



**NCAT– Northern California Allied Trades
2022 End of Year Legislative Report**

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Introduction

The last actions of the 2022 California legislative session took place on September 30th, which was the deadline for Governor Newsom to sign or veto legislation. NCAT again had a highly effective legislative session pursuing industry measures, including making 5% retention on public works a permanent policy; tightening up contractors' state licensing law to ensure compliance with permitting and workers compensation insurance requirements; securing relief for employers who paid out COVID-19 Supplemental Paid Sick Leave; and providing increased access to payroll information for our industry labor compliance programs. Many other measures affecting the industry were passed into law this legislative session as well.

Below is an overview of all the pertinent legislation that was passed during the 2022 legislative session that will have an impact on contractors and the construction industry overall. All the newly enacted laws will become operative January 1, 2023, unless otherwise noted.

If you have any questions or comments, or would like additional information, please contact our office. You can reach me by email bernacchi@politicogroup.com or by phone (916) 444-3770.

Thank you for your support in making 2022 another successful year for our industry.

Eddie Bernacchi
Legislative Advocate - President Politico Group

Codes & Standards

AB 1738

AUTHOR: Boerner Horvath D

TITLE: Building standards: installation of electric vehicle charging stations: existing buildings.

SUMMARY: Requires the Department of Housing and Community Development (HCD) to research and develop building standards for electric vehicle charging stations when retrofits are completed in existing residential structures and gives HCD the option of proposing those standards for adoption.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 687, Statutes of 2022.

AB 1882

AUTHOR: Rivas, Robert D

TITLE: Hospitals: seismic safety.

SUMMARY: Requires owners of general acute care hospital buildings that are not compliant with the January 1, 2030, seismic safety requirement to remain operational following a major earthquake, to

submit annual status updates to various entities, including the county board of supervisors, any labor union that represents workers in a building that is not January 1, 2030, compliant, the local office of emergency services, and the medical health operational area coordinator; and, requires hospitals to post in any lobby or waiting area of a hospital building that is not compliant with the January 1, 2030, seismic requirement a notice that the hospital is not in compliance.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 584, Statutes of 2022.

AB 2075

AUTHOR: Ting D

TITLE: Energy: electric vehicle charging standards.

SUMMARY: Requires the California Building Standards Commission (CBSC) to convene a workshop every triennial rulemaking cycle on electric vehicle (EV) charging infrastructure standards.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 346, Statutes of 2022.

AB 2097

AUTHOR: Friedman D

TITLE: Residential, commercial, or other development types: parking requirements.

SUMMARY: Prohibits public agencies from imposing minimum automobile parking requirements on multifamily residential, commercial and other developments located within one-half mile of public transit.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 459, Statutes of 2022.

AB 2139

AUTHOR: Gallagher R

TITLE: Building standards: local rebuilding plans: state of emergency.

SUMMARY: Allows, until January 1, 2029, and notwithstanding any subsequent updates to building standards approved by the California Building Standards Commission, permits an individual submitting a proposed development plan for a residential development to utilize, and require a local agency to allow the utilization of, a template floor plan if the proposed new development is located on the same parcel that contained a residential building that was damaged or destroyed, prior to January 1, 2020, as a result of a disaster in an area for which a state of emergency was proclaimed by the Governor pursuant to the California Emergency Services Act.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 184, Statutes of 2022.

AB 2208

AUTHOR: Kalra D

TITLE: Fluorescent lamps: sale and distribution: prohibition.

SUMMARY: Would prohibit, on and after January 1, 2024, a screw or bayonet base type compact fluorescent lamp, and, on and after January 1, 2025, a pin-base type compact fluorescent lamp or a linear fluorescent lamp, from being offered for final sale, sold at final sale, or distributed in California as a new manufactured product. The law exempts various lamps from the prohibition, including lamps used for image capture and projection and lamps used for disinfection.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 409, Statutes of 2022.

AB 2232

AUTHOR: McCarty D

TITLE: School facilities: heating, ventilation, and air conditioning systems.

SUMMARY: Requires a covered school (school district, county office of education, charter school, private school, the California Community Colleges, the California State University, and requests the University of California (UC), to ensure that facilities, including classrooms for students, have heating, ventilation, and air conditioning systems that meet minimum ventilation rate requirements, as specified, and to install filtration that achieves minimum efficiency reporting values (MERV) levels of 13 or higher. Requires the California Building Standards Commission and the Division of the State Architect to propose for adoption mandatory standards for carbon dioxide monitors in classrooms of a covered school and the UC.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 777, Statutes of 2022.

