School facilities: Civic Center Act: direct costs.

Last Amended: 6/24/2019

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law, until January 1, 2020, defines direct costs that the governing board of a school district may or must charge an entity for the use of school facilities or grounds to include a specified share of the operating and maintenance costs proportional to the entity's use of the school facilities or grounds under this provision and a share of the costs for maintenance, repair, restoration, and refurbishment of the school facilities or grounds proportional to that entity's use of the school facilities or grounds, as specified. This bill would extend until January 1, 2025, the authorization or requirement for the governing board of a school district to charge an entity a fee for the use of the school's facilities or grounds that includes the costs described above.

Position: Pending

SB 554 (Roth D) Public schools: adult school students: Advanced Scholastic and Vocational Training Program.

Last Amended: 4/10/2019

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would authorize the governing board of a school district overseeing an adult education program or the governing board of a community college district overseeing a noncredit program to authorize a student pursuing a high school diploma or a high school equivalency certificate to enroll as a special part-time student at a community college, as provided. The bill would credit or reimburse the community college through the apportionment process for the student's attendance at the college, as specified.

Position: Pending

SB 563 (Roth D) Community colleges: College and Career Access Pathways Grant Program.

Last Amended: 4/10/2019

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires the Chancellor of the California Community Colleges, on or before January 1, 2021, to prepare a summary report that includes, among other things, an evaluation of the CCAP partnerships and recommendations for program improvements on certain topics. These provisions are repealed on January 1, 2022. This bill would extend the operation of the CCAP partnership laws until January 1, 2027. The bill would require the chancellor's summary report to include recommendations for program improvements on additional specified topics.

Position: Pending

SB 586 (Roth D) College and Career Access Pathways partnerships.

Last Amended: 9/6/2019

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the governing board of a community college district and the governing board of a school district or the governing body of a charter school providing career technical education pathways under a CCAP partnership, as a condition of adopting a CCAP partnership agreement, to consult with, and consider the input of, the appropriate local workforce development board to determine the extent to which the pathways are aligned with regional and statewide employment needs. Instead of a requirement under existing law that the governing board of each district present a proposed CCAP partnership agreement at an open public meeting of the board and, at a subsequent open public meeting of the board, take comments from the public and approve or disapprove the proposed agreement, the bill would require the governing board of each district to present, take comments from the public on, and approve or disapprove the proposed agreement at an open public meeting of the board. The bill would extend the operation of the CCAP partnership provisions for 5 years.

Position: Pending**SB 643 (Roth D) Career technical education.**

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law requires the Board of Governors of the California Community Colleges to collect and maintain information related to career technical education and technical training within the California Community Colleges for inclusion within the integrated statewide information system. With respect to this integrated statewide information system, existing law specifies that its data gathering and analysis capabilities include maintaining a comprehensive inventory of all career technical education and technical training programs that are maintained by the public schools. This bill would make nonsubstantive changes to those provisions.

Position: Pending**SB 716 (Mitchell D) Juveniles: delinquency: postsecondary academic and career technical education.**

Last Amended: 9/3/2019

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require a county probation department to ensure that juveniles with a high school diploma or California high school equivalency certificate who are detained in, or committed to, a juvenile hall, ranch, camp, or forestry camp have access to, and can choose to participate in, public postsecondary academic and career technical courses and programs offered online, and for which they are eligible based on eligibility criteria and course schedules of the public postsecondary education campus providing the course or program.

Position: Pending**CONTRACTS****SB 326 (Hill D) Common interest developments.**

Last Amended: 7/3/2019

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the association of a condominium project to cause a reasonably competent and diligent visual inspection of exterior elevated elements, defined as the load-bearing components and associated waterproofing systems, as specified, to determine whether the exterior elevated elements are in a generally safe condition and performing in compliance with applicable standards. The bill would require the inspector to submit a report to the board of the association providing specified information, including the current physical condition and remaining useful life of the load-bearing components and associated waterproofing systems.

Position: Pending

CSLB

AB 1475 (Bauer-Kahan D) Construction Manager/General Contractor method: transportation projects.

Last Amended: 8/15/2019

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law authorizes the Department of Transportation to engage in a Construction Manager/General Contractor project delivery method (CM/GC method), as specified, for projects for the construction of a highway, bridge, or tunnel that has construction costs greater than \$10,000,000. Current law defines "construction manager" for that purpose to mean a partnership, corporation, or other legal entity that is able to provide appropriately licensed contracting and engineering services as needed pursuant to a CM/GC method contract. This bill would revise that definition to mean such an entity that is a licensed contractor pursuant to the Contractors' State License Law and that is able to provide, or that contracts with entities that are able to provide, appropriately licensed contracting or engineering services, or both appropriately licensed contracting and engineering services, as needed pursuant to a CM/GC method contract.

