

LEGISLATIVE ADVISORY COMMITTEE
2023 CASH PRIORITY BILLS
As of August 15, 2023

STATE SCHOOL BONDS

[AB 247](#) (Muratsuchi D) Education finance: school facilities: Transitional Kindergarten Through Community College Public Education Facilities Bond Act of 2024.

Calendar: 8/21/2023 10 a.m. - 1021 O Street, Room 1200 SENATE APPROPRIATIONS, PORTANTINO, ANTHONY, Chair

Summary: Would set forth the Transitional Kindergarten Through Community College Public Education Facilities Bond Act of 2024 as a state general obligation bond act that would provide \$14,000,000,000 to construct and modernize education facilities, as specified. This bond act would become operative only if approved by the voters at an unspecified 2024 statewide election. The bill would also provide for the submission of the bond act to the voters at that election.

Position: *SUPPORT*

[SB 28](#) (Glazer D) Education finance: school facilities: Public Preschool, K–12, and College Health and Safety Bond Act of 2024.

Calendar: 8/16/2023 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, CHRIS, Chair

Summary: Current law authorizes the governing board of any school district or community college district to order an election and submit to the electors of the district the question of whether the bonds of the district shall be issued and sold to raise money for specified purposes. Current law generally requires, to pass a school bond measure, that either at least 2/3 of the votes cast on the proposition of issuing bonds be in favor of issuing the bonds to pass the measure, or, if certain conditions are met, at least 55% of the votes cast on the proposition of issuing bonds be in favor of issuing the bonds. Current law prohibits the total amount of bonds issued by a school district or community college district from exceeding 1.25% of the taxable property of the district, as provided. This bill would raise that limit to 2%.

Position: *WATCH*

HEAT MITIGATION

[SB 499](#) (Menjivar D) School facilities: School Extreme Heat Action Plan Act of 2023.

Calendar: 8/16/2023 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, CHRIS, Chair

Summary: The California Child Day Care Facilities Act provides for the licensure and regulation of child daycare facilities, daycare centers, and family daycare homes by the State Department of Social Services. The act exempts from its provisions certain types of these facilities and certain programs, including, among others, a California state preschool program operated by a local educational agency under contract with the State Department of Education and that meets specified conditions and operates in a school building. Current law requires the governing board of any school district to, among other things, repair its school property. This bill, the School Extreme Heat Action Plan Act of 2023, would, among other things, require all schoolsites, as defined, the next time outdoor surfaces are resurfaced or replaced at the schoolsite, to replace low specific heat surfaces, such as cement, asphalt, brick, pebbles, sand, aggregates,



rubber, and synthetic turf, with high specific heat surfaces, such as cool pavement technologies, natural grass, shrubs, trees, wood chips, or other natural systems that mitigate heat and pollution, as provided. The bill would require all schoolsite decisionmaking personnel involved in the replacement or resurfacing of outdoor surfaces at a schoolsite to be trained in extreme heat mitigation measures.

Position: *OPPOSE*

AB 384 (Calderon D) School facilities: recommended interior temperatures: inventory of heating and cooling systems.

Summary: Would require the State Department of Education to conduct a research study on recommended indoor air temperature ranges and temperature control standards for public schools and an inventory of heating and cooling systems, and to submit a report on the findings and recommendations of the study to the Legislature by January 1, 2026, as provided.

Position: *WATCH*

USE OF NATURAL RESOURCES

AB 249 (Holden D) Water: schoolsites: lead testing: conservation.

Calendar: 8/21/2023 10 a.m. - 1021 O Street, Room 1200 SENATE APPROPRIATIONS, PORTANTINO, ANTHONY, Chair

Summary: Would require a community water system that serves a schoolsite, as defined, to test for lead in the potable water system outlets of the schoolsite before January 1, 2027, except for potable water system outlets in buildings that were either constructed after January 1, 2010, or modernized after January 1, 2010, and all faucets and other end point devices used for providing potable water were replaced as part of the modernization. The bill would require the community water system to report its findings to the applicable schoolsite or local educational agency and to the state board. The bill would require the local educational agency or schoolsite, if the lead level exceeds a specified level at a schoolsite, to notify the parents and guardians of the pupils who attend the schoolsite, take immediate steps to make inoperable and shut down from use all potable water system outlets where the excess lead levels may exist, and work to ensure that a lead-free source of drinking water is provided for pupils, as specified. The bill would require a community water system to test a potable water system outlet that replaces an outlet that is found to have excess levels of lead. The bill would require a community water system to prepare a sampling plan for each schoolsite where lead sampling is required under these provisions, as specified. The bill would require the schoolsite, local education agency, and state board to make the results of schoolsite lead sampling publicly available by posting the results on its internet website. The bill would require a schoolsite and a local educational agency, if an internet website is not maintained, to provide the results upon request. By imposing additional duties on local agencies, this bill would impose a state-mandated local program.