AB 2260**AUTHOR:** Rodriguez D**TITLE:** Emergency response: trauma kits.**SUMMARY:** Requires buildings constructed on or after January 1, 2023, with an occupancy of 200 or more to have at least six trauma kits on the premises of the building or facility.**STATUS:** Approved by the Governor. Chaptered by Secretary of State - Chapter 586, Statutes of 2022.**AB 2511****AUTHOR:** Irwin D**TITLE:** Skilled nursing facilities: backup power source.**SUMMARY:** Requires skilled nursing facilities to have an alternative source of power to protect resident health and safety for no less than 96 hours during any type of power outage**STATUS:** Approved by the Governor. Chaptered by Secretary of State - Chapter 788, Statutes of 2022.**SB 1194****AUTHOR:** Allen D**TITLE:** Public restrooms: building standards.**SUMMARY:** Authorizes a local government to require that multiuser public toilet facilities within its jurisdiction be designed, constructed, and identified for use by all genders**STATUS:** Approved by the Governor. Chaptered by Secretary of State. Chapter 839, Statutes of 2022.

Collection & Lien - Prompt Pay

AB 2173**AUTHOR:** Petrie-Norris D**TITLE:** Public contracts: payment.**SUMMARY:** Removes the sunset clause on the 5% retention cap policy related to public works projects, thereby permanently establishing it as state law.**STATUS:** Approved by the Governor. Chaptered by Secretary of State - Chapter 121, Statutes of 2022.

Contractors` License Law

AB 1747**AUTHOR:** Quirk D**TITLE:** Contractors: disciplinary action.**SUMMARY:** Provides that willful or deliberate disregard of any state or local law relating to the issuance of building permits constitutes a cause for disciplinary action against a licensed contractor by the Contractors State License Board.**STATUS:** Approved by the Governor. Chaptered by Secretary of State - Chapter 757, Statutes of 2022.**AB 2105****AUTHOR:** Smith R**TITLE:** Contractors: initial license fee reduction: veterans.**SUMMARY:** Requires the Contractors State License Board (CSLB) to grant a 50% fee reduction for an initial license or registration fee to an applicant who is an honorably discharged veteran of the United States Armed Forces and has demonstrated their discharge grade status by providing CSLB a copy of a current and valid driver's license or identification card with the word "Veteran" printed on its face or a copy of their DD-214 long form.**STATUS:** Approved by the Governor. Chaptered by Secretary of State - Chapter 156, Statutes of 2022.**SB 216****AUTHOR:** Dodd D**TITLE:** Contractors: workers' compensation insurance: mandatory coverage.**SUMMARY:** Requires, regardless of whether or not they have employees, Concrete contractors (C-8),

Heating, Ventilating and Air-Conditioning contractors (C-20,) Asbestos Abatement contractors (C-22), and Tree Service contractors (D-49) to have a Certificate of Workers' Compensation Insurance on file with the Contractors State License Board (CSLB). The bill also, beginning January 1, 2026, extends this requirement to all licensure classifications under the jurisdiction of the CSLB.

STATUS: Approved by the Governor. Chaptered by Secretary of State. Chapter 978, Statutes of 2022.

Environment & Energy

AB 732

AUTHOR: Quirk D

TITLE: Mercury Thermostat Collection Act of 2021.

SUMMARY: Makes technical cleanup changes to the Mercury Thermostat Collection Act of 2021, specifically, the new law require each manufacturer, or group of manufacturers, to provide collection bins for out-of-service mercury-added thermostats to a thermostat wholesaler in the state by eliminating the requirement that the wholesaler request a collection bin.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 742, Statutes of 2022.

AB 1279

AUTHOR: Muratsuchi D

TITLE: The California Climate Crisis Act.

SUMMARY: Establishes the California Climate Crisis Act to declare the policy of the state both to achieve net zero greenhouse gas (GHG) emissions by 2045, and to ensure that by 2045, statewide anthropogenic GHGs are reduced to at least 85% below 1990 levels.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 337, Statutes of 2022.

