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GOVERNMENT CODE - GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980] (Title 2 enacted by Stats. 1943, Ch. 134.)

DIVISION 1. GENERAL [8000 - 8899.95] (Division 1 enacted by Stats. 1943, Ch. 134.)

CHAPTER 5. Miscellaneous [8310 - 8318] (Chapter 5 added by Stats. 1953, Ch. 170.)

8310. The inclusion of any question relative to an applicant's race, sex, marital status, or religion in any application blank or form required to be filled in and submitted by an applicant to any department, board, commission, officer, agent, or employee of this state is prohibited.

Any person who violates this section is guilty of a misdemeanor.

Notwithstanding the provisions of this section, subsequent to employment, gender and marital status data may be obtained and maintained for research and statistical purposes when safeguards preventing misuse of the information exist, as approved by the State Fair Employment Practice Commission, except that in no event shall any notation, entry, or record of such data be made on papers or records relating to such employment application.

(Amended by Stats. 1976, Ch. 1436.)

8310.3. (a) This section shall be known, and may be cited, as the California Religious Freedom Act.

(b) Notwithstanding any other law, a state or local agency or public employee acting under color of law shall not:

(1) Provide or disclose to federal government authorities personal information regarding the religious beliefs, practices, or affiliation of any individual for the purpose of compiling a list, registry, or database of individuals based on religious affiliation, national origin, or ethnicity.

(2) Use agency money, facilities, property, equipment, or personnel to assist in creation, implementation, or enforcement of any government program compiling a list, registry, or database of personal information about individuals based on religious belief, practice, or affiliation, or national origin or ethnicity, for law enforcement or immigration purposes.

(3) Make personal information from agency databases available, including any databases maintained by private vendors contracting with the agency, to anyone or any entity for the purpose of investigation or enforcement under any government program compiling a list, registry, or database of individuals based on religious belief, practice, or affiliation, or national origin or ethnicity for law enforcement or immigration purposes.

(c) Notwithstanding any other law, state and local law enforcement agencies and their employees shall not:

(1) Collect information on the religious belief, practice, or affiliation of any individual except (A) as part of a targeted investigation of an individual based on reasonable suspicion to believe that individual has engaged in, or been the victim of, criminal activity, and when there is a clear nexus between the criminal activity and the specific information collected about religious belief, practice, or affiliation, or (B) where necessary to provide religious accommodations.

(2) Use agency money, facilities, property, equipment, or personnel to investigate, enforce, or assist in the investigation or enforcement of any criminal, civil, or administrative violation, or warrant for a violation, of any requirement that individuals register with the federal government or any federal agency based on religious belief, practice, or affiliation, national origin, or ethnicity.

(d) Any agreements in existence on the operative date of this section that make any agency or department information or database available in conflict with the terms of this chapter are terminated on that date to the extent of the conflict.

(e) Nothing in this section prohibits any state or local agency from sending to, or receiving from, any local, state, or federal agency, information regarding an individual's citizenship or immigration status. "Information regarding an individual's citizenship or

immigration status, lawful or unlawful" for purposes of this section, shall be interpreted consistent with Sections 1373 and 1644 of Title 8 of the United States Code.

(f) Nothing in this section is intended to prevent any state or local agency from compiling aggregate nonpersonal information about religious belief, practice, or affiliation, national origin, or ethnicity, or from exchanging it with other local, state, or federal agencies.

(g) Nothing in this section prevents the collection, retention, or disclosure of personal information or documents as required by Federal law, or to comply with a court order, or as necessary to comply with Federal programs of assistance.

(h) An agency or employee will only be deemed to be in violation of this section if the agency or employee acted with actual knowledge that the information shared would be used for purposes prohibited by this section.

(i) Nothing in this section shall prevent a state or local law enforcement agency from assisting, participating with, or requesting participation from, federal authorities, so long as the state or local agency acts in accordance with this section and any other applicable law.

(Added by Stats. 2017, Ch. 826, Sec. 2. (SB 31) Effective October 15, 2017.)

8310.5. (a) A state agency, board, or commission that directly or by contract collects demographic data as to the ancestry or ethnic origin of Californians shall use separate collection categories and tabulations for the following:

(1) Each major Asian group, including, but not limited to, Chinese, Japanese, Filipino, Korean, Vietnamese, Asian Indian, Laotian, and Cambodian.

(2) Each major Pacific Islander group, including, but not limited to, Hawaiian, Guamanian, and Samoan.

