FACILITIES

CHANGES IN LAW
2024

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School Facilities Construction Bond heads to November Ballot

After years of delays the Legislature finally, albeit last minute, negotiated and passed a $10 billion statewide school facilities bond that will appear on the November 5th ballot as Proposition 2.

The Kindergarten Through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Act of 2024 provides dedicated funding for community colleges, new construction and modernization projects, career technical education (CTE), charter schools, and lead in water testing and remediation. Prop 2 does not include any funding for CSU and UC. The amounts are broken down as follows:

- Community Colleges: $1.5 Billion
- New Construction: $3.3 Billion
- Modernization: $4 Billion
- Career Technical Education: $600 Million
- Charter Schools: $600 Million
- Lead in Water Testing and Remediation: $115 Million (out of Modernization)

If Prop 2 is passed by voters, the School Facilities Program (SFP) moving forward will include a new sliding scale system that will provide lower wealth school districts with additional state funding for new construction and modernization projects and provide supplemental grants for transitional kindergarten, extreme heat and energy efficiency projects, minimum essential facilities (kitchens, gyms, multipurpose rooms or libraries), and CTE projects.

Prop 2 also includes direct technical assistance for small and priority school districts, increases the maximum level of total bonding capacity that a school district could have and still be eligible for financial hardship from $5 million to $15 million, and includes a program for buildings older than 75 years old to receive more new construction funding to demolish or replace the older buildings.

New accountability and transparency requirements, including a five year school facilities master plan, will be part of the new SFP moving forward, which we'll know more details about in the coming months. The Office of Public School Construction is scheduled to submit a plan of action and timeline (which we understand will include opportunities for stakeholder input) to the State Allocation Board at its December meeting.

Developer Fee Collection Delayed under New Law

California continues to struggle with the ability to construct enough housing for its residents. In an effort to make more housing available, SB 937, authored by Senator Scott Wiener (D-San Francisco), defers development related fees until the certificate of occupancy or its equivalent is issued, while also limiting exceptions to the new rule.

Signed into law by the Governor, the bill's impacts on schools is uncertain. According to the Coalition for Adequate School Housing, there are conflicts with current Education Code which requires payment of school impact fees prior to the issuance of building permits. While it is unclear if the author intended to include schools in the provisions of the bill, there may need to be cleanup language next year to clearly exempt schools from the new law.

The Governor signed the following facilities bills:

Facilities

AB 247 (Muratsuchi) - Education finance: school facilities: Kindergarten Through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024.
AB 247 is the legislation that established Prop 2, the Kindergarten Through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024. Prop 2 provides $10 billion to construct and modernize education facilities, including $8.5 billion for elementary and secondary educational facilities and $1.5 billion for community college facilities. This bond act would become operative only if approved by the voters.
Chapter 81, Statutes of 2024

AB 1864 (Connolly) - Pesticides: agricultural use near schoolsites: notification and reporting.
Current law allows county agricultural commissioners to adopt regulations that supplement those of the Director of Pesticide Regulation, governing pest control operations and their associated records. These regulations restrict certain pesticide applications within 1/4 mile of schools, focusing on timing, notification, and methods of application. AB 1864 requires the Department of Pesticide Regulation to assign a separate site identification number for agricultural fields within 1/4 mile of schoolsites. It also mandates detailed reporting for permit applications, notices of intent, and pesticide use reporting forms concerning restricted materials. Specifically, the bill requires reporting on application methods, dates, and times for pesticides used near schools and has the director assess county enforcement programs for their effectiveness in regulating pesticide use near schoolsites.
Chapter 552, Statutes of 2024

AB 2565 (McCarty) - School facilities: interior locks.
Contingent upon an appropriation, AB 2565 requires a charter school, school district, or county office of education serving pupils in kindergarten though grade 12, that undertakes an addition, alteration, reconstruction, rehabilitation, or retrofit of a school building, to install interior locks on each door of any room with an occupancy of 5 or more persons in that school building. Doors that are locked from

the outside at all times, doors with locks that lock from the inside, and pupil restrooms are exempt from this requirement.
Chapter 531, Statutes of 2024

AB 2729 (Patterson, Joe) - Development projects: permits and other entitlements.
The Planning and Zoning Law requires counties and cities to adopt comprehensive long-term general plans, including a mandatory housing element. The Permit Streamlining Act mandates that lead agencies approve or disapprove development projects within specified timeframes. Current law has already extended the expiration of certain housing entitlements issued before March 4, 2020, for 18 months. This bill extends that period by an additional 18 months for housing entitlements issued before January 1, 2024, expiring before December 31, 2025, with certain exceptions. Furthermore, the bill would pause this extension during any legal challenges to the housing entitlement.
Chapter 737, Statutes of 2024

SB 867 (Allen) - Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024.
The proposed Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024, if approved by voters, Prop 4 would authorize the issuance of $10 billion in bonds to finance projects aimed at ensuring safe drinking water, enhancing drought, flood, and water resilience, promoting wildfire and forest resilience, supporting coastal resilience, mitigating extreme heat, and advancing biodiversity and nature-based climate solutions. Additionally, the act would fund climate-smart, sustainable farms and ranches, park creation, outdoor access, and clean air programs. Schools and schoolyards are eligible for some of the funding.
Chapter 83, Statutes of 2024

SB 937 (Wiener) - Development projects: fees and charges.
With certain exceptions, limits the ability of local agencies to collect developer fees until the date the first certificate of occupancy or temporary certificate of occupancy is issued, whichever is first.
Chapter 290, Statutes of 2024

SB 956 (Cortese) - School facilities: design-build contracts.
Current law authorizes a school district, with the approval of the governing board of the school district, to procure design-build contracts for public works projects in excess of $1,000,000, awarding the contract to either the low bid or the best value until January 1, 2025. This bill removes the sunset date, thereby extending this authority indefinitely.
Chapter 177, Statutes of 2024

SB 1091 (Menjivar) - School facilities: school projects: accessible path of travel requirements.
The California Building Standards Code requires that buildings and facilities be accessible to individuals with disabilities, including providing an accessible path of travel during alterations or additions. This bill allows, for school construction projects approved by the Division of the State Architect (DSA) on or before December 31, 2030, exempts certain school ground construction projects from the accessible path of travel requirements if the cost would exceed 20% of the project's total construction costs.
Chapter 1014, Statutes of 2024

Transportation

AB 1953 (Villapudua) - Vehicles: weight limits.

Current federal law sets the maximum gross vehicle weight for natural gas or electric-powered vehicles at 82,000 pounds. State law allows near-zero or zero-emission vehicles to exceed weight limits by up to 2,000 pounds on the power unit, if federally permitted. This bill clarifies that these vehicles can exceed gross weight limits by up to 2,000 pounds and confirms that the overall maximum weight remains 82,000 pounds.

Chapter 219, Statutes of 2024

Capitol Advisors Group has produced a set of comprehensive client briefs detailing new education laws that were passed by the Legislature and signed into law by Governor Newsom in 2024. Each brief is organized by subject area and includes an executive summary highlighting major changes we think you should know about. Bills signed by the Governor take effect on January 1, 2025, unless the bill specifically states otherwise.