



**AB-85 Budget Act of 2020.** (2021-2022)

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**Assembly Bill No. 85**

**CHAPTER 4**

An act to amend the Budget Act of 2020 (Chapters 6 and 7 of the Statutes of 2020) by amending Items 0890-001-0001, 0890-001-0890, 0890-101-0001, 0890-101-0890, 5180-001-0001, 5180-101-0001, 5180-111-0001, 5180-141-0001, 5180-141-0890, 5180-151-0001, 6100-194-0001, 6100-196-0001, 6440-001-0001, and 6610-001-0001 of, and adding Items 2100-011-0001 and 6870-121-0001 to, Section 2.00 of, and amending Sections 11.95 and 39.00 of, that act, relating to the state budget, and making an appropriation therefor, to take effect immediately, budget bill.

[ Approved by Governor February 23 , 2021. Filed with Secretary of State February 23 , 2021. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB85, Committee on Budget . Budget Act of 2020.

The Budget Act of 2020 made appropriations for the support of state government for the 2020–21 fiscal year.

This bill would amend the Budget Act of 2020 by amending and adding items of appropriation and making other changes.

This bill would declare that it is to take effect immediately as a Budget Bill.

Vote: majority Appropriation: yes Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Item 0890-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

0890-001-0001—For support of Secretary of State  
..... 53,351,000

Schedule:

- |     |   |            |
|-----|---|------------|
| (1) | 0700-Filings and Registrations .....            | 1,687,000  |
| (2) | 0705-Elections .....                            | 40,793,000 |
| (3) | 0710-Archives .....                             | 10,369,000 |
| (4) | 0715-Department of Justice Legal Services ..... | 852,000    |

(5)	9900100-Administration .....	36,114,000
(6)	9900200-Administration— Distributed .....	–36,239,000
(7)	Reimbursements to 0710—Archives .....	–225,000

Provisions:

1. The Secretary of State shall not expend any special handling fees authorized by Chapter 999 of the Statutes of 1999 that are collected in excess of the cost of administering those special handling fees unless specifically authorized by the Legislature.
2. Of the funds appropriated in this item, \$10,618,000 is available for the following election-related activities:
  - (a) Parallel Monitoring.
  - (b) Printing and Mailing of Voter Information Guides.
  - (c) Printing and Mailing of Voter Registration Cards.
  - (d) Election Night Reporting.

Any unexpended funds pursuant to this provision shall revert to the General Fund.

3. Of the amount appropriated in this item, \$2,000,000 shall be used to establish and operate the Office of Elections Cybersecurity. Activities performed by the Office of Elections Cybersecurity are intended to be specific to elections and shall be designed so as to minimize overlap and in coordination with statewide cybersecurity efforts performed by the California Cybersecurity Integration Center.
4. Not later than December 1, 2020, the Secretary of State shall submit a report to the Joint Legislative Budget Committee and to the appropriate fiscal and policy committees of each house of the Legislature that provides a progress update of the online filing and disclosure system project, including whether the February 2021 deadline pursuant to Section 84602 of the Government Code will be met.
5. Funds transferred pursuant to Provision 6 of Item 0890-101-0001 are not required to comply with Provisions 1 to 4, inclusive, of this item.

**SEC. 2.** Item 0890-001-0890 of Section 2.00 of the Budget Act of 2020 is amended to read:

0890-001-0890—For support of Secretary of State, payable  
from the Federal Trust Fund ..... 14,134,000

Schedule:

(1)	0705-Elections .....	14,134,000
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Provisions:

1. Funds shall be expended for the purposes approved in the Help America Vote Act of 2002 (42 U.S.C. Sec. 15301 et seq.) spending plan. The

amounts spent on each activity shall not exceed the maximum specified in the spending plan.

