Since the second election of Jerry Brown, project labor agreement (PLA) language in state legislation has exploded. First, the Legislature passed bills prohibiting counties and general law cities from banning PLAs. Next, they enacted a bill to punish charter cities with PLA bans by cutting off state funds; then passed an expansion of skilled and trained workforce (STWF) mandates with PLA waivers. Finally, let’s review PLA mandates on specific contracting authority. In 2019, the Legislature sent Governor Gavin Newsom 13 bills, which would put them on a pace to match the 25 bills sent in 2018. But the coronavirus intervened, shutting down the State Legislature for much of the year – but not the desire of the State Building and Construction Trades Council and their constituent unions to expand PLAs in California and to incorporate them into State Legislation. The pace accelerated in 2021 – the first year of the just concluded two-year session with 28 bills that include PLA language. In 2022, the Legislature considered no fewer than 26 PLA bills.

## 2022

**AB 185 & AB 190** (Committee on Budget) Education omnibus trailer bills. Both bills skew the general statutory requirement that contractors employ a skilled and trained workforce. Public Contract Code §2600 et. seq. establishes substantial financial penalties and possible debarment for a contractor’s failure to use a skilled and trained workforce. Language in AB 185 and AB 190 gives some contractors working under a PLA “a pass” from these penalties. WECA believes §2600 should apply irrespective of a PLA. (Signed)

**AB 205** (Committee on Budget) Energy. Allows specified clean energy projects to seek consolidated permitting at the CEC by June 30, 2029, if they adhere to specified labor standards, including using a skilled and trained workforce and providing community benefits. PLA projects are exempt from requiring certified payroll records (CPRs), and the California Labor Commissioner may not enforce the labor code. (Signed)

**AB 209** (Committee on Budget) Energy and climate change. The bill requires a Project Labor Agreement (PLA) on any transmission projects funded by the Infrastructure and Economic Development Bank (IBank) for the Climate Catalyst Revolving Loan Fund Program. (Signed)

**AB 1644** (Flora - R) Greenhouse Gas Reduction Fund. Exempts specific projects funded by the Greenhouse Gas Reduction Fund (GGRF) from the requirements of AB 680, the California Jobs Plan Act of 2021, which mandates the use of PLAs on projects funded by the GGRF. (Signed)

**AB 1845** (Calderon - D) Metropolitan Water District of Southern California. Authorizes specified water projects undertaken by the Metropolitan Water District of Southern California (MWD) to use the design-build, progressive design-build, and construction manager/general contractor (CM/GC) methods of project delivery. Exempts projects covered by a PLA from reporting on the use of STWF; no reporting means no penalties apply. (Signed)

**AB 1932** (Daly – D, Anaheim) Eliminates the sunset date of January 1, 2023, from existing law authorizing counties to use construction manager at-risk (CMAR) contracts. Leaves the mandate for STWF intact, including an exemption for projects covered by a PLA. (Signed)

**AB 2011** (Wicks - D) Affordable Housing and High Road Jobs Act of 2022. AB 2011 created the “Affordable Housing and High Road Jobs Act of 2022” to make a ministerial, streamlined approval process for 100% affordable housing projects in commercial zones and mixed-income housing projects along commercial corridors. The bill imposes labor standards on those projects, including requirements that contractors pay prevailing wages, participate in apprenticeship programs, and make specified healthcare expenditures. On PLA projects, CPRs are not required, and the Labor Commissioner may not enforce the labor code. On development projects of 50 or more units, a contractor with construction craft employees shall make health care expenditures for each employee in an amount per hour worked on the development equivalent to at least the hourly pro-rata cost of a Covered California Platinum level plan for two 40-year-old adults and two dependents 0 to 14 years of age for the Covered California rating area in which the development is located. (Signed)

**AB 2046** (Medina - D) University of California, Merced, and University of California, Riverside. This bill establishes the Inland Rising Fund to support the multiyear operating costs for the development, operation, and maintenance of economic development and innovative climate change research efforts and health care and medical research operations at UC Riverside (UCR) and UC Merced. This bill requires a STWF, but with a PLA, there are no reporting requirements, thus no potential penalties. (Signed)

**AB 2316** (Ward - D) Public Utilities Commission. This bill requires the California Public Utilities Commission (CPUC) to establish a new community renewable energy program that meets specified criteria. PLA construction means no CPRs or Labor Commissioner enforcement authority. (Signed)

**AB 2319** (Bonta, Mia - D) Surplus former military base land. This bill establishes a new category of exempt surplus land for the former military base Alameda Naval Air Station (Alameda Point). Require at least 25% of the initial 1,400 residential units developed at the site to be affordable to lower-income households; the land recipient must negotiate a PLA. (Signed)

**AB 2342** (Cervantes - D) Community Economic Resilience Fund Program. This bill makes several changes to the administration and scope of the Community Economic Resilience Fund (CERF) program. These changes include broadening the program's scope to include support for additional workforce efforts, such as apprenticeship and pre-apprenticeship programs, and other changes to allow for program applicability beyond pandemic recovery efforts. Projects must support labor standards such as prevailing wage, project labor agreements, or community workforce agreements. (Signed)