(b) The data collected pursuant to the different collection categories and tabulations described in subdivision (a) shall be included in every demographic report on ancestry or ethnic origins of Californians by the state agency, board, or commission published or released on or after July 1, 2012. The data shall be made available to the public in accordance with state and federal law, except for personal identifying information, which shall be deemed confidential.

(Amended by Stats. 2011, Ch. 689, Sec. 2. (AB 1088) Effective January 1, 2012.)

8310.6. (a) On or after January 1, 2024, the State Controller's Office, to the extent the State Controller's Office has completed the functionality necessary, and the Department of Human Resources, when collecting demographic data as to the ancestry or ethnic origin of persons hired into state employment, shall include the following additional collection categories and tabulations for Black or African American groups, including, but not limited to, all of the following:

(1) African Americans who are descendants of persons who were enslaved in the United States.

(2) Blacks who are not descendants of persons who were enslaved in the United States, including, but not limited to, African Blacks, Caribbean Blacks, and other Blacks.

(3) Unknown or choose not to identify.

(b) The data collected pursuant to the collection categories and tabulations described in subdivision (a) shall be included in the Annual Census of Employees in State Civil Service report published or released on or after January 1, 2025. The data shall be made available to the public in accordance with state and federal law, except for personally identifiable information, which shall be deemed confidential.

(c) For the purposes of this section:

(1) "African Americans who are descendants of persons who were enslaved in the United States" means individuals who self-identify as Black, African American, or American Freedman who have at least one ancestor who was enslaved in the United States.

(2) "African Blacks" means individuals who self-identify as Black and who either immigrated directly from Africa to the United States or who are descendants of such a person and who have no ancestors who were enslaved in the United States.

(3) "American Freedmen" means persons who gained freedom from slavery in the United States or their descendants.

(4) "Caribbean Blacks" means individuals who self-identify as Black and who either left Africa for a Caribbean country before immigrating to the United States or who are descendants of such a person and who have no ancestors who were enslaved in the United States.

(5) "Other Blacks" means individuals who self-identify as Black and who either left Africa to a country not in the Caribbean before immigrating to the United States or who are descendants of a such a person and who have no ancestors who were enslaved in the United States.

(Added by Stats. 2022, Ch. 48, Sec. 14. (SB 189) Effective June 30, 2022.)

8310.7. (a) This section shall only apply to the following state agencies:

(1) The Department of Industrial Relations.

(2) The Civil Rights Department.

(3) To the extent funding is specifically appropriated for this purpose, the State Department of Public Health, on or after July 1, 2022, whenever collecting demographic data as to the ancestry or ethnic origin of persons for a report that includes rates for major diseases, leading causes of death per demographic, subcategories for leading causes of death in California overall, pregnancy rates, or housing numbers.

(b) In addition to the duties imposed under Section 8310.5, the state agencies described in subdivision (a), in the course of collecting demographic data directly or by contract as to the ancestry or ethnic origin of California residents, shall collect and tabulate data for the following:

(1) Additional major Asian groups, including, but not limited to, Bangladeshi, Hmong, Indonesian, Malaysian, Pakistani, Sri Lankan, Taiwanese, and Thai.

(2) Additional major Native Hawaiian and other Pacific Islander groups, including, but not limited to, Fijian and Tongan.

(c) (1) The state agencies identified in subdivision (a) shall make any data collected pursuant to subdivision (b) publicly available, except as described in paragraph (2) for the department identified in paragraph (3) of subdivision (a), and except for personal identifying information, which shall be deemed confidential, by posting the data on the internet website of the agency on or before July 1, 2012, and annually thereafter. This subdivision shall not be construed to prevent any other state agency from posting data collected pursuant to subdivision (b) on the agency's internet website, in the manner prescribed by this section.

(2) The state department identified in paragraph (3) of subdivision (a) shall not report demographic data that would permit identification of individuals. The department may, to prevent identification of individuals, aggregate data categories at a state, county, city, census tract, or ZIP Code level to facilitate comparisons and identify disparities.

(d) The state agencies identified in subdivision (a) shall, within 18 months after a decennial United States Census is released to the public, update their data collection to reflect the additional Asian groups and additional Native Hawaiian and Pacific Islander groups as they are reported by the United States Census Bureau.

(e) The state department identified in paragraph (3) of subdivision (a) shall not report demographic data that would result in statistical unreliability.