2. Notwithstanding any other provision of law, any funds not needed for an activity authorized in the Help America Vote Act of 2002 (42 U.S.C. Sec. 15301 et seq.) spending plan shall not be redirected to other activities and are not authorized for expenditure.
3. The Secretary of State shall forward to the Department of Finance, the budget, appropriations, and policy committees in each house of the Legislature that oversee elections, and the Legislative Analyst, each year prior to January 15, until the Statewide Voter Database is fully implemented, a report on the status of all of the following:
  - (a) Poll Monitoring.
  - (b) Expected General Fund exposure for completion of Help America Vote Act of 2002 (42 U.S.C. Sec. 15301 et seq.) compliance, including expected costs of administration.
  - (c) Completion of the VoteCal database, including information on the costs associated with the use of contractors and consultants, the names of the contractors and consultants used, and the purposes for which contractors and consultants were used.
4. The Department of Finance may authorize an increase in the appropriation of this item, up to the total amount of the program reserve. Any such approval shall be accompanied by the approval of an amended spending plan submitted by the Secretary of State providing detailed justification for the increased expenses. An approval of an augmentation or of spending plan amendments shall not be effective sooner than 30 days following the transmittal of the approval to the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or the chairperson's designee, may determine.
5. Notwithstanding any other provision of law, any primary vendor contract for the development of a new statewide voter registration database shall be subject to the notification and other requirements under Section 11.00. The validity of any such contract shall be contingent upon the appropriation of funds in future budget acts.
6. Upon notification and approval of a spending plan pursuant to Provision 4, the Department of Finance may authorize the transfer of amounts from this item to Item 0890-101-0890 in order to realign the budget in a manner that is consistent with the approved plan.
7. County contracts funded by Help America Vote Act of 2002 (42 U.S.C. Sec. 15301 et seq.) federal funds will be available pursuant to Section 16304.1 of the Government Code.
8. Funds transferred pursuant to Provision 5 of Item 0890-101-0890 are not required to comply with

Provisions 1 to 7, inclusive, of this item.

**SEC. 3.** Item 0890-101-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

0890-101-0001—For local assistance, Secretary of State  
..... 36,500,000

Schedule:

(1)	0705-Elections .....	36,500,000
(2)	9900100-Administration .....	1,500,000
(3)	9900200-Administration— Distributed .....	–1,500,000

Provisions:

3. Upon order of the Department of Finance, the Controller shall reduce the amounts appropriated in Schedule (1) of this item and Schedule (1) of Item 0890-001-0001 if federal funds are received for the same purposes.
4. Of the amount appropriated in this item, \$23,133,000 may be provided to counties for: (1) conducting the November 2020 election consistent with state requirements put in place to reduce the spread of COVID-19, and (2) conducting voter education and outreach. The Secretary of State shall estimate costs for these requirements by county, including additional ballot printing, mailing and postage, equipment needs, additional staffing, communication and outreach, and other costs as necessary. Pursuant to Section 19402 of the Elections Code, counties may use excess funding to cover COVID-19 related costs in the November 2020 election. The Secretary of State shall compile the remaining amounts from the state's voting system funding provided in the Budget Act of 2018 (Chs. 29 and 30, Stats. 2018) and the Budget Act of 2019 (Chs. 23 and 55, Stats. 2019) by county. The Secretary of State shall then calculate the difference between the costs related to conducting the November 2020 election and remaining state voting system funding by county. The Secretary of State shall then reimburse counties for the difference in costs by using \$23,133,000 provided in this item and a portion of the \$65,482,000 provided in Item 0890-101-0890.
5. Of the amount appropriated in this item, \$11,867,000 shall be provided to counties for costs related to COVID-19 in the November 2020 election. The Secretary of State shall provide this funding to counties based on a prorated amount per registered voter in each county.
6. Notwithstanding Provisions 1 to 5, inclusive, \$23,000,000 from Schedule (1) shall be transferred to Schedule (2) of Item of 0890-001-0001 for voter education and outreach costs obligated to prevent, prepare for, and respond to COVID-19 during the November 3, 2020, election cycle. Funds transferred pursuant to this provision are not required to comply with Provisions 1 to 4, inclusive, of Item 0890-001-0001.