**AB 2668** (Grayson - D) Adds parameters for determining a project’s compliance with the streamlined ministerial process created by SB 35 (Wiener 2017). PLA construction means no CPRs or Labor Commissioner enforcement authority. (Signed)

**AB 2763** (Kalra - D) Santa Clara Valley Transportation Authority: job order contracting. Authorizes the Santa Clara Valley Transportation Authority (VTA) to enter job order contracts (JOCs). Requires JOCs, and the task orders within them, to be subject to the project labor agreement (PLA) between VTA and the Santa Clara and San Benito Counties Building and Construction Trades Council unless otherwise exempted by that PLA. (Signed)

**SB 6** (Caballero - D) Local planning: housing: commercial zones. Until January 1, 2029, this bill enacted the Neighborhood Homes Act, which authorizes housing on any parcel zoned for office or retail uses. PLA projects bar the Labor Commissioner from enforcing the labor code and exempt these projects from skilled and trained workforce mandates. Requires prevailing wages and apprentices on all projects - even if private. (Signed)

**SB 679** (Kamlager - D) Los Angeles County affordable housing. Provides that any construction project receiving funding or financing from Los Angeles County Affordable Housing Solutions Agency (LACAHSA) shall constitute a public work for which the contractor shall pay prevailing wages. All contractors and subcontractors must use a skilled and trained workforce to perform all work on projects unless there is a PLA (which there is in both the city and county). (Signed)

**SB 852** (Dodd - D) Climate resilience districts. Allows cities and counties to create climate resilience districts (CRDs) and provides these new districts with various financing powers. Requires CRDs to pay prevailing wage and use a skilled and trained workforce (unless with a PLA) for projects they finance. (Signed)

**SB 886** (Wiener - D) CEQA exemption: public university housing development projects. Exempts faculty and staffing and student housing projects meeting specified requirements from CEQA. Requires the use of a skilled and trained workforce unless there is a PLA. (Signed)

**SB 922** (Wiener - D) CEQA exemptions: transportation-related projects. This bill expands California Environmental Quality Act (CEQA) exemptions for specified transit, bicycle, and pedestrian projects and extends these exemptions from 2023 to 2030. Assembly amendments establish specified public notice and meeting requirements for projects that exceed $50 million. Requires the use of a STWF unless there is a PLA. (Signed)

**SB 991** (Newman - D) Public contracts: progressive design-build. SB 991 will allow Local Water Agencies (LWA) to contract with entities that utilize the Progressive Design-Build method to execute a public works project. Progressive Design-Build (PDB) is a contracting model in which the agency hires a single entity to design and construct a project at the earliest feasible stage. Includes a mandate for STWF, including an exemption for projects covered by a PLA. Includes language that deems a union contractor “safe.” (Signed)

**SB 1020** (Laird - D) Clean Energy, Jobs, and Affordability Act of 2022. Establishes interim targets for the statewide 100% clean energy policy. Additionally, state agencies must accelerate their 100% clean energy policy goal by ten years. A retail seller or local publicly owned electric utility shall require its contractors to use a multicraft project labor agreement for the construction of the zero-carbon resource or eligible renewable energy resource. The project labor agreement shall conform to the industry standard agreements recently used for similar private projects, including side letters for high-voltage transmission and related work. (Signed)

**SB 1226** (Durazo - D) Joint powers agreements: zero-emission transportation systems or facilities. Allows, until January 1, 2032, private, nonprofit corporations that provide services to zero-emission transportation systems or facilities to join a joint powers authority (JPA) or enter into a joint powers agreement with one or more public agencies to facilitate the development, construction, and operation of zero-emission transportation systems or facilities that lower greenhouse gases, reduce vehicle congestion and vehicle miles traveled, and improve public transit connections. Exempts PLA projects from CPRs, skilled and trained workforce, and Labor Commissioner enforcement. (Signed)

**SB 1295** (Limón - D) Oil and gas: hazardous or deserted wells and facilities. This bill establishes labor requirements for activities related to plugging and abandoning oil and gas wells and authorizes an increase in the annual expenditure limit from the Oil, Gas, and Geothermal Administrative Fund (OGGAF). Requires CalGEM to ensure that the entity selected for these projects enters into a project labor agreement binding on all contractors performing work on the project. (Signed)

**SB 1422** (Hertzberg - D) Acquisition of goods and services: alternative contracting procedures: installation of carpet, resilient flooring, synthetic turf, and lighting fixtures. SB 1422 authorizes, until January 1, 2028, a state or local agency to use alternative contracting procedures for the purchase or installation of carpet, resilient flooring, synthetic turf, or lighting fixtures so long as the installation work is not performed in connection with new construction, and the contractor complies with specified wage and labor requirements. Exempts PLA projects from skilled and trained workforce. (Signed)

## 2021

**AB 34** (Muratsuchi, D -Torrance) Known as the Broadband for All Act of 2022 (the Act); requires voters to be asked to authorize the issuance of $10 billion in general obligation bonds to fund the 2022 Broadband for All Program. Projects financed by bonds would need to use a skilled and trained workforce unless there was a PLA. (Dead)