Position: Pending

DESIGN BUILD

AB 695 (Medina D) Community college facilities: design-build contracts.

Last Amended: 8/30/2019

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law relating to school facilities, until January 1, 2025, authorizes a school district, with the approval of the governing board of the school district, to procure design-build contracts for certain public works projects, as provided, and prohibits a design-build entity from being prequalified or shortlisted unless the entity provides an enforceable commitment to the school district that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. This bill would prohibit a design-build entity, on or after July 1, 2020, from being prequalified or shortlisted for a design-build contract by a community college district unless the entity provides to the community college district a similar enforceable commitment with respect to the use of a skilled and trained workforce.

Position: Pending

SB 659 (Borgeas R) California Environmental Quality Act: attorney's fees: infill housing.

Last Amended: 5/6/2019

Desk	Policy	2 year	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would, in an action or proceeding related to a project involving the development of housing at an infill site brought pursuant to CEQA, authorize the court, upon motion of a party, to award reasonable attorney's fees to a party if the court makes certain findings. The bill would require the Judicial Council to adopt a rule of court to implement this provision.

Position: Pending

SB 743 (Hertzberg D) School facilities: design-build projects.

Last Amended: 4/29/2019

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would specify that a certain school district entering into a design-build contract for projects that are subject to a project labor agreement retains the discretion to take specified actions related to the contract. The bill would require the contract to contain specified terms and conditions. The bill would prohibit a design-build entity or its subcontractor performing work on a project for a school district from engaging in any activity under the design-build contract beyond the design phase of the contract unless the school district issues certain notices, including a notice to proceed with the construction.

Position: Pending

DISPUTE RESOLUTION

AB 456 (Chiu D) Public contracts: claim resolution.

Last Amended: 8/30/2019

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law prescribes various requirements regarding the formation, content, and enforcement of state and local public contracts. Current law establishes, until January 1, 2020, for contracts entered into on or after January 1, 2017, a claim resolution process applicable to any claim by a contractor in connection with a public works project against a public entity, as defined. Current law defines a claim for these purposes as a separate demand by the contractor for one or more of the following: a time extension for relief from damages or penalties for delay, payment of money or damages arising from work done pursuant to the contract for a public work, or payment of an amount disputed by the public entity, as specified. This bill would extend the operation of this claim resolution process until January 1, 2027.

Position: Support_if_amended

EARTHQUAKES & INSURANCE

AB 393 (Nazarian D) Building codes: earthquake safety: functional recovery standard.

Last Amended: 5/29/2019

Desk	Policy	Fiscal	Floor	Desk	Policy	2 year	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would require the California Building Standards Commission, by June 30, 2020, to assemble a functional recovery working group comprised of certain state entities and members of the construction and insurance industries, as specified. The bill would require the working group, by June 30, 2021, to consider whether a "functional recovery" standard is warranted for all or some building occupancy classifications, using specified criteria, and to investigate the practical means of implementing that standard, as specified. The bill would require the working group to advise the appropriate state agencies to propose the building standards, as specified.

Position: Pending

EMPLOYMENT & EMPLOYEE WAGES

AB 5 (Gonzalez D) Worker status: employees and independent contractors.

Last Amended: 9/6/2019

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would state the intent of the Legislature to codify the decision in the Dynamex case and clarify its application. The bill would provide that for purposes of the provisions of the Labor Code, the Unemployment Insurance Code, and the wage orders of the Industrial Welfare Commission, a person providing labor or services for remuneration shall be considered an employee rather than an independent contractor unless the hiring entity demonstrates that the person is free from the control and direction of the hiring entity in connection with the performance of the work, the person performs

work that is outside the usual course of the hiring entity's business, and the person is customarily engaged in an independently established trade, occupation or business.

Position: Pending

AB 1045 (Chen R) Public works: prevailing wages.

Last Amended: 3/19/2019

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law generally requires that not less than the general prevailing rate of per diem wages, as specified, be paid to workers employed on a public works project that exceeds \$1,000. Current law sets forth the penalties for a violation of this requirement. This bill would increase the threshold to require the payment of a prevailing rate of per diem wages to \$100,000.