**SEC. 4.** Item 0890-101-0890 of Section 2.00 of the Budget Act of 2020 is amended to read:

0890-101-0890—For local assistance, Secretary of State,  
payable from the Federal Trust Fund ..... 72,246,000

Schedule:

(1) 0705-Elections ..... 72,246,000

Provisions:

1. The Director of Finance may authorize an increase in the appropriation of this item, up to the total amount of the program reserve. Any such approval shall be accompanied by the approval of an amended spending plan submitted by the Secretary of State providing detailed justification for the increased expenses. An approval of an augmentation or of spending plan amendments shall not be effective sooner than 30 days following the transmittal of the approval to the Chairperson of the Joint Legislative Budget Committee or not sooner than whatever lesser time the chairperson of the joint committee, or the chairperson's designee, may determine.
2. Upon notification and approval of a spending plan pursuant to Provision 1, the Director of Finance may authorize the transfer of amounts from this item to Item 0890-001-0890 in order to realign the budget in a manner that is consistent with the approved plan.
3. County contracts funded by Help America Vote Act of 2002 (52 U.S.C. Sec. 20901 et seq.) federal funds will be available pursuant to Section 16304.1 of the Government Code.
4. Of the amount appropriated in this item, \$65,482,000 shall be used to prevent, prepare for, and respond to the coronavirus for the 2020 federal election cycle. The Director of Finance, upon notification to the Chairperson of the Joint Legislative Budget Committee, shall authorize a transfer from the funding appropriated in Schedule (1) of this item to Schedule (1) of Item 0890-001-0890 for state-level activities related to protecting the 2020 elections from the effects of the coronavirus.
5. Notwithstanding Provisions 1 to 4, inclusive, \$12,000,000 from Schedule (1) shall be transferred to Schedule (1) of Item of 0890-001-0890 for voter education and outreach costs obligated to prevent, prepare for, and respond to COVID-19 during the November 3, 2020, election cycle. Funds transferred pursuant to this provision are not required to comply with Provisions 1 to 7, inclusive, of Item 0890-001-0890.

**SEC. 5.** Item 2100-011-0001 is added to Section 2.00 of the Budget Act of 2020, to read:

2100-011-0001—For transfer by the Controller, upon order of the Department of Finance, to the Alcohol Beverage Control Fund ..... 90,000,000

Provisions:

1. The amount available to be transferred in this item shall be limited to backfilling revenues related to waiving alcohol license renewal fees and applicable surcharges for such licenses

pursuant to Section 23320.4 of the Business and Professions Code.

2. Upon order of the Department of Finance, the amount available for transfer in this item may be increased by an amount sufficient to backfill revenues lost pursuant to the fee waivers referenced in Provision 1.
3. The funds in this item, in addition to any amount augmented using Provision 2, shall be available for transfer through June 30, 2023.
4. This item is a cash transfer.

**SEC. 6.** Item 5180-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

5180-001-0001—For support of State Department of Social  
Services ..... 240,870,000

Schedule:

- |     |   |             |
|-----|---|-------------|
| (1) | 4270-Welfare Programs<br>.....  | 43,345,000  |
| (2) | 4275-Social Services and Licensing<br>.....                                 | 202,134,000 |
| (3) | 4285-Disability Evaluation and<br>Other Services .....                      | 52,592,000  |
| (6) | Reimbursements to 4270-Welfare<br>Programs .....                            | -1,725,000  |
| (7) | Reimbursements to 4275-Social<br>Services and Licensing<br>.....            | -25,921,000 |
| (8) | Reimbursements to 4285-Disability<br>Evaluation and Other Services<br>..... | -29,555,000 |

Provisions:

1. The Department of Finance may authorize the transfer of funds from Schedule (2) of this item to Schedule (1), Program 4275019, of Item 5180-151-0001, Children and Adult Services and Licensing, in order to allow counties to perform the facilities evaluation function.
2. The Department of Finance may authorize the transfer of funds from Schedule (2) of this item to Schedule (1), Program 4275019, of Item 5180-151-0001, Children and Adult Services and Licensing, in order to allow counties to perform the adoptions program function.
3. Nonfederal funds appropriated in this item that have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) shall not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.
4. Notwithstanding paragraph (4) of subdivision (b) of Section 1778 of the Health and Safety Code, the State Department of Social Services may use no more than 20 percent of the fees collected pursuant to Chapter 10 (commencing with Section

1770) of Division 2 of the Health and Safety Code for overhead costs, facilities operation, and indirect department costs.