**AB 111** (Boerner Horvath, D - Carlsbad) This bill would require the Secretary of the Transportation Agency, in consultation with certain state entities, to implement a Safe and Clean Truck Infrastructure Program to support the construction and operation of zero-emission medium- and heavy-duty vehicle parking and electric vehicle charging and hydrogen refueling infrastructure on public and private properties, and to encourage the use of zero-emission vehicles. The findings include, “*As California leads investment and development of these technologies that support a sustainable freight transport system, it must recognize that the transition to advanced technologies will require the development of a skilled workforce with* ***project labor agreements*** *to operate and maintain these new technologies and systems*.” (Dead)

**AB 137** (Committee on Budget) Authorizes the Department of General Services to use the progressive design-build procurement process for up to three public works projects requiring a skilled and trained workforce unless there is a PLA. (Signed)

**AB 143** (Committee on Budget) Authorizes the Judicial Council to use a design-build procurement process in contracting and procuring public works projects. It would authorize the Judicial Council to award contracts using either the best value or low bid selection method for all projects that would need to use a skilled and trained workforce unless there was a PLA. (Signed)

**AB 271** (Rivas, Robert D - Salinas) AB 271 permits the Santa Clara Valley Water District to award contracts on a best-value basis for any work on the Anderson Dam project. The bill would require the contractor to comply with the State's STWF mandates unless the District has a PLA. (Signed)

**AB 621** (Rivas, Robert D - Salinas) Will authorize the governor to certify a new hospital project or hospital expansion or modernization project as an environmental leadership hospital project if the project meets specific requirements. The bill would exempt PLA projects from skilled and trained workforce mandates, the need to submit certified payroll records and deny the State Labor Commissioner from enforcing the labor code. Requires the use of apprentices on private projects. (Dead)

**AB 680** (Burke, D - Los Angeles) Enacts the California Jobs Plan Act of 2021, which requires the Labor and Workforce Development Agency to update, by July 1, 2025, the funding guidelines for administering agencies to ensure that all applicants to grant programs funded by the Greenhouse Gas Reduction Fund (GGRF) meet fair and responsible employer standards and provide inclusive procurement policies. Construction projects over one million dollars ($1,000,000) must be built with a project labor agreement (PLA). (Signed)

**AB 846** (Low, D - Cupertino) Authorizes job order contracting (JOC) for community college districts like those authorized for school districts. Committee staff notes that language in AB 846 requiring the use of a skilled and trained workforce is redundant, given the requirement that a PLA is required on all work before a community college or school district can use JOC. (Signed)

**AB 902** (O'Donnell, D - Long Beach) AB 902 proposes to provide D/B flexibility for a limited number of school districts by allowing a school district to renegotiate the price after the initial selection of the design-build entity and, presumably, after a design has been initiated or completed. The pilot project is limited to districts with over 50,000 ADA enrollments and projects over $10 million. According to the California Department of Education, in 2019-20, 11 school districts had an enrollment of more than 50,000. Requires the use of a skilled and trained workforce unless there is a PLA. (Dead)

**AB 919** (Grayson, D - Concord) This bill would shorten the latent defects timeframe for actions against a nonprofit housing corporation for underlying construction projects using a certified skilled and trained workforce to no more than five years after substantial completion of the improvement but no later than the date the notice of completion is recorded. The STWF mandate is waived if there is a PLA. (Dead)

**AB 1161** (Garcia, Eduardo, D - Coachella) Requires the Department of Water Resources to only purchase power from projects constructed using project labor agreements. (Dead)

**AB 1174** (Grayson, D - Concord) Makes changes to the streamlined ministerial process created by SB 35 (Wiener, Chapter 366, Statutes of 2017). SB 35 waives CPRs and STWF mandates for PLA projects. (Signed)

**AB 1260** (Chen, R - Irvine) Establishes a temporary (until January 1, 2023) California Environmental Quality Act (CEQA) exemption for a public transit agency project to construct or maintain infrastructure to charge or refuel zero-emission trains. Requires the use of a skilled and trained workforce unless there is a PLA. (Dead)

**AB 1324** (Rivas, Robert, D - Salinas) Would establish the Transit-Oriented Affordable Housing Funding Program, to be administered by the Treasurer’s office. The bill would authorize the city council of a city, or the board of supervisors of a city and county, to participate in the program by enacting an ordinance establishing a transit-oriented affordable housing district. The bill would exempt PLA projects from skilled and trained workforce mandates, the requirement to submit certified payroll records, and deny the State Labor Commissioner from enforcing the labor code. It would require the payment of prevailing wages and the use of apprentices on private projects. (Dead)

**SB 7** (Atkins, D - San Diego) This bill reenacts the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 and expands the Act’s eligibility to include smaller housing projects until January 1, 2026. The bill would exempt PLA projects from skilled and trained workforce mandates, the requirement to submit certified payroll records, and prohibit the State Labor Commissioner from enforcing the labor code. Requires prevailing wages and apprentices on private projects authorized by the bill. (Signed)