AB 2061

AUTHOR: Ting D

TITLE: Transportation electrification: electric vehicle charging infrastructure.

SUMMARY: Requires the California Energy Commission to develop "uptime" (functioning properly) recordkeeping and reporting standards for electric vehicle (EV) chargers and charging stations, and limits applicability to chargers and stations that receive state funding or ratepayer money.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 345, Statutes of 2022

AB 2143

AUTHOR: Carrillo D

TITLE: Net energy metering: construction of renewable electrical generation facilities: prevailing wage.

SUMMARY: Requires that prevailing wages be paid for renewable energy installations that receive service through an electric utility's net energy metering (NEM) tariff. The new law does not apply to single family homes (if system is less than 15 kW), all modular homes and all two-story or less multi-unit housing.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 774, Statutes of 2022.

AB 2204

AUTHOR: Boerner Horvath D

TITLE: Clean energy: Labor and Workforce Development Agency: Deputy Secretary for Climate.

SUMMARY: Establishes, upon appropriation by the Legislature, the position of Deputy Secretary for Climate within the Labor and Workforce Development Agency to assist in the oversight of California's workforce transition to a sustainable and equitable carbon neutral economy.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 348, Statutes of 2022.

AB 2316

AUTHOR: Ward D

TITLE: Public Utilities Commission: customer renewable energy subscription programs and the community renewable energy program.

SUMMARY: Requires the California Public Utilities Commission (CPUC) to evaluate existing customer community renewable energy programs in order to modify and/or terminate programs. This bill also

requires the CPUC to determine whether it is beneficial to ratepayers to develop a new or modify a tariff or program for community renewable energy by an electrical corporation, based on specified criteria, including ensuring at least 51% of the energy capacity serves low-income customers.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 350, Statutes of 2022.

AB 2446

AUTHOR: Holden D

TITLE: Embodied carbon emissions: construction materials.

SUMMARY: Require the State Air Resources Board, by July 1, 2025, to develop, a framework for measuring and then reducing the average carbon intensity of the materials used in the construction of new buildings, including those for residential uses.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 352, Statutes of 2022.

SB 379

AUTHOR: Wiener D

TITLE: Residential solar energy systems: permitting.

SUMMARY: Requires large cities and counties to adopt automated, online permitting for solar energy systems and energy storage. The bill requires that the system verifies code compliance and issues permits in real time, for a residential solar energy system that is no larger than 38.4 kilowatts and an energy storage system paired with a solar energy system that is no larger than 38.4 kilowatts.

STATUS: Approved by the Governor. Chaptered by Secretary of State. Chapter 356, Statutes of 2022.

SB 529

AUTHOR: Hertzberg D

TITLE: Electricity: electrical transmission facilities.

SUMMARY: Exempts an extension, expansion, upgrade, or other modification of an existing transmission line or substations from the requirement of a Certificate of Public Convenience and Necessity and directs the California Public Utilities Commission to revise its general orders, by January 1, 2024, to instead use its permit to construct process for these approvals.

STATUS: Approved by the Governor. Chaptered by Secretary of State. Chapter 357, Statutes of 2022.

SB 884

AUTHOR: McGuire D

TITLE: Electricity: expedited utility distribution infrastructure undergrounding program.

SUMMARY: Requires the California Public Utilities Commission (CPUC) to establish an expedited electric utility distribution infrastructure undergrounding program for large electrical corporations. Requires the Office of Energy Infrastructure and Safety (OEIS) to approve or deny the plan within nine months of submittal.

STATUS: Approved by the Governor. Chaptered by Secretary of State. Chapter 819, Statutes of 2022.

SB 1075

AUTHOR: Skinner D

TITLE: Hydrogen: green hydrogen: emissions of greenhouse gases.

SUMMARY: Requires the California Air Resources Board and the California Energy Commission to analyze options for using hydrogen as part of California's decarbonization strategies.

STATUS: Approved by the Governor. Chaptered by Secretary of State. Chapter 363, Statutes of 2022.

SB 1109

AUTHOR: Caballero D

TITLE: California Renewables Portfolio Standard Program: bioenergy projects.

SUMMARY: Extends requirements on electric investor-owned utilities and community choice aggregators to procure energy from biomass generating electric facilities by five years and requires extension of existing contracts by five years.

STATUS: Approved by the Governor. Chaptered by Secretary of State. Chapter 364, Statutes of 2022.