(f) The state department identified in paragraph (3) of subdivision (a) may continue to collect and report demographic data in the form that the data was submitted if the data was collected under either of the following circumstances:

(1) Pursuant to federal programs or surveys, whereby the guidelines for demographic data collection categories are defined by the federal program or survey.

(2) Demographic data collected by other entities, including either of the following:

(A) State offices, departments, and agencies not included in subdivision (a).

(B) Third-party entity administered surveys not solely funded by the state department.

(Amended by Stats. 2022, Ch. 48, Sec. 15. (SB 189) Effective June 30, 2022.)

8310.8. (a) (1) This section shall only apply to the following state entities:

(A) The State Department of Health Care Services.

(B) The State Department of Public Health.

(C) The State Department of Social Services.

(D) The California Department of Aging.

(E) The State Department of Education and the Superintendent of Public Instruction, except this section shall not apply to the California Longitudinal Pupil Achievement Data System (CALPADS).

(F) The Commission on Teacher Credentialing.

(G) The Civil Rights Department.

(H) The Labor and Workforce Development Agency.

(I) The Department of Industrial Relations.

(J) The Employment Training Panel.

(K) The Employment Development Department, except this section shall not apply to the unemployment insurance program within the department.

(L) The State Department of State Hospitals.

(M) The Department of Rehabilitation.

(N) The State Department of Developmental Services.

(O) The Department of Community Services and Development.

(2) This section shall be known, and may be cited, as the Lesbian, Gay, Bisexual, Transgender, and Intersex Disparities Reduction Act.

(b) (1) Except as specified in paragraph (2), in addition to the duties imposed by Section 8310.5 and to the extent permissible by federal law, the state entities identified in subdivision (a), in the course of collecting demographic data directly or by contract as to the ancestry or ethnic origin of Californians, shall collect voluntary self-identification information pertaining to sexual orientation, gender identity, and variations in sex characteristics/intersex status (SOGISC).

(2) The state entities identified in subdivision (a) may, but are not required to, collect demographic data pursuant to this section under either of the following circumstances:

(A) Pursuant to federal programs or surveys, whereby the guidelines for demographic data collection categories are defined by the federal program or survey.

(B) Demographic data are collected by other entities including:

(i) State offices, departments, and agencies not included in subdivision (a).

(ii) Surveys administered by third-party entities and the state department is not the sole funder.

(iii) Third-party entities, including, but not limited to, private employers, that provide aggregated data to a state department.

(3) Notwithstanding paragraph (2), the State Department of Public Health shall collect demographic data pursuant to this section from third parties, including, but not limited to, local health jurisdictions, on any forms or electronic data systems, unless prohibited by federal or state law. This section does not require either of the following:

(A) The State Department of Public Health to collect demographic data pursuant to this section from an individual under 18 years of age who is applying for, or participating in, the California Special Supplemental Nutrition Program for Women, Infants, and Children.

(B) Health care providers or other third parties to collect, disclose, or report information that is not voluntarily provided self-identification information pertaining to SOGISC.

(c) (1) The state entities identified in subdivision (a) shall report to the Legislature the data collected pursuant to this section and the method used to collect those data, and make the data available to the public in accordance with state and federal law, except for personal identifying information, which shall be deemed confidential and shall not be disclosed.

(2) The state entities identified in subdivision (a) shall not report demographic data that would permit identification of individuals or would result in statistical unreliability. Demographic reports on data collected pursuant to this section, to prevent identification of individuals, may aggregate categories at a state, county, city, census tract, or ZIP Code level to facilitate comparisons and identify disparities.

(3) The state entities identified in subdivision (a) may use information voluntarily provided about SOGIS only for demographic analysis, coordination of care, quality improvement of its services, conducting approved research, fulfilling reporting requirements, and guiding policy or funding decisions. All information about SOGIS collected pursuant to this section shall be used only for purposes specified in this section.

(d) (1) The state entities identified in subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision (a) shall comply with the requirements of this section as early as possible following the effective date of this section, but no later than July 1, 2018, except as specified in paragraph (2).

(2) For purposes of data collected pursuant to paragraph (3) of subdivision (b), the State Department of Public Health shall comply with the requirements of this section as early as possible but no later than March 28, 2029.

(e) The state entities identified in subparagraphs (E) to (K), inclusive, of paragraph (1) of subdivision (a) shall comply with the requirements of this section as early as possible following the effective date of this section, but no later than July 1, 2019.