**SB 15** (Portantino, D - Glendale) This bill requires the State to grant local governments that rezone idle sites used for big-box commercial shopping centers instead of allowing the development of low and moderate-income housing. At the behest of the State Building and Construction Trades Council, it exempts contractors from employing a skilled and trained workforce and prohibits the State Labor Commissioner from enforcing the labor code on project labor agreement (PLA) projects, and allows contractors under a PLA to hide their wages and benefits by precluding the completion of certified payroll records. Requires prevailing wages and apprentices on private projects authorized by the bill. (Two-year bill)

**SB 22** (Glazer, D - Antioch) Would place on the ballot the Public Preschool, K–12, and College Health and Safety Bond Act of 2022 as a state general obligation bond act that would provide $15,000,000,000 to construct and modernize education facilities. It requires the Department Of General Services to prioritize projects for funding, including using a project labor agreement. (Two-year bill)

**SB 44** (Allen, D - Santa Monica) Establishes expedited administrative and judicial review of environmental reviews and approvals for “environmental leadership transit projects” that meet specified requirements. The bill would exempt PLA projects from skilled and trained workforce mandates, the need to submit certified payroll records, and prohibit the State Labor Commissioner from enforcing the labor code. Requires prevailing wages and apprentices on private projects authorized by the bill. (Signed)

**SB 51** (Durazo, D - Los Angeles) Makes changes to the Roberti Act to encourage the sale of homes owned by Caltrans, located within the SR 710 corridor in the El Sereno neighborhood of the City of Los Angeles, for low- and moderate-income rental housing. Exempts PLA projects from CPRs and STWF. Requires prevailing wages and apprentices on private projects authorized by the bill. (Signed)

**SB 144** (Portantino, D - Glendale) Makes changes to the Film and TV Tax Credit administered by the California Film Commission (CFC), housed within the Governor’s Office of Business and Development (GO-Biz). Requires that the operation and maintenance of the soundstage must be performed by a workforce paid at least the prevailing rate that is either directly or through a payroll company employed by the soundstage owner or lessee; or a skilled and trained workforce, as defined in the Public Contract Code Chapter 2.9 (beginning with section 2600) if a third-party vendor provides services. Exempts PLA projects from CPRs and STWF. (Signed)

**SB 162** (Committee on Budget and Fiscal Review) Establishes the Community Economic Resilience Fund (CERF) Program, administered by the Workforce Services Branch at the Employment Development Department. The program shall be overseen by the Labor and Workforce Development Agency, Office of Planning and Research, and the Governor’s Office of Business and Economic Development, referred to as the Inter-Agency Leadership Team. The program requires financial support to establish high-road transition collaboratives to design region and industry-specific economic recovery and transition strategies. The Inter-Agency Leadership Team shall award planning grants on a competitive basis to each region. The plans must address economic diversification, industry planning, workforce development, and safety net programs. The projects must prioritize high-quality jobs and equitable access to them and emphasize the development of sustainable industries. The Inter-Agency Leadership Team shall award competitive grants to implement the plans. Grant recipients must align with regional workforce needs by linking with high-road training partnerships or high-road construction career training programs. The implementation grants shall also meet all of the following requirements: (A) Support work prioritized through the high-road transition collaborative planning process with the high-road intent of this program. (B) Demonstrate support of the regional intermediary and alignment with the high-road transition coordinated plan. (C) Support labor standards, such as prevailing wage, project labor agreements, or community workforce agreements. (Signed)

**SB 313** (Durazo, D - Los Angeles) The bill would require a taxpayer that receives a tax refund to reinvest the refund into immobile capital equipment that supports infrastructure improvements, expansion, or developments for media production facilities in the State, and the project must include a PLA. (Dead)

**SB 381** (Portantino, D - Glendale) This bill changes the Roberti Act to encourage the sale of homes owned by Caltrans for low- and moderate-income housing in the State Route 710 corridor in South Pasadena. Provides that, as a condition of the sale of the property to a housing-related entity, the entity shall provide a commitment that if the entirety of the project is not a public work for which prevailing wages must be paid, all construction workers, except apprentices, employed on the project will be paid at least the general prevailing rate of per diem wages for the type of work and geographic area. For those portions of a project that are not public work, the housing-related entity shall ensure that the prevailing wage requirement is included in all contracts for the performance of all construction work. Bars the DLSE from labor code enforcement on PLA jobs and relieves contractors from CPRs. (Signed)

**SB 413** (McGuire, D - San Rafael) Creates the California Offshore Wind, Clean Energy, Communities, and Fisheries Protection Act of 2021 to certify offshore wind generation facilities. Requires prevailing wages and apprentices on private projects authorized by the bill. Exempts PLA projects from CPRs and STWF. (Dead)

**SB 563** (Allen - D) This bill makes several changes to the Second Neighborhood Infill Finance and Transit Improvements Act (NIFTI-2). The California Housing Consortium and the California Housing Partnership Corporation are opposed unless amended to remove “skilled and trained” requirements and require prevailing wages and investments in pre-apprenticeship programs. (Dead)

**SB 626** (Dodd - D) This bill would authorize DWR to use the design-build and CM/GC processes for project delivery for the State Water Project facilities, excluding through Delta conveyance. The bill would exempt PLA projects from skilled and trained workforce mandates. (Signed)