Position: *WATCH*

AB 1115 (Papan D) Barry Keene Underground Storage Tank Cleanup Trust Fund Act of 1989: brownfields remediation and redevelopment.

Summary: The Barry Keene Underground Storage Tank Cleanup Trust Fund Act of 1989 (act) requires an owner of an underground storage tank, as defined, for which a permit is required by law to pay storage fees for each gallon of petroleum placed in the tank. The act establishes the Underground Storage Tank Cleanup Fund (fund), and requires the storage fees, among other moneys, to be deposited into the fund. The act authorizes the State Water Resources Control Board to expend the moneys in the fund, upon



appropriation by the Legislature, to pay for corrective action in response to an unauthorized release from an underground storage tank and for the cleanup and oversight of unauthorized releases at abandoned tank sites, among other specified purposes. The act requires that certain information be submitted to the state board, and other specified agencies, under penalty of perjury. The act provides for the repeal of certain of its provisions on January 1, 2026, but also provides that certain associated rights, obligations, and authorities that apply before the January 1, 2026, repeal date do not terminate upon repeal of the other provisions of the act. This bill would postpone the repeal of those provisions to January 1, 2036. By extending the operation of those portions of the act, the bill would impose a state-mandated local program by continuing the operation of certain crimes regarding the furnishing of information under penalty of perjury.

Position: *SUPPORT*

AB 1642 (Gipson D) School facilities: master plan for green schoolyards: greening programs.

Summary: Would require the State Department of Education and the Natural Resources Agency, in consultation with the Office of Planning and Research, the Division of the State Architect, the Office of Public School Construction, and any other appropriate state entities, as determined by the department and the agency, to facilitate an interagency and stakeholder engagement process to prepare, on or before December 1, 2024, a master plan for green schoolyards that, among other things, recommends a statewide goal for the number of schools with green schoolyards to be achieved by a specified date, recommends strategies to overcome identified barriers to green schoolyards, and identifies recommendations and best practices to prevent or mitigate the impacts of extreme heat in schools. The bill would require the Natural Resources Agency, the Department of Forestry and Fire Protection, and the Department of Parks and Recreation to incorporate the recommendations and best practices from the master plan into the guidelines for specified state programs. The bill would provide that the master plan is advisory for local educational agencies, defined as school districts, county offices of education, and charter schools. The bill would require the department and the agency to submit the master plan for green schoolyards to the appropriate policy and fiscal committees of the Legislature on or before December 1, 2024.

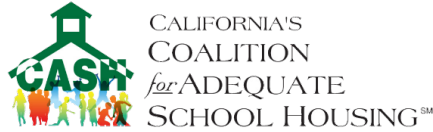
Position: *SUPPORT*

SB 394 (Gonzalez D) Master Plan for Healthy, Sustainable, and Climate-Resilient Schools.

Calendar: 8/23/2023 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, CHRIS, Chair

Summary: Current law requires the State Energy Resources Conservation and Development Commission to develop contingency plans to deal with possible shortages of electrical energy or fuel supplies to protect public health, safety, and welfare. This bill would require the commission to develop a Master Plan for Healthy, Sustainable, and Climate-Resilient Schools on or before March 31, 2025, if an appropriation is made for that purpose. The bill would require the commission to consult with specified state agencies and engage with a diverse group of stakeholders and experts regarding the development of the master plan, as provided. The bill would require the master plan to include specified elements, including, but not limited to, assessments of a representative sample of the state's public elementary and secondary school buildings and grounds, as provided, and a set of priorities, benchmarks, and milestones for health, resilience, and decarbonization of public school campuses and support facilities.

Position: *SUPPORT*



SB 745 (Cortese D) The Drought-Resistant Buildings Act.