SB 1340**AUTHOR:** Hertzberg D**TITLE:** Property taxation: active solar energy systems: extension.**SUMMARY:** Extends the property tax reassessment exclusion for newly constructed active solar energy systems to January 1, 2027.**STATUS:** Approved by the Governor. Chaptered by Secretary of State. Chapter 425, Statutes of 2022.

General Industry

AB 152**AUTHOR:** Committee on Budget**TITLE:** COVID-19 relief: supplemental paid sick leave.**SUMMARY:** Establishes the COVID-19 Relief Grant Program within the Governor's Office of Business and Economic Development (GO-Biz) to assist qualified businesses with grants up to \$50,000 to reimburse COVID 19 Supplemental Paid Sick Leave provided between January 1, 2022, through December 31, 2022.**STATUS:** Approved by the Governor. Chaptered by Secretary of State - Chapter 736, Statutes of 2022.**AB 1643****AUTHOR:** Rivas, Robert D**TITLE:** Labor and Workforce Development Agency: heat: advisory committee study.**SUMMARY:** Require the Labor and Workforce Development Agency, on or before July 1, 2023, to establish an advisory committee to study and evaluate the effects of heat on California's workers, businesses, and the economy.**STATUS:** Approved by the Governor. Chaptered by Secretary of State - Chapter 263, Statutes of 2022.**AB 2011****AUTHOR:** Wicks D**TITLE:** Affordable Housing and High Road Jobs Act of 2022.**SUMMARY:** Creates a streamlined approval process for 100% affordable housing projects in commercial zones and for mixed-income housing projects along commercial corridors. The bill also imposes requirements that contractors building these projects pay workers prevailing wages, participate in apprenticeship programs, and provide healthcare.**STATUS:** Approved by the Governor. Chaptered by Secretary of State - Chapter 647, Statutes of 2022.**AB 2019****AUTHOR:** Petrie-Norris D**TITLE:** Small business enterprises.**SUMMARY:** Current law requires each state agency that significantly regulates or impacts small business to designate at least one person to serve as a small business liaison for the agency. Current law requires the small business liaison to be responsible for ensuring that the procurement and contracting processes of the entity are administered to meet or exceed the goal of 25% small business participation. AB 2019 codifies a 25% small business goal for state procurement and requires the small business liaison to develop an "economic equity first" action plan and policy for the agency to provide, among other things, direction, recommendations, and strategies as to how to ensure that small businesses are effectively involved and benefiting from the agency's procurement process. The bill would require the action plan and policy to be adopted by January 1, 2024.**STATUS:** Approved by the Governor. Chaptered by Secretary of State - Chapter 730, Statutes of 2022.**AB 2068****AUTHOR:** Haney D**TITLE:** Occupational safety and health: postings: spoken languages.**SUMMARY:** Requires employers to post notices that they have received citations for Labor Code violations, and any actions issued to the employer by the Division of Occupational Safety and Health

(Cal/OSHA) in each language of the top seven non-English languages used by limited-English-proficient adults in California, as determined by the United States Census Bureau.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 485, Statutes of 2022.

AB 2243

AUTHOR: Garcia, Eduardo D

TITLE: Occupational safety and health standards: heat illness: wildfire smoke.

SUMMARY: Requires the Division of Occupational Safety and Health (Cal/OSHA) to submit to the Occupational Safety and Health Standards Board a proposal to consider revising the heat illness standard.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 778, Statutes of 2022.

AB 2374

AUTHOR: Bauer-Kahan D

TITLE: Crimes against public health and safety: illegal dumping.

SUMMARY: Increase the maximum fine for the dumping of commercial quantities of waste by a business that employs more than 10 employees from \$3,000 to \$5,000 for the first conviction, from \$6,000 to \$10,000 for the second conviction, and from \$10,000 to \$20,000 for the third and any subsequent convictions and requires any business convicted of illegal dumping to remove or pay the cost of removing the waste matter they were convicted of illegally dumping.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 784, Statutes of 2022.

AB 2449

AUTHOR: Rubio, Blanca D

TITLE: Open meetings: local agencies: teleconferences.

SUMMARY: Allows, until January 1, 2026, members of a legislative body of a local agency to use teleconferencing without identifying each teleconference location in the notice and agenda of the meeting, and without making each teleconference location accessible to the public.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 285, Statutes of 2022.