(f) The state entities identified in subparagraphs (L) to (O), inclusive, of paragraph (1) of subdivision (a) shall comply with the requirements of this section as early as possible following January 1, 2025, but no later than July 1, 2026.

(Amended by Stats. 2024, Ch. 868, Sec. 1. (SB 957) Effective January 1, 2025.)

8310.9. (a) The Legislature hereby finds and declares all of the following:

(1) The State of California currently has the largest population of people in the United States who identify with more than one ethnicity or race. This population of Californians who identify as multiracial is rapidly growing.

(2) Many state forms that currently require respondents to choose only a single ethnicity or race force multiracial Californians to deny a significant part of their heritage. Information collected in this manner often deprives the state of accurate data with which to meet the needs of its diverse communities.

(3) It is in the best interest of the State of California to respect, embrace, and understand the full diversity of its citizens.

(4) Since 1997, the federal Office of Management and Budget's "Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity" have required federal agencies to ensure that individuals have the option of selecting one or more ethnic or racial designations on federal government forms requesting this information.

(b) Any state agency, board, or commission that directly or by contract collects demographic data on the ethnic origin, ethnicity, or race of Californians shall do all of the following:

(1) Provide forms that offer respondents the option of selecting one or more ethnic or racial designations. Recommended forms for the instruction accompanying a multiple response question are "mark one or more" or "select one or more."

(2) Ensure in cases when data on respondents' ethnic origin, ethnicity, or race is reported to any other state agency, board, or commission that it is neither tabulated nor reported without all of the following:

(A) The number or percentage of respondents who identify with each ethnic or racial designation alone and not in combination with any other ethnic or racial designation.

(B) The number or percentage of respondents who identify with each ethnic or racial designation, whether alone or in combination with other ethnic or racial designations.

(C) The number or percentage of respondents who identify with multiple ethnic or racial designations.

(D) For civil rights monitoring and enforcement, complying with the rules for multiple race response allocation issued by the federal Office of Management and Budget Bulletin No. 00-02 in cases of state or federally mandated actions related to an ethnic or a racial community, or to assessing disparate impact or discriminatory patterns. In these cases, the requirement of subparagraph (C) shall not be considered satisfied without also complying with the requirements of subparagraphs (A), (B), and (D).

(c) Each state agency, board, or commission required to comply with subdivision (b) shall comply as early as reasonably feasible when updating forms, software, hardware, or information collection procedures, and in no event later than January 1, 2022.

(d) Notwithstanding any other provision of this section, any state agency, board, or commission that collects demographic data from a local agency may continue to collect and report that data to any other state agency, board, or commission in the form that the local agency submits it.

(e) Notwithstanding any other provision of this section, any state agency, board, or commission that collects ethnic or racial data solely to comply with federal requirements may continue to collect and report that data to any other state agency, board, or commission in the form required by the federal government.

(Added by Stats. 2015, Ch. 433, Sec. 1. (AB 532) Effective January 1, 2016.)

8311. Wherever any notice or other communication is required by any law to be mailed by registered mail to or by the state, or any officer or agency thereof, the mailing of such notice or other communication by certified mail or any other means of physical delivery that provides a receipt shall be deemed to be a sufficient compliance with the requirements of such law.

(Amended by Stats. 2016, Ch. 366, Sec. 8. (SB 974) Effective January 1, 2017.)

8312. No officer or employee of the state or any county, city and county, city, or district who is concerned with the organization or supervision of any discussion or social meeting of aged, blind, or disabled persons shall, in his official capacity, prevent or attempt to prevent any discussion at such meeting of legislation of interest to such persons.

(Added by renumbering Section 8402 by Stats. 1965, Ch. 1157.)

8313. No officer or employee of the state or any county, city and county, city, or district who is concerned with the administration of any program for the aged, blind, or disabled shall, in his official capacity, attempt to coerce or coerce any aged, blind, or disabled person to join or refrain from joining any organization of the aged, blind, or disabled.

(Added by renumbering Section 8403 by Stats. 1965, Ch. 1157.)

8314. (a) It is unlawful for any elected state or local officer, including any state or local appointee, employee, or consultant, to use or permit others to use public resources for a campaign activity, or personal or other purposes which are not authorized by law.

(b) For purposes of this section:

(1) "Personal purpose" means those activities the purpose of which is for personal enjoyment, private gain or advantage, or an outside endeavor not related to state business. "Personal purpose" does not include the incidental and minimal use of public resources, such as equipment or office space, for personal purposes, including an occasional telephone call.