5. Upon request of the State Department of Social Services and the State Department of Health Care Services, the Director of Finance may authorize the transfer of amounts from Item 4260-101-0001, State Department of Health Care Services, to this item to fund the cost of the administrative hearing process associated with changes in aid or service payments in the Medi-Cal program. The Department of Finance shall report to the Legislature the amount to be transferred pursuant to this provision. The transfer shall be authorized at the time the report is made.
6. Provision 1 of Items 5180-001-0270 and 5180-001-0279 also apply to this item.
7. The Department of Finance and Department of Technology shall determine the appropriateness of maintaining funding for permanent positions included in this item for the Child Welfare Services-California Automated Response and Engagement System project during the development of the budget for the 2020–21 fiscal year or after implementation of the project is completed, whichever is later.
8. The Department of Finance may increase expenditure authority in this item up to \$500,000 to comply with the federal Able-Bodied Adult Without Dependents rule.
9. Of the funds appropriated in this item, \$22,158,000 (\$4,633,333 in the 2020–21 fiscal year, \$11,291,667 in the 2021-22 fiscal year and \$6,233,000 in the 2022-23 fiscal year) is allocated for the External Consulting and Professional services associated with the design, development, and implementation of the Facility Management System project. This amount shall be augmented upon the Department of Technology's Stage 4 project approval.
10. Of the amount appropriated in Schedule (1), up to \$2,000,000 is available for encumbrance or expenditure until June 30, 2021, upon approval by the Department of Finance, for purposes of effectuating Part 1.7 (commencing with Section 10200) of Division 9 of the Welfare and Institutions Code. As determined necessary by the State Department of Social Services, these funds may support the use of temporary positions or contracts to conduct stakeholder engagement, planning activities, human resources and legal activities, information technology planning and migration, space planning and configuration, engagement with representative labor organizations, and physical relocation of staff and equipment. Updates on these activities shall be provided during the 2020-21 fiscal year as part of the meetings required by Section 10202 of the Welfare and Institutions Code.

**SEC. 7.** Item 5180-101-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

5180-101-0001—For local assistance, State Department of Social  
Services ..... 3,217,409,000

Schedule:

(1)	4270010-CalWORKs .....	2,662,975,000
(2)	4270019-Other Assistance Payments .....	554,769,000
(3)	Reimbursements to 4270010- CalWORKs .....	-335,000

Provisions:

1. (a) Funds appropriated in this item shall not be encumbered unless every rule or regulation adopted and every all-county letter issued by the State Department of Social Services that adds to the costs of any program is approved by the Department of Finance as to the availability of funds before it becomes effective. In making the determination as to availability of funds to meet the expenditures of a rule, regulation, or all-county letter that would increase the costs of a program, the Department of Finance shall consider the amount of the proposed increase on an annualized basis, the effect the change would have on the expenditure limitations for the program set forth in this act, the extent to which the rule, regulation, or all-county letter constitutes a deviation from the premises under which the expenditure limitations were prepared, and any additional factors relating to the fiscal integrity of the program or the state's fiscal situation.
- (b) Notwithstanding Sections 28.00 and 28.50, the availability of funds contained in this item for rules, regulations, or all-county letters that add to program costs funded from the General Fund in excess of \$500,000 on an annual basis, including those that are the result of a federal regulation, but excluding those that are (1) specifically required as a result of the enactment of a federal or state law or (2) included in the appropriation made by this act, shall not be approved by the Department of Finance sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, or sooner than such lesser time after notification as the chairperson of the joint committee, or the chairperson's designee, may in each instance determine.
2. Notwithstanding Chapter 1 (commencing with Section 18000) of Part 6 of Division 9 of the Welfare and Institutions Code, a loan not to exceed \$500,000,000 shall be made available from the General Fund, from funds not otherwise appropriated, to: (a) cover the costs of a program or programs when the federal funds have not been received or funds in any subaccount within the Local Revenue Fund have not been deposited prior to the usual time for the state to transmit payment to the counties or (b) ensure cash



disbursement needs in this item are met when abatements have not yet posted in time for disbursement. For this purpose, the Department of Finance may authorize an augmentation to this item to ensure cash disbursement requirements are met. This loan from the General Fund shall be repaid when the federal funds or the funds for any subaccounts within the Local Revenue Fund for the program or programs becomes available.