AB 2693

AUTHOR: Reyes D

TITLE: COVID-19: exposure.

SUMMARY: Extends the notification requirements established by AB 654 [Reyes], Chapter 522 of 2021 and AB 685 [Reyes], Chapter 85 of 2020 that required employers to report COVID-19 workplace outbreaks to the Local Health Department and notify workers of a workplace COVID-19 exposure, until January 01, 2024.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 799, Statutes of 2022.

SB 6

AUTHOR: Caballero D

TITLE: Local planning: housing: commercial zones.

SUMMARY: The new law, the Middle Class Housing Act of 2022, would deem a housing development project, an allowable use on a parcel that is within a zone where office, retail, or parking are a principally permitted use, if specified conditions are met, including requirements relating to density, public notice, site size, consistency with sustainable community strategy, prevailing wage, and a skilled and trained workforce.

STATUS: Approved by the Governor. Chaptered by Secretary of State. Chapter 659, Statutes of 2022.

SB 114

AUTHOR: Committee on Budget and Fiscal Review

TITLE: Employment: COVID-19: supplemental paid sick leave.

SUMMARY: Extended COVID-19 supplemental paid sick leave through 2022.

STATUS: Approved by the Governor. Chaptered by Secretary of State. Chapter 4, Statutes of 2022.

SB 1076

AUTHOR: Archuleta D

TITLE: Lead-based paint.

SUMMARY: Requires the Department of Public Health (CDPH) to review and amend its regulations governing lead-related construction work, including training and certification for workers and accreditation for trainers in lead-safe work practices to comply with existing state regulations and with the United States Environmental Protection Agency's (U.S. EPA) Lead Renovation, Repair, and Painting Rule (RRP).

STATUS: Approved by the Governor. Chaptered by Secretary of State. Chapter 507, Statutes of 2022.

SB 1162

AUTHOR: Limón D

TITLE: Employment: Salaries and Wages.

SUMMARY: Requires employers with 15 or more employees to disclose, in job postings, a "pay scale" which the law defines as the "salary or hourly wage range that the employer reasonably expects to pay for the position." The law further adds a requirement that employers provide the pay scale to current employees upon request. In addition, the law imposes requirement that employers with 100 or more employees report to the state within each job category, for each combination of race, ethnicity, and sex, the median and mean hourly rate paid.

STATUS: Approved by the Governor. Chaptered by Secretary of State. Chapter 559, Statutes of 2022.

SB 1206

AUTHOR: Skinner D

TITLE: Hydrofluorocarbon gases: sale or distribution.

SUMMARY: Prohibits the sale or distribution of bulk hydrofluorocarbons (HFCs) that exceed global warming potential (GWP) limits of 2,200 by 2025, 1,500 by 2030, and 750 by 2033. Requires the state to use reclaimed HFCs when replenishing leaks or servicing equipment with HFCs with GWP greater than 750. Also requires ARB to post an assessment by January 1, 2025, specifying how to transition the state's economy away from HFCs and to low or ultra-low GWP alternatives by 2035.

STATUS: Approved by the Governor. Chaptered by Secretary of State. Chapter 884, Statutes of 2022.

Labor Relations

AB 1041

AUTHOR: Wicks D

TITLE: Employment: leave.

SUMMARY: Expands the list of individuals for which an employee can take leave under the California Family Rights Act (CFRA) to include a "designated person", by the employee. The law allows an employer to limit the employee to one designated person per 12-month period. CFRA allows eligible workers to take up to 12 weeks of unpaid, job-protected leave during a 12-month period. Employers must grant the time off for certain family or medical reasons (for example, for the birth of a new child, or to care of a family member suffering from a serious medical condition).

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 748, Statutes of 2022.

AB 1851

AUTHOR: Rivas, Robert D

TITLE: Public works: prevailing wage: hauling.

SUMMARY: Expands the definition of "public works," for the purpose of the payment of prevailing wages, to also include the on-hauling of materials used for paving, grading, and fill onto a public works site if the individual driver's work is integrated into the flow process of construction. The intent of the Legislature in enacting this act, is to restore, as of the effective date of this act, the holding of O. G. Sansone Co. v. Department of Transportation (1976) 55 Cal.App.3d 434, and its subsequent interpretations, as it relates to the on hauling of materials used for paving, grading and fill onto a public works project.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 764, Statutes of 2022.