Summary: Would require the California Building Standards Commission to research, develop, and propose building standards to reduce potable water use in new residential and nonresidential buildings, as specified. The bill would require the commission to perform a review of water efficiency and water reuse standards in the California Buildings Standards Code every 3 years, commencing with the next triennial edition, and update as needed.

Position: WATCH

RESOURCE BONDS

AB 1567 (Garcia D) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024.

Summary: Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,995,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, clean energy, and workforce development programs.

Position: WATCH

SB 638 (Eggman D) Climate Resiliency and Flood Protection Bond Act of 2024.

Summary: Would enact the Climate Resiliency and Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,000,000,000 pursuant to the State General Obligation Bond Law, for flood protection and climate resiliency projects.

Position: WATCH

SB 834 (Portantino D) Housing: California Family Home Construction and Homeownership Bond Act of 2023.

Summary: Would enact the California Family Home Construction and Homeownership Bond Act of 2023 (bond act), which, if adopted, would authorize the issuance of bonds in the amount of \$25,000,000,000 pursuant to the State General Obligation Bond Law to finance the California Family Home Construction and Homeownership Program, established as part of the bond act. The bill would authorize the California Housing Finance Agency to award California Socially Responsible Second Mortgage Loans to eligible applicants to use as a down payment or to pay closing costs on the purchase of a new home. The bill would also authorize the agency to award Family Homeownership Opportunity Infrastructure Improvement Loans to developers to be used for predevelopment infrastructure improvements and other upfront costs typically incurred in connection with new home construction, under specified conditions. The bill would require that moneys received from a loan recipient for the repayment of financing provided under the program be used to pay debt service when due on bonds issued pursuant to the bond act. The bill would also authorize the agency to issue revenue bonds for the purposes of financing the program, as specified.

Position: WATCH

SB 867 (Allen D) Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024.



Summary: Would enact the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,500,000,000 pursuant to the State General Obligation Bond Law to finance projects for drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean energy programs.

Position: WATCH

GENERAL

AB 439 (Carrillo D) School facilities: task order procurement contracting: Los Angeles Unified School District.

Summary: Current law establishes a pilot project authorizing the governing board of the Los Angeles Unified School District to award multiple annual task order procurement contracts, as prescribed, for purposes that include services, repairs, and construction funded by the school district's general fund. Current law, among other requirements, requires the school district, by January 15, 2023, to submit to committees of the Legislature a specified report on the use of the task order procurement method, including an assessment of project performance, as specified, and to pay for the report. Under current law, the report requirement becomes inoperative on January 1, 2024, and all of the task order procurement contracting provisions are repealed as of that same date. This bill would additionally authorize those task order procurement contracts to include services, repairs, and construction that are funded by local school construction bonds or federal or state funds. The bill would exclude specified services and limit the scope of a contract under the pilot project to the purposes authorized by its funding source. The bill would delete the obsolete reference to the January 15, 2023, report deadline and would require the school district to submit the above-described report by January 15, 2029, and January 15, 2033.

Position: WATCH

SB 760 (Newman D) School facilities: all-gender restrooms.

Summary: Current law requires every restroom of every public and private school maintaining any combination of classes from kindergarten to grade 12, inclusive, to be maintained and cleaned regularly, fully operational, and stocked at all times with toilet paper, soap, and paper towels or functional hand dryers, and kept open during school hours when pupils are not in classes. Existing law requires that a sufficient number of restrooms be kept open during school hours when pupils are in classes. Current law authorizes a school to temporarily close a restroom as necessary for pupil safety or as necessary to repair the facility. This bill would revise the conditions under which a restroom is authorized to be temporarily closed to instead be as necessary (1) for a documented pupil safety concern, (2) for an immediate threat to pupil safety, or (3) to repair the facility. The bill would require, on or before July 1, 2026, each school district, county office of education, and charter school, including charter schools operating in a school district facility, maintaining any combination of classes from grades 1 to 12, inclusive, to provide and maintain at least one all-gender restroom for voluntary pupil use at each of its schoolsites that meet specified criteria. The bill would require the all-gender restroom to meet certain requirements, including, among other things, that it has signage identifying the bathroom facility as being open to all genders and is unlocked, unobstructed, and easily accessible by any pupil.

Position: WATCH