3. The Department of Finance may authorize the transfer of amounts from this item to Item 5180-001-0001 in order to fund the costs of the administrative hearing process associated with the CalWORKs program.
4.
  - (a) The Department of Finance is authorized to approve expenditures in those amounts made necessary by changes in either caseload or payments, including, but not limited to, the timing of federal payments, or any rule or regulation adopted and any all-county letter issued as a result of the enactment of a federal or state law, the adoption of a federal regulation, or a court action, during the 2020–21 fiscal year that are within or in excess of amounts appropriated in this act for that year.
  - (b) If the Department of Finance determines that the estimate of expenditures will exceed the expenditures authorized for this item, the department shall so report to the Legislature. At the time the report is made, the amount of the appropriation made in this item shall be increased by the amount of the excess unless and until otherwise provided by law.
5. Nonfederal funds appropriated in this item which have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) shall not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.
6. In the event of a declared disaster and upon county request, the State Department of Social Services may act in the place of any county and assume direct responsibility for the administration of eligibility and grant determination. The Department of Finance may authorize the transfer of funds from this item and Item 5180-101-0890 to Items 5180-001-0001 and 5180-001-0890, for this purpose.
7. Pursuant to the Electronic Benefits Transfer (EBT) Act (Chapter 3 (commencing with Section 10065) of Part 1 of Division 9 of the Welfare and Institutions Code) and in accordance with the EBT System regulations (Manual of Policies and Procedures Section 16-401.15), in the event a county fails to reimburse the EBT contractor for settlement of EBT transactions made against the county's cash assistance programs, the state is required to pay the contractor. The State Department of Social Services may use funds from this item to reimburse the EBT contractor for settlement on behalf of the county. The

county shall be required to reimburse the department for the county's settlement via direct payment or administrative offset.

8. The Department of Finance is authorized to approve expenditures for the California Food Assistance Program in those amounts made necessary by changes in the CalFresh Program Standard Utility Allowance, including changes that result from midyear Standard Utility Allowance adjustments requested by the state and any adjustments necessary to maintain parity with federal program changes. If the Department of Finance determines that the estimate of expenditures will exceed the expenditure authority of this item, the department shall so report to the Legislature. At the time the report is made, the amount of the appropriation made in this item shall be increased by the amount of the excess unless and until otherwise provided by law.
9. Of the amount appropriated in Schedule (1), \$95,000,000 shall be available for housing supports for those families in receipt of CalWORKs for whom homelessness or housing instability is a barrier to self-sufficiency or child well-being pursuant to Section 11330.5 of the Welfare and Institutions Code. These funds shall be available for encumbrance or expenditure until June 30, 2022.
11.
  - (a) Of the funds appropriated in Schedule
  - (1) (2), \$10,000,000 is to augment the Emergency Child Care Bridge Program.
  - (2) Funds appropriated in Schedule (2) shall be used to provide a one-time increase to the rates paid to foster family agencies as described in paragraph (1) of subdivision (f) of Section 11463 of the Welfare and Institutions Code.
12. The Department of Finance is authorized to approve expenditures in excess of the amounts appropriated in Schedule (2), upon notification from the State Department of Social Services, to replenish the State Emergency Food Bank Reserve.
13. Of the funds appropriated in Schedule (2), \$28,629,000 shall be available to fund the assistance costs associated with continuing an extended foster care benefit assistance payment for any nonminor dependent who met eligibility requirements for the Extended Foster Care program, has lost their employment or has experienced a disruption in their education program resulting from COVID-19, and cannot otherwise meet any of the participation requirements, as described in All County Letter 20-45 and in federal letter ACYF-CB-PI-20-10, unless Stafford Act flexibilities for employment and education requirements, as described in PI-20-10, are rescinded prior to June 30, 2021. Additionally, to assist with housing stability, the funds shall be used to make monthly payments to, or on behalf of, any individual who attained 21 years of age while in extended foster care on or after April 17, 2020, through June 30, 2021. Payments shall be consistent with applicable rates for existing foster care placement settings.