AB 1949

AUTHOR: Low D

TITLE: Employees: bereavement leave.

SUMMARY: Requires employers with five or more employees to provide employees, with at least 30 days of service, up to five unpaid days of bereavement leave upon the death of a family member.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 767, Statutes of 2022.

AB 2188

AUTHOR: Quirk D

TITLE: Discrimination in employment: use of cannabis.

SUMMARY: Prohibits, on and after January 1, 2024, employers from discriminating in hiring, firing, or setting conditions of employment based upon a person's use of cannabis away from the workplace; or an employer-required drug screening test that has found the person to have non-psychoactive cannabis metabolites in their hair, blood, urine, or other bodily fluids. We were successful in securing amendments to ensure that the measure does not apply to the construction industry. The new law does not apply to an employee in the building and construction trades.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 392, Statutes of 2022.

SB 1044

AUTHOR: Durazo D

TITLE: Employers: emergency condition: retaliation.

SUMMARY: Prohibits an employer, in the event of a state of emergency or an emergency condition, from taking or threatening adverse action against any employee for refusing to report to, or leaving, a workplace within the affected area because the employee feels unsafe. An emergency condition is defined as either a condition of disaster or extreme peril to the safety of persons or property caused by natural forces or a criminal act or an order to evacuate a workplace, worksite, or worker's home, or the school of a worker's child due to a natural disaster or a criminal act. The bill specifies that an emergency condition does not include a health pandemic.

STATUS: Approved by the Governor. Chaptered by Secretary of State. Chapter 829, Statutes of 2022.

Public Works

AB 661

AUTHOR: Bennett D

TITLE: Recycling: materials.

SUMMARY: Makes numerous changes to the State Agency Buy Recycled Campaign (SABRC), and Mandates the Department of Resources Recycling and Recovery (CalRecycle), with the concurrence of the Department of General Services (DGS) and in consultation with impacted agencies, to update the list of identified products and update the minimum recycled content percentages commencing January 1, 2026, and every three years thereafter; Requires a state agency to purchase recycled products instead of nonrecycled products whenever recycled products are available at no more than 10% greater total cost than nonrecycled products and if fitness and quality are equal. The law also requires CalRecycle to update the list of recyclable products and their minimum recycled content percentages and requires the DGS to maintain procedures for complying with SABRC.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 517, Statutes of 2022.

AB 1037

AUTHOR: Grayson D

TITLE: Infrastructure construction: digital construction management technologies.

SUMMARY: Requires the California Department of Transportation (CalTrans) to develop an implementation plan for the use and integration of digital construction management technologies, for use on transportation infrastructure projects by January 1, 2023.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 493, Statutes of 2022.

AB 1833

AUTHOR: Ward D

TITLE: San Diego Metropolitan Transit Development Board: North County Transit District: consolidated agency: public contracting.

SUMMARY: The San Diego Regional Transportation Consolidation Act creates the consolidated agency, commonly known as the San Diego Association of Governments (SANDAG), through the consolidation of certain regional transportation planning, programming, and related functions in the County of San Diego from various agencies. Current law requires the San Diego Metropolitan Transit Development Board, North County Transit District, and consolidated agency to follow specified procedures when contracting for certain nontraditional construction services like the acquisition of materials, supplies, or equipment, architectural, landscape architectural, engineering, environmental, land surveying, or construction project management services. Current law requires those entities to follow different procedures when the amount of the contract exceeds specified thresholds. This bill would increase those thresholds to \$150,000.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 110, Statutes of 2022.

AB 1845

AUTHOR: Calderon D

TITLE: Metropolitan Water District of Southern California: alternative project delivery methods.

SUMMARY: Authorizes the Metropolitan Water District of Southern California (MWD) to use design-build, progressive design-build and construction manager/general contractor project delivery methods for a regional water recycling project or a drought response project. The new law provides that construction subcontractors who provide design services for progressive design-build projects shall not be subject to liability arising from their design if the construction subcontract for that design is not performed by that subcontractor. In addition, the law requires the use of a skilled-and-trained workforce on MWD progressive design-build projects.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 275, Statutes of 2022.

AB 1932

AUTHOR: Daly D

TITLE: Public contracts: construction manager at-risk construction contracts.