## 2020

**AB 2731** (Gloria, D - San Diego) Assemblyman and San Diego Mayor candidate Todd Gloria authored AB 2731 to grant special CEQA treatment for transit-oriented development projects within the Old Town Center site of San Diego. Gloria acquiesced to the usual State Building and Construction Trades Council demands – so 2731 exempts PLA projects from skilled and trained workforce requirements, exempts contractors from keeping certified payroll records, prohibits the Labor Commissioner from enforcing the Labor Code, and shields contractors from penalties associated with SWF violations. (Chaptered)

**AB 3005** (Robert Rivas, D - Hollister) Authorizes the Santa Clara Valley Water District’s Anderson Dam project to receive expedited permitting and CEQA review. Rivas agreed to the usual State Building and Construction Trades Council demands – so 3005 exempts PLA projects from skilled and trained workforce requirements. But that was not sufficient to satisfy Governor Newsom. He vetoed the bill citing a problematic “precedent for a special process and timeline for one project that may undermine the quality of review by departments. Furthermore, a public works project of this magnitude will have significant environmental impacts, and therefore, review through the full CEQA process is necessary.” If it had only been a sports stadium instead of a dam protecting billions of real estate and tens of thousands of lives. (Vetoed)

**SB 25** (Caballero, D - Salinas) Grants accelerated CEQA appeals for specific housing projects. Requires skilled and trained workforce, unless covered by a PLA, and exempts contractors under a PLA from completing certified payroll records. (Dead)

**SB 288** (Wiener, D - San Francisco) Exempts specified transit, bicycle, and pedestrian projects from CEQA. Requires skilled and trained workforce unless covered by a PLA. (Chaptered)

**SB 757** (Allen, D - Santa Monica) Would have established specific procedures for the administrative and judicial review of the environmental assessment and approvals for the Twenty-Eight by ’28 Initiative pillar projects in the County of Los Angeles. Required subcontractors at every tier to use a skilled and trained workforce to perform all work on the project or contract unless there was PLA in place. Newsom explained SB 757 was “Contingent on the enactment of Senate Bill 995 by Senator Atkins, which did not successfully pass in the Legislature.” (Vetoed)

**SB 899** (Wiener, D - San Francisco) Would have provided that housing is a use by right on land owned on or before January 1, 2020, by a religious institution or nonprofit college if the development meets all of a variety of criteria. The term ‘Use by Right’ refers to a property owner’s use of property and structures consistent with that listed as permissible in the zoning district in which their property is located. The bill exempted contractors from keeping certified payroll records and prohibited the Labor Commissioner from enforcing the Labor Code if there was a PLA. It required the payment of prevailing wage on private construction – but because Wiener refused the skilled and trained workforce language, the State Building and Construction Trades Council killed the bill. (Dead)

**SB 974** (Hurtado, D - Sanger) Exempts from CEQA projects that primarily benefit a small, disadvantaged community water system by improving the water system’s water quality, water supply, or water supply reliability; by encouraging water conservation; or by providing drinking water service to existing residences within a disadvantaged community where there is evidence of contaminated or depleted drinking water wells. Exempts PLA projects from skilled and trained workforce requirements, exempts union contractors from keeping certified payroll records, prohibits the Labor Commissioner from enforcing the Labor Code, and shields contractors from penalties associated with STWF violations if there is a PLA. (Chaptered)

**SB 995** (Atkins, D - San Diego) extends the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 (AB 900) for four years until 2025. It makes housing projects that meet individual requirements, including specified affordable housing requirements, eligible for certification under the Act. Exempts PLA projects from skilled and trained workforce requirements, exempts union contractors from keeping certified payroll records, prohibits the Labor Commissioner from enforcing the Labor Code, and shields contractors from penalties associated with SWF violations if there is a PLA. (Dead)

**SB 1205** (Hertzberg, D - Van Nuys) Design/build bill would exempt PLA projects from skilled and trained workforce requirements and shield contractors from penalties associated with STWF violations. (Dead)

## 2019

**AB 48** (O’Donnell - D & Glazer - D) was a $15 billion bond for the construction and modernization of public preschool, K-12, California Community Colleges (CCC), University of California (UC), and California State University (CSU) facilities that was on the March 3, 2020 primary ballot. State Building and Construction Trades Council obtained a provision that requires the State to prioritize PLA projects for funding. (**Defeated** on March 2020 ballot)

**AB 168** (Aguiar-Curry, D) Amended SB 35 of 2018, which authorized a development proponent to submit an application for a multifamily housing development that is subject to a streamlined, ministerial approval process, to include a requirement that the project not be located on a site that is a tribal cultural resource. Existing law requires payment of prevailing wages and apprentice wages even if the project is not a public works and prohibits the DLSE from enforcing the Labor Code if a PLA covers the project. Waives CPRs on projects covered by a PLA. (Chaptered)

**AB 356** (Santiago - D) Authorizes the Los Angeles Community College District (LACCD) to utilize a best-value procurement process as a pilot project until January 1, 2025, for over $1 million in construction projects. The bill contains provisions that allow a contractor under a project labor agreement to be presumed to meet the requirements of using a skilled and trained workforce. (Chaptered)