Position: Pending

AB 1613 (O'Donnell D) Public works: prevailing wages.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would expand the definition of "public works," for the purposes of provisions relating to the prevailing rate of per diem wages, to also include any construction, alteration, demolition, installation, or repair work done under private contract on a project for a charter school, as defined, when the project is paid for, in whole or in part, with the proceeds of conduit revenue bonds, as defined, that were issued on or after January 1, 2020.

Position: Pending

AB 1768 (Carrillo D) Prevailing wage: public works.

Last Amended: 9/6/2019

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would expand the definition of public works to include work conducted during site assessment or feasibility studies. This bill would also specify that preconstruction work, including design, site assessment, feasibility studies, and land surveying, is deemed to be part of a public work, regardless of whether any further construction work is conducted.

Position: Pending

SB 396 (Morrell R) Public works: prevailing wage.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law generally requires that workers employed on public works be paid not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work, as prescribed. Current law requires the Director of Industrial Relations to determine the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is to be performed, and the general prevailing rate of per diem wages for holiday and overtime work, as specified. This bill would make technical, nonsubstantive changes to the provisions relating to the prevailing rate of per diem wages.

Position: Pending

LIENS & PAYMENT

AB 1339 (Gabriel D) Mechanics liens: attachment date.

Desk	2 year	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law provides that an associated lien has priority over a lien, mortgage, deed of trust, or other encumbrance on the work of improvement or the real property on which the work of improvement is situated that attaches after commencement of the work of improvement and which the claimant had no notice of. This bill would instead provide that an associated lien has priority over a lien, mortgage, deed of trust, or other encumbrance on the work of improvement or the real property on which the work of improvement is situated, that attaches after the date of commencement of the work of improvement.

Position: Pending

MISCELLANEOUS

AB 520 (Kalra D) Public works: public subsidy.

Last Amended: 8/26/2019

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law defines "public works" to include, among other things, construction, alteration, demolition, installation, or repair work done under contract and paid for, in whole or in part, out of public funds, but exempts from that definition, among other projects, an otherwise private development project if the state or political subdivision provides, directly or indirectly, a public subsidy to the private development project that is de minimis in the context of the project. This bill would generally provide that a public subsidy is de minimis if it is both less than \$500,000 and less than 2% of the total project cost. The bill would specifically provide a public subsidy for a project that consists entirely of single family dwellings is de minimis if it is less than 2% of the total project cost. The bill would specify that these provisions do not apply to a project that was advertised for bid, or a contract that was awarded, before July 1, 2020.

Position: Pending

AB 613 (Low D) Professions and vocations: regulatory fees.

Desk	Policy	Fiscal	Floor	Desk	2 year	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Would authorize each board within the Department of Consumer Affairs to increase every 4 years any fee authorized to be imposed by that board by an amount not to exceed the increase in the California Consumer Price Index for the preceding 4 years, subject to specified conditions. The bill would require the Director of Consumer Affairs to approve any fee increase proposed by a board except under specified circumstances. By authorizing an increase in the amount of fees deposited into a continuously appropriated fund, this bill would make an appropriation.

Position: Pending

AB 1166 (Levine D) Public works: protection of underground infrastructure: regional notification center system: electronic positive response.

Last Amended: 8/30/2019

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law, commencing January 1, 2018, authorizes every operator to supply an electronic positive response through the regional notification center before the legal excavation start date and time, and requires the regional notification center to make those responses available to the excavator. Current law defines "electronic positive response," for these purposes, to mean an electronic response from an operator to the regional notification center providing the status of an operator's statutorily required response to a ticket. This bill would, on and after January 1, 2021, require every operator to supply an electronic positive response through the regional notification center before the legal excavation start date and time. The bill would authorize the board, upon a showing of good cause by an operator, to extend the time by which the operator is required to comply with this requirement, through December 31, 2021.

Position: Pending

SB 610 (Glazer D) Contractors: licensing and regulation.

Last Amended: 6/25/2019

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

The Contractors' State License Law provides for the licensure and regulation of contractors by the Contractors' State License Board (board), which is within the Department of Consumer Affairs. (1)Under current law, the board is responsible for the licensure and regulation of contractors and the board is required to appoint a registrar of contractors. Current law repeals these provisions establishing the board and requiring it to appoint a registrar on January 1, 2020. This bill would extend the operation of these provisions to January 1, 2024.

Position: Support

RETENTION

SB 197 (Beall D) Department of Transportation: retention proceeds.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary:

Current law prohibits the Department of Transportation, until January 1, 2020, from withholding retention proceeds when making progress payments for work performed by a contractor. This bill would delete the repeal of this provision, thereby making the prohibition operative indefinitely.

Position: Support

Total Measures: 29

Total Tracking Forms: 29