SUMMARY: Current law authorizes, until January 1, 2023, a county, with approval of the board of supervisors, or a public entity, of which the members of the county board of supervisors make up the members of the governing body of that public entity, with the approval of its governing body, to utilize construction manager at-risk construction contracts for the erection, construction, alteration, repair, or improvement of any infrastructure, owned or leased by the county. Construction manager at-risk may only be used for projects that are in excess of \$1,000,000. This measure extends those provisions until January 1, 2029.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 435, Statutes of 2022.

AB 2271

AUTHOR: Gipson D

TITLE: Los Angeles County Metropolitan Transportation Authority: contracting: local businesses.

SUMMARY: Expands the Los Angeles County Metropolitan Transportation Authority's ability to facilitate bid preferences to small business enterprises, local small business enterprise, and medium business enterprises.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 460, Statutes of 2022.

AB 2463

AUTHOR: Lee D

TITLE: Public works: exemption.

SUMMARY: Current law defines "public works," for purposes of regulating public works contracts, as, among other things, construction, alteration, demolition, installation, or repair work that is performed under contract and paid for in whole or in part out of public funds. Pursuant to current law, all workers employed on public works projects are required to be paid not less than the general prevailing rate of per

diem wages for work, except as specified. Current law exempts, until January 1, 2024, from these requirements work performed by a volunteer, a volunteer coordinator, or a member of the California Conservation Corps or a community conservation corps. This bill extends that exemption until January 1, 2031.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 210, Statutes of 2022.

AB 2763

AUTHOR: Kalra D

TITLE: Santa Clara Valley Transportation Authority: job order contracting.

SUMMARY This bill authorizes the Santa Clara Valley Transportation Authority to enter into job order contracts, defined as indefinite-quantity contracts for repair, remodeling, or other repetitive work to be done according to unit prices, with the lowest responsible and responsive bidders. The law is repealed on January 1, 2028.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 803, Statutes of 2022.

AB 2789

AUTHOR: Mullin D

TITLE: Design-build projects: local agencies.

SUMMARY: Allows Midpeninsula Regional Open Space District and Santa Clara Valley Open Space Authority to continue to use design-build contracting, and gives the East Bay Regional Park District this same authority

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 214, Statutes of 2022.

AB 2974

AUTHOR: Committee on Jobs, Economic Development, and the Economy

TITLE: Small Business Procurement and Contract Act: federal Infrastructure Investment and Jobs Act funding.

SUMMARY: establishes a 25% small business participation goal in all contracts financed, in whole or in part, with specified funding in the Federal Infrastructure Investment and Jobs Act (IIJA). Departments may waive this requirement where the federal law precludes small business participation, if the contract requires participation of disadvantaged business enterprise (a federal procurement designation), or if compliance with these requirements would make the state's application less competitive,

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 600, Statutes of 2022.

SB 207

AUTHOR: Dahle R

TITLE: County road commissioner: County of Siskiyou.

SUMMARY: Authorize the Board of Supervisors of the County of Siskiyou to transfer the duties of the county road commissioner to the county director of the department of public works.

STATUS: Approved by the Governor. Chaptered by Secretary of State. Chapter 24, Statutes of 2022.

SB 954

AUTHOR: Archuleta D

TITLE: Public works: wages: electronic certified payroll records.

SUMMARY: Current law requires contractors and subcontractors performing on public works projects to furnish electronic certified payroll records to the Labor Commissioner. This bill requires the Department of Industrial Relations to establish an online database of all submitted electronic certified payroll records and would limit access to the database to only multiemployer Taft-Hartley trust funds and industry joint labor-management committees. The bill stipulates that the database contain only non-redacted information that may be legally provided to multiemployer Taft-Hartley trust funds and joint labor-management committees.

STATUS: Approved by the Governor. Chaptered by Secretary of State. Chapter 824, Statutes of 2022.