**AB 695** (Medina - D) Extends the sunset on community college districts authority to enter into design-build public works contracts. It adopts the same “skilled and trained workforce” requirements applicable to state agencies and local governments’ design-build authority. The bill contains provisions that allow a contractor under a project labor agreement to be presumed to meet the requirements of using a skilled and trained workforce. (Chaptered)

**AB 1177** (Frazier - D) Would delete the requirement in SB 35 from last year that a skilled and trained workforce be employed on any project subject to its provisions. (Dead)

**AB 1290** (Gloria - D) Would require, as a condition of receiving construction financing from the Safe Drinking Water State Revolving Fund for work performed at the City of San Diego’s North City Water Reclamation Plant, North City Pure Water Facility, or any other portion of the Pure Water San Diego Program, the contractor enter into a project labor agreement under existing law. (Chaptered)

**AB 1413** (Gloria - D) Authorizes local transportation authorities, which have existing transactions and use tax authority, to levy a transaction and use tax in a portion of its jurisdiction, with voter approval. Requires these authorities to use a skilled and trained workforce unless a PLA covers the project. (Chaptered)

**AB 1475** (Wicks - D) Makes various changes to SB 35 (Wiener) Chapter 366, Statutes of 2017, to streamline housing developments that include a percentage of low-income or moderate-income housing. Prohibits DLSE enforcement of the Labor Code and the requirement for union contractors to keep CPRs if a PLA covers them. (Chaptered)

**AB 1706** (Quirk - D) Creates specified financial incentives for development proponents of residential housing development in the nine-county San Francisco Bay area region that dedicates at least 20% of the development’s housing units to households making no more than 150% of the area median income. The incentives provided to those developments include an exemption from the California Environmental Quality Act, a cap on fees imposed under the Mitigation Fee Act, a density bonus of 35%, parking reductions, and a waiver of other locally set requirements. The bill requires payment of prevailing and apprentice wages even if the project is not a public works and prohibits the DLSE from enforcing the Labor Code if a PLA covers the project. Waives CPRs on projects covered by a PLA. (Dead)

**SB 4** (McGuire - D) Creates a streamlined approval process for eligible projects within ½ mile of fixed rail or ferry terminals in cities of 50,000 or more in smaller counties and all urban areas in counties with over a million residents. It also allows a streamlined approval process for duplexes and fourplexes, as specified, in residential areas on vacant, infill parcels. Requires skilled and trained workforce, unless covered by a PLA, exempts contractors under a PLA from completing CPRs. (Dead)

**SB 743** (Hertzberg - D) Specifies that LAUSD, entering into a design-build contract for projects subject to project labor agreements, retains the discretion to take specified actions related to the contract. (Chaptered)

## 2017 – 2018

**AB 45** (Thurmond - D) Creates the California School Employee Housing Assistance Grant Program that would make a predevelopment grant and loan program to fund the creation of affordable housing for school district employees, including teachers; it requires a project labor agreement and is either a public work or is subject to a legally binding requirement that all workers be paid a prevailing wage. (Vetoed)

**AB 73** (Chiu) Creates housing sustainability districts, requires a project labor agreement, and is either a public work or is subject to a legally binding requirement that prevailing wages be paid to all workers. (Chaptered)

**AB 246** (Santiago - D) Extends for two years the expedited California Environmental Quality Act (CEQA) judicial review procedures established by the Jobs and Economic Improvement Through Environmental Leadership Act (AB 900 - Buchanan, Chapter 354, Statutes of 2011). Prohibits the State Labor Commissioner from enforcing the Labor Code if a PLA covers the project. (Chaptered)

**AB 591** (O’Donnell - D) Requires a county board of education, county office of education, or county superintendent of schools that chooses to use the lease-leaseback or lease-to-own contracting methods to use a skilled and trained workforce unless covered by a PLA. (Chaptered)

**AB 618** (Low - D) Permits community colleges to use job order contracting if they adopt a PLA for all construction performed for the district. (Chaptered)

**AB 734** (Bonta - D) Establishes special procedures for California Environmental Quality Act (CEQA) review, additional conditions for certification, and expedited (270 days) judicial review for a proposed baseball park and mixed-use development in the City of Oakland. In addition, it prohibits the State Labor Commissioner from enforcing the Labor Code if a PLA covers the project. (Chaptered).