(2) "Campaign activity" means an activity constituting a contribution as defined in Section 82015 or an expenditure as defined in Section 82025. "Campaign activity" does not include the incidental and minimal use of public resources, such as equipment or office space, for campaign purposes, including the referral of unsolicited political mail, telephone calls, and visitors to private political entities.

(3) "Public resources" means any property or asset owned by the state or any local agency, including, but not limited to, land, buildings, facilities, funds, equipment, supplies, telephones, computers, vehicles, travel, and state-compensated time.

(4) "Use" means a use of public resources which is substantial enough to result in a gain or advantage to the user or a loss to the state or any local agency for which a monetary value may be estimated.

(c) (1) Any person who intentionally or negligently violates this section is liable for a civil penalty not to exceed one thousand dollars (\$1,000) for each day on which a violation occurs, plus three times the value of the unlawful use of public resources. The penalty shall be assessed and recovered in a civil action brought in the name of the people of the State of California by the Attorney General or by any district attorney or any city attorney of a city having a population in excess of 750,000. If two or more persons are responsible for any violation, they shall be jointly and severally liable for the penalty.

(2) If the action is brought by the Attorney General, the moneys recovered shall be paid into the General Fund. If the action is brought by a district attorney, the moneys recovered shall be paid to the treasurer of the county in which the judgment was entered. If the action is brought by a city attorney, the moneys recovered shall be paid to the treasurer of that city.

(3) No civil action alleging a violation of this section may be commenced more than four years after the date the alleged violation occurred.

(d) Nothing in this section shall prohibit the use of public resources for providing information to the public about the possible effects of any bond issue or other ballot measure on state activities, operations, or policies, provided that (1) the informational activities are otherwise authorized by the constitution or laws of this state, and (2) the information provided constitutes a fair and impartial presentation of relevant facts to aid the electorate in reaching an informed judgment regarding the bond issue or ballot measure.

(e) The incidental and minimal use of public resources by an elected state or local officer, including any state or local appointee, employee, or consultant, pursuant to this section shall not be subject to prosecution under Section 424 of the Penal Code.

8314.5. (a) In furtherance of Section 8314 and except as provided in subdivision (b), it shall be unlawful for any elected state or local officer, including any state or local appointee, employee, or consultant, to knowingly use a state-owned or state-leased computer to access, view, download, or otherwise obtain obscene matter.

(b) This section does not apply to accessing, viewing, downloading, or otherwise obtaining obscene matter for use consistent with legitimate law enforcement purposes, to permit a state agency to conduct an administrative disciplinary investigation, or for legitimate medical, scientific, academic, or legislative purposes, or for other legitimate state purposes.

(c) "Obscene matter" as used in this section has the meaning specified in Section 311 of the Penal Code.

(d) "State-owned or state-leased computer" means a computer owned or leased by one of the following:

(1) A state agency, as defined by Section 11000, including the California State University.

(2) The University of California.

(3) The Legislature.

(e) This section shall not apply to the University of California unless and until the Regents of the University of California act, by resolution, to make it applicable.

(Added by Stats. 2006, Ch. 848, Sec. 1. Effective January 1, 2007.)

8315. (a) "Racial discrimination" or "discrimination on the basis of race" for the purposes of Section 31 of Article I of the California Constitution shall have the same meaning as the term "racial discrimination" as defined and used in paragraphs 1 and 4 of Article 1 of Part I of the International Convention on the Elimination of All Forms of Racial Discrimination, as adopted by the United Nations General Assembly on December 21, 1965, signed on behalf of the United States on September 28, 1966, and ratified by the United States Senate as Treaty Number 95-18 by United States Senate on June 24, 1994. The language contained in the pertinent provisions of the International Convention on the Elimination of All Forms of Racial Discrimination is set forth in subdivision (b).

(b) The International Convention on the Elimination of All Forms of Racial Discrimination, provides in paragraphs 1 and 4 of Article 1 of Part I, respectively, as follows:

"1. In this Convention, the term 'racial discrimination' shall mean any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life."

"4. Special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals equal enjoyment or exercise of human rights and fundamental freedoms shall not be deemed racial discrimination, provided, however, that such measures do not, as a consequence, lead to the maintenance of separate rights for different racial groups and that they shall not be continued after the objectives for which they were taken have been achieved."