SB 978**AUTHOR:** McGuire D**TITLE:** Department of Resources Recycling and Recovery: wildfire debris cleanup and removal: contracts.**SUMMARY:** Requires the State to prequalify contractors that perform debris cleanup and removal work in communities impacted by wildfires. The measure also prohibits the State from prequalifying or awarding a contract to a bidder unless the bidder can demonstrate that they meet basic thresholds that ensure safety, quality, and a commitment to train a future workforce.**STATUS:** Approved by the Governor. Chaptered by Secretary of State. Chapter 472, Statutes of 2022.**SB 991****AUTHOR:** Newman D**TITLE:** Public contracts: progressive design-build: local agencies.**SUMMARY:** Authorizes until January 1, 2029, local agencies, defined as any city, county, city and county, or special district to provide for the production, storage, supply, treatment, or distribution of any water from any source, to use the progressive design-build process for up to 15 public works projects in excess of \$5,000,000 for each project. The new law provides that construction subcontractors who provide design services for progressive design-build projects shall not be subject to liability arising from their design if the construction subcontract for that design is not performed by that subcontractor. In addition, the law requires the use of a skilled-and-trained workforce on these progressive design-build projects.**STATUS:** Approved by the Governor. Chaptered by Secretary of State. Chapter 243, Statutes of 2022.**SB 1192****AUTHOR:** Ochoa Bogh R**TITLE:** Public contracts: withheld payments.**SUMMARY:** Clarifies that the term "contractor" includes design professionals for the purposes of authorizing the substitution of alternative securities in lieu of retention payments withheld when contracting with a state agency on a public works project.**STATUS:** Approved by the Governor. Chaptered by Secretary of State. Chapter 93, Statutes of 2022.**SB 1226****AUTHOR:** Durazo D**TITLE:** Joint powers agreements: zero-emission transportation systems or facilities.**SUMMARY:** This bill allows a private, non-profit corporation that provides services for zero-emission transportation to enter into a joint powers agreement with a public agency to facilitate the development, construction, and operation of zero-emission transportation systems or facilities.**STATUS:** Approved by the Governor. Chaptered by Secretary of State. Chapter 423, Statutes of 2022.**SB 1354****AUTHOR:** Jones R**TITLE:** Design-build contracting: cities, counties, and cities and counties: compliance with the federal Americans with Disabilities Act of 1990.**SUMMARY:** Allows cities and counties to use design-build for contracts that are necessary to comply with construction-related accessibility standards.**STATUS:** Approved by the Governor. Chaptered by Secretary of State. Chapter 900, Statutes of 2022.**SB 1422****AUTHOR:** Hertzberg D**TITLE:** Acquisition of goods and services: alternative contracting procedures: installation of carpet, resilient flooring, synthetic turf, and lighting fixtures: pilot.**SUMMARY:** Authorizes, until January 1, 2028, the Department of General Services to use existing leveraged procurement tools for contracts for purchase and installation of carpet, resilient flooring, synthetic turf, or lighting fixtures, and allows state and local agencies to contract for these projects without

further competitive bidding if the contractor provides the state and local agency with an enforceable commitment that a skilled and trained workforce will be used to complete the installation.

STATUS: Approved by the Governor. Chaptered by Secretary of State. Chapter 310, Statutes of 2022.

Workers` Compensation

AB 2148

AUTHOR: Calderon D

TITLE: Workers' compensation: disability payments.

SUMMARY: Current law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of the employee's employment. Current law governs temporary and permanent disability indemnity payments. Existing law, until January 1, 2023, allows an employer to commence a program under which disability indemnity payments are deposited in a prepaid card account for employees. This bill extends the authorization to deposit indemnity payments in a prepaid card account until January 1, 2024.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 120, Statutes of 2022.

AB 2848

AUTHOR: Santiago D

TITLE: Workers' compensation: medical treatment.

SUMMARY: Current law requires the Administrative Director of the Division of Workers' Compensation to adopt a medical treatment utilization schedule. Current law requires the administrative director to contract with an outside independent research organization to evaluate and report on the impact of the provision of medical treatment within the first 30 days after a claim is filed, for claims filed on or after January 1, 2017, until January 1, 2019. Current law requires the report to be completed before January 1, 2020, and to be distributed to the administrative director, the Senate Committee on Labor and Industrial Relations, and the Assembly Committee on Insurance. This bill requires the administrative director to contract with an outside independent research organization to evaluate and report on the impact of the provision of medical treatment within the first 30 days after a claim is filed for those claims filed between January 1, 2017, and January 1, 2021. The bill requires the report to be completed before July 1, 2023.

STATUS: Approved by the Governor. Chaptered by Secretary of State - Chapter 292, Statutes of 2022.