**AB 805** (Gonzalez Fletcher) Makes changes to the governance and financing authority of the San Diego Association of Governments (SANDAG), the San Diego Metropolitan Transit System (MTS), and the North County Transit District (NCTD). Prohibits MTS, SANDAG, and NCTD Board from entering into construction contracts unless the entity provides to the board an enforceable commitment 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 apprenticeship occupation in the building and construction trades. Provide that this prohibition does not apply if there is a PLA. (Chaptered)

**AB 851** (Caballero - D) Extends the sunset date on the authority of counties to use construction manager at-risk (CM at-risk) contracting, extends CM at-risk contracting authority to the City of San Diego for specified projects, and allows the Santa Clara Valley Water District to use the design-build procurement method for selected types of projects. Prohibit a CM at-risk entity from being prequalified or shortlisted or awarded a contract unless the entity provides an enforceable commitment to the county 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. Provide that this prohibition does not apply if there is a PLA. (Chaptered)

**AB 987** (Kamlager-Dove, D) Establishes special procedures for California Environmental Quality Act (CEQA) review, additional conditions for certification, and expedited (270 days) judicial review for a proposed basketball arena and related development in the City of Inglewood. Prohibits the State Labor Commissioner from enforcing the Labor Code and waives the requirement that the project creates “high-wage, highly skilled jobs that pay prevailing wages and living wages, employs a skilled and trained workforce … provide construction jobs and permanent jobs for Californians, and helps reduce unemployment” if project covered by a PLA (it is). (Chaptered).

**AB 1424** (Levine - D) Removes sunset for University of California: Best Value Construction Contracting Program. Requires the use of a skilled and trained workforce unless covered by a PLA. (Chaptered)

**AB 1585** (Bloom - D) Creates a single application for affordable housing. Prohibits the State Labor Commissioner from enforcing the Labor Code if a PLA covers the project. (Dead)

**AB 1816** (Assembly Housing) This bill makes statutory changes necessary to implement various housing-related provisions of the Budget Act of 2018. Waives contractors’ obligation to keep certified payroll records and prohibits the State Labor Commissioner from enforcing the Labor Code if a project labor agreement covers a project. (Dead)

**AB 2267** (Wood - D) Would have established an expedited administrative and judicial review for actions or proceedings brought according to CEQA on adopting or approving amendments to the Downtown Station Area Specific Plan for the City of Santa Rosa. Prohibits the State Labor Commissioner from enforcing the Labor Code if a project labor agreement covers a project. (Dead)

**AB 2488** (O’Donnell - D) This bill creates a five-year pilot program to allow the Los Angeles Unified School District (LAUSD) to award multiple task order procurement contracts through a single bid request for repairing and renovating school facilities only if the school district has entered into a project labor agreement or agreements that meet the requirements of Section 2500 for all its public works projects. (Chaptered)

**AB 2787** (Quirk - D) This bill would have required the California Independent System Operator (CAISO) to procure 1,000 to 2,000 megawatts of capacity from long-duration energy storage projects by December 31, 2019, and allocate the costs to all load-serving entities within the ISO-controlled electrical grid. Requires the CAISO to select a project that will use a reservoir or other substantial infrastructure owned by a public entity only if all work on the project will be conducted under a project labor agreement. (Dead)

**AB 2788** (Thurmond - D) Would have required the Department of Housing and Community Development to administer the California School Employee Housing Assistance Program, a predevelopment grant and loan program to fund the creation of affordable housing for school district employees, including teachers. It would have mandated a PLA. (Dead)

**AB 3018** (Low - D) Strengthens public agency reporting requirements for a skilled and trained workforce, creates penalties for noncompliance, and provides the Labor Commissioner (LC) with the authority to issue a civil wage and penalty assessment against a contractor subcontractor found in violation of state law. Protects contractors on PLA projects from exposure to enforcement or reporting. (Chaptered)

**AB 3030** (Caballero - D) Would have exempted from CEQA residential and mixed-use projects with 50% affordable housing, financed by a “qualified opportunity fund,” and meeting other specified criteria. Waived contractors’ obligation to keep certified payroll records, use a skilled and trained workforce, and prohibits the State Labor Commissioner from enforcing the Labor Code if a project labor agreement covers a project. (Dead)

**AB 3073** (Low - D) This bill would have required a direct contractor that is awarded a contract for a project of an investor-owned utility (IOU) that is subject to the Subletting and Subcontracting Fair Practices Act to give a payment bond to, and approved by, the investor-owned public utility. Mandated the use of PLAs by the IOUs. (Dead)

**SB 35** (Wiener - D) Creates a streamlined approval process for affordable housing. Prohibits the State Labor Commissioner from enforcing the Labor Code if a Project Labor Agreement covers the project. (Chaptered)

**SB 540** (Roth - D) Authorizes a city or county to establish a Workforce Housing Opportunity Zone (WHOZ) by preparing an EIR to identify and mitigate the impacts of establishing a WHOZ and adopting a specific plan. A local government must approve a housing development within the WHOZ that meets specified criteria. No project-level EIR or a negative environmental declaration would be required on a development within a WHOZ that meets specified criteria. (Chaptered)

**SB 634** (Wilk - R) This bill reorganizes Castaic Lake Water Agency and Newhall County Water District into the Santa Clarita Valley Water Agency (SCVWA). Grants the SCVWA, on a pilot basis, design-build and construction manager at-risk contracting authority if the agency enters into a community workforce agreement with the Los Angeles/Orange Counties Building and Construction Trades Council. (Chaptered)

**SB 825** (Beall - D) Would have required the CDCR to enter into a 10-year PLA with the State Building and Construction Trades Council of California that would have applied to all construction contracts over $500,000. (Dead)