5180-111-0001—For local assistance, State Department of Social Services ..... 7,910,198,000

Schedule:

(1)	4270028-SSI/SSP .....	3,449,351,000
(2)	4275010-IHSS .....	15,213,970,000
(3)	Reimbursements to 4275010-IHSS .....	-10,753,123,000

Provisions:

1. Provisions 1 and 4 of Item 5180-101-0001 also apply to this item.
2. Notwithstanding Chapter 1 (commencing with Section 18000) of Part 6 of Division 9 of the Welfare and Institutions Code, a loan not to exceed \$450,000,000 shall be made available from the General Fund from funds not otherwise appropriated, to cover the federal share or reimbursable share, or both, of costs of a program or programs when the federal funds or reimbursements (from the Health Care Deposit Fund or counties) have not been received by this state prior to the usual time for transmitting payments for the federal or reimbursable share of costs for this state. That loan from the General Fund shall be repaid when the federal share of costs for the program or programs becomes available, or in the case of reimbursements, subject to Section 16351 of the Government Code. County reimbursements also shall be subject to Section 16314 of the Government Code, which specifies the rate of interest. The State Department of Social Services may offset a county's share of cost of the In-Home Supportive Services (IHSS) program against local assistance payments made to the county if the county fails to reimburse its share of cost of the IHSS program to the state.
3. The Director of Finance may authorize the transfer of amounts from this item to Item 5180-001-0001 in order to fund the cost of the administrative hearing process associated with changes in aid or service payments in the IHSS program. The Department of Finance shall report to the Legislature the amount to be transferred pursuant to this provision. The transfer shall be authorized at the time the report is made.
4. (a) Notwithstanding any other law, funds appropriated in this item shall be used to fully offset the reduction in hours of service described in Section 12301.02 of the Welfare and Institutions Code.  
 (b) (1) Funds appropriated for the purpose described in subdivision (a) shall be suspended on December 31, 2021, unless the conditions specified in paragraph (2) apply.  
 (2) The suspension shall not take effect if the estimates of General Fund revenues and expenditures for the 2021–22 and 2022–23 fiscal years, as determined pursuant to Section 12.5 of Article IV of the California Constitution, that accompany the May Revision required to be released by May 14, 2021, pursuant to Section 13308 of the Government Code, contain projected annual General Fund revenues that exceed projected annual General Fund expenditures for the 2021–22 and 2022–23 fiscal years by an amount equal to or greater than the sum total of all General Fund appropriations for all programs subject to suspension

on December 31, 2021, pursuant to this act and the bills providing for appropriations related to this act.

(3) It is the intent of the Legislature to consider alternative solutions to restore this program if the suspension takes effect.

5. Pursuant to Provision 1, of the funds appropriated in this item, an amount shall be available to fund the unemployment compensation benefits and extended benefits for an individual whose employment for purposes of unemployment insurance coverage includes services performed in the employ of their parent, child, or spouse if that individual is providing services through the In-Home Supportive Services program or the Waiver Personal Care Services program, contingent upon legislation to be enacted in the 2019–20 legislative session providing for the necessary statutory changes to this effect.
6. Of the amount appropriated in this item, \$750,031,000 shall be available for a one-time grant payment to Supplemental Security Income/State Supplementary Payment (SSI/SSP) Program and Cash Assistance Program for Aged, Blind, and Disabled Legal Immigrants (CAPI) recipients and for the implementation and administration of the payments. These funds shall be available for encumbrance or expenditure until June 30, 2022.
7. In the event the federal government extends COVID-19-related emergency paid sick leave beyond March 31, 2021, which provides two weeks of emergency paid sick leave when a covered employee is unable to work due to the COVID-19 pandemic, the Department of Finance may authorize an augmentation of the amount available for expenditure for the emergency paid sick leave during the 2020–21 fiscal year. If the Department of Finance determines that the estimate of COVID-19-related emergency paid sick leave expenditures will exceed the expenditures authorized for this item, the department shall so report to the Legislature. At the time the report is made, the amount of the appropriation made in this item shall be increased by the amount of the excess unless and until otherwise provided by law.