(c) To allow the state to assist the United States Government in fulfilling its international obligation to pursue a policy to eliminate all forms of racial discrimination pursuant to paragraph 1 of Article 2 of Part I of the International Convention on the Elimination of All Forms of Racial Discrimination, as set forth in subdivision (d), the following provisions shall be used to interpret and implement Section 31 of Article I of the California Constitution:

(1) Section 31 of Article I of the California Constitution, except as to its prohibition of granting preferential treatment, shall not be interpreted as granting an individual a private cause of action to challenge any special measures undertaken for the purpose of securing adequate advancement of those racial groups requiring the protection pursuant to paragraph 1 of Article 2 of Part I of the International Convention on the Elimination of All Forms of Racial Discrimination. Special measures shall not be interpreted as preferential treatment.

(2) Section 31 of Article I of the California Constitution shall not be construed as requiring the government to prove racial discrimination before undertaking special measures for the purpose of securing adequate advancement of those racial minority groups needing that protection pursuant to paragraph 1 of Article 2 of Part I of the International Convention on the Elimination of All Forms of Racial Discrimination.

(d) Paragraph 1 of Article 2 of Part I of the International Convention on the Elimination of All Forms of Racial Discrimination provides as follows:

"1. States Parties (member nations that have adopted the International Convention on the Elimination of All Forms of Racial Discrimination) condemn racial discrimination to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting the understanding among all races, and to this end:

"(a) Each State Party undertakes to engage in no act or practice of racial discrimination against persons, groups of persons or institutions and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation.

"(b) Each State Party undertakes not to sponsor, defend or support racial discrimination by any persons or organizations.

"(c) Each State Party shall take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists.

"(d) Each State Party shall prohibit and bring to an end, by all appropriate means, including legislation as required by circumstances, racial discrimination by any persons, group or organization.

"(e) Each State Party undertakes to encourage, where appropriate, integrationist multiracial organizations and movements and other means of eliminating barriers between races, and to discourage anything which tends to strengthen racial division."

(Added by Stats. 2003, Ch. 211, Sec. 2. Effective January 1, 2004.)

8316. (a) (1) Except as provided in paragraph (2), all new building and major renovation projects larger than 10,000 gross square feet undertaken by state agencies shall obtain LEED Gold or higher certification using the version of LEED that is in effect at the time the project schematic design documents are initiated by the state agency. Certification to an alternative equivalent or higher rating system or standard, if any, is only acceptable when approved by the Director of General Services.

(2) If the state agency concerned makes a finding that achieving LEED Gold conflicts with critical operational or security requirements, can be demonstrated to be cost ineffective, or conflicts with requirements in the California Building Code, the state agency shall instead obtain LEED Silver certification using the version of LEED that is in effect at the time the project schematic design documents are initiated by the state agency.

(b) This section applies to projects for which the project schematic design documents are initiated by the state agency on or after January 1, 2024.

(c) For purposes of this section:

(1) "LEED" means the Leadership in Energy and Environmental Design building certification program under the auspices of the United States Green Building Council.

(2) "Major renovation" is a renovation of a structure in which most of the major building systems are either replaced or upgraded.

(3) "State agency" does not include a district agricultural association as described in Part 3 (commencing with Section 3801) of Division 3 of the Food and Agricultural Code.

(Added by Stats. 2023, Ch. 395, Sec. 1. (SB 416) Effective January 1, 2024.)

8317. (a) Each state agency, as defined in subdivision (b), shall establish and maintain an index of the names or titles of all fees, license fees, fines, and penalties administered or collected by the agency.

(b) "State agency" for the purposes of this section means every state office, department, division, bureau, board, and commission, but shall not include the Legislature or any entity provided for under Article VI of the California Constitution.

(c) This section does not apply to any fee collected by a state agency from any other governmental agency.

(Added by Stats. 1994, Ch. 784, Sec. 1. Effective January 1, 1995.)

8318. (a) For purposes of this section, "state agency" means a department or agency of the state, the California State University, the University of California, and the Judicial Council of California.

(b) The Regents, on behalf of the University of California, are requested to designate, and every other state agency with significant interaction with tribal issues, peoples, or lands shall designate, one or more liaisons for the purpose of engaging in consultation with California Native American tribes on the contact list maintained by the Native American Heritage Commission pursuant to paragraph (2) of subdivision (c) of Section 8012 of the Health and Safety Code and educating the agency on topics relevant to the state's relationship with those tribes.

(Added by Stats. 2020, Ch. 167, Sec. 2. (AB 275) Effective January 1, 2021.)