**SB 850** (Committee on Budget and Fiscal Review) This bill makes statutory changes necessary to implement various housing-related provisions of the Budget Act of 2018. Waives contractors' obligation to keep certified payroll records, use a skilled and trained workforce, and prohibits the State Labor Commissioner from enforcing the Labor Code if a project labor agreement covers a project. (Chaptered)

**SB 914** (Dodd - D) This bill expands the types of projects delivered by counties using the construction manager at-risk (CMAR) procurement method. Current law exempts CMAR projects governed by a project labor agreement from the STWF requirements. (Chaptered)

**SB 1049** (Moorlach - R) Would have allowed local agencies to adopt bans on project labor agreements and repeals the prohibition on using state funds for city projects by charter cities that have adopted project labor agreement bans. (Dead)

## 2015 – 16

**AB 566** (O’Donnell - D) Authorizes school districts to use lease-lease back agreements to build K-12 schools. Requires the use of a skilled and trained workforce unless covered by a PLA. (Chaptered)

**AB 1185** (Ridley-Thomas, D) Allows LAUSD to use best-value procurement if the district adopts a PLA. (Chaptered)

**AB 1358** (Dababneh - D) Allows the use of design/build for K-12. Requires the use of a skilled and trained workforce unless covered by a PLA. (Chaptered)

**AB 1431** (Gomez - D) Allows school districts to use job order contracting if they adopt a PLA for all construction performed for the district. (Chaptered)

**AB 2551** (Gallagher - D) Allows the use of design/build for surface water storage projects. Requires the use of a skilled and trained workforce unless covered by a PLA. (Chaptered)

**SB 693** (Hueso - D) General Design/build authorization. Requires the use of a skilled and trained workforce unless covered by a PLA. (Chaptered)

**SB 734** (Galgiani - D) Extends the Jobs and Economic Improvement Through Environmental Leadership Act of 2011. Prohibits the State Labor Commissioner from enforcing the Labor Code if a PLA covers the project. (Chaptered)

**SB 762** (Wolk - D) General Design/build authorization. Requires the use of a skilled and trained workforce unless covered by a PLA. (Chaptered)

**SB 831** (Committee on Budget and Fiscal Review) Provides funding for Monterey County Water Resources Agency - Lake Nacimiento and Lake San Antonio project if a PLA is adopted. (Chaptered)

**SB 840** (Committee on Budget and Fiscal Review) Makes various changes to implement the resources and energy budget actions adopted as part of the 2016-17 budget package. Requires the use of a skilled and trained workforce unless covered by a PLA. (Chaptered)

## 2013 – 14

**AB 155** (Alejo - D) Permits Monterey County Water Resources Agency to use design-build for Lake Nacimiento and Lake San Antonio project if a PLA is adopted. (Chaptered)

**AB 1971** (Bocanegra - D) Establishes a pilot program to authorize the Los Angeles Unified School District (LAUSD) to use a best-value procurement method for public projects that exceed $1 million. It did not include the PLA mandate – so it was killed by State Building and Construction Trades Council. (Dead)

**SB 785** (Wolk - D) This bill enacts more uniform provisions authorizing DGS, CDCR, and most local agencies to utilize the Design-Build procurement process for specified public works projects. Requires the use of a skilled and trained workforce unless covered by a PLA. (Chaptered)

**SB 1433** (Hill - D) Extends the sunset date on statutory authority for transit operators to use design-build (DB) procurement for transit projects from January 1, 2015, to January 1, 2017. Leaves in place the mandated use of a skilled and trained workforce unless covered by a PLA. (Chaptered)

## 2011 – 12

**AB 900** (Buchannan - D) Jobs and Economic Improvement Through Environmental Leadership Act. Established expedited California Environmental Quality Act (CEQA) judicial review procedures for specific high-profile sports projects. Prohibits the State Labor Commissioner from enforcing the Labor Code if a PLA covers the project.

**AB 1254** (Davis - D) Would require the California High-Speed RailAuthority to award contracts for the construction of the high-speed rail system, requiring that a minimum of 25% of the aggregate amount of contracts awarded be subject to PLAs. (Died)

**AB 1804** (Valadao - R) Repeals existing provisions authorizing local public entities to use PLAs in construction contracts. (Failed passage)

**SB 829** (Rubio - D) Denies state funds for any charter city construction projects if the charter city has banned considering the use of PLAs. (Chaptered)

**SB 922** (Steinberg - D) Establishes PLA parameters for publicly funded construction projects. Suppose a charter city's charter provision, initiative, or ordinance prohibits the governing board’s consideration of a PLA. In that case, state funding or financial assistance shall not be used by that entity. (Chaptered)

**November 2010 – Election of Jerry Brown**

## 2005 – 06

**AB 1097** (Mullen - D) Would have repealed a school board's authority to lease real property to construct school facilities for a minimum of $1 without advertising for bids and established a competitive bidding process to build school facilities by lease and leaseback until January 1, 2010. Specified that a school district that has executed a project stabilization agreement or a PLA is not subject to specified provisions of this bill for the agreement's duration. (Vetoed)

**October 2003 Recall of Gray Davis**

## 2003-04

**AB 2497** (Cox - R) Required California Energy Commission to study the use of PLAs in energy projects. (Dead).