**SEC. 9.** Item 5180-141-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

5180-141-0001—For local assistance, State Department of Social Services ..... 952,905,000

Schedule:

- (1) 4270037-County Administration and Automation Projects ..... 1,132,279,000
- (2) Reimbursements to 4270037-County Administration and Automation Projects ..... -179,374,000

Provisions:

1. Notwithstanding Chapter 1 (commencing with Section 18000) of Part 6 of Division 9 of the Welfare and Institutions Code, a loan not to exceed \$140,000,000 shall be made available from the General Fund, from funds not otherwise appropriated, to cover the federal or reimbursable share, or both, of costs of a program or programs when the federal funds or reimbursements have not been received by this state prior to the usual time for

transmitting state payments for the federal or reimbursable share of costs. This loan from the General Fund shall be repaid when the federal share of costs or the reimbursements for the program or programs become available.

2. In the event of declared disaster and upon county request, the State Department of Social Services may act in the place of any county and assume direct responsibility for the administration of eligibility and grant determination. The Department of Finance may authorize the transfer of funds from this item and Item 5180-141-0890 to Items 5180-001-0001 and 5180-001-0890, for this purpose.
3. Provision 1 of Item 5180-101-0001 also applies to this item.
4. Pursuant to public assistance caseload estimates reflected in the annual Governor's Budget, the Department of Finance may approve expenditures in those amounts made necessary by a court action or changes in caseload that are in excess of amounts appropriated in this act. If the Department of Finance determines that the estimate of expenditures will exceed the expenditures authorized for this item, the department shall so report to the Legislature. At the time the report is made, the amount of the appropriation made by this item shall be increased by the amount of the excess unless and until otherwise provided by law.
5. Nonfederal funds appropriated in this item which have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) shall not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.
6. This item may be increased by order of the Department of Finance to address system changes necessary to implement the requirements of the federal Patient Protection and Affordable Care Act (P.L. 111-148). The Director of Finance shall provide notification in writing to the Joint Legislative Budget Committee of any expenditure approved under this provision not less than 30 days prior to the effective date of the approval.
7. The Department of Finance may increase expenditure authority in this item for the State Department of Social Services in order to fund the administrative costs to prepare for and respond to a declaration of a major disaster by the President of the United States and to maximize the amount of assistance requested and received through the federal Disaster Supplemental Nutrition Assistance Program and other federally funded nutrition assistance programs.
8. The Department of Finance may increase expenditure authority in this item for the costs associated with an updated project schedule, clarified requirements, and negotiated vendor costs for the California Statewide Automated Welfare System project, upon notification from the Office of

Systems Integration. Any such increase shall be authorized not less than 30 days following written notification to the Chairperson of the Joint Legislative Budget Committee, or a lesser period if requested by the department and approved by the chairperson or the chairperson's designee.

9. The Department of Finance may increase expenditure authority in this item up to \$8,000,000 to comply with the federal Able-Bodied Adults Without Dependents rule.
10. Of the funds appropriated in Schedule (1), \$11,843,000 shall be available to fund administrative costs associated with the temporary CalFresh student eligibility expansion.

**SEC. 10.** Item 5180-141-0890 of Section 2.00 of the Budget Act of 2020 is amended to read:

5180-141-0890—For local assistance, State Department of Social Services, payable from the Federal Trust Fund ..... 1,253,874,000

Schedule:

- (1) 4270037-County Administration and Automation Projects ..... 1,253,874,000

Provisions:

1. Provisions 2, 3, 4, 6, 7, and 8 of Item 5180-141-0001 also apply to this item.
2. Of the funds appropriated in Schedule (1), \$16,920,000 shall be available to fund the administrative costs associated with the temporary CalFresh student eligibility expansion.

**SEC. 11.** Item 5180-151-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

5180-151-0001—For local assistance, State Department of Social Services ..... 612,439,000

Schedule:

- (1) 4275019-Children and Adult Services and Licensing ..... 695,727,000
- (2) 4275028-Special Programs ..... 245,025,000
- (3) Reimbursements to 4275019-Children and Adult Services and Licensing ..... -318,313,000
- (4) Reimbursements to 4275028-Special Programs ..... -10,000,000

Provisions:

1. Provision 1 of Item 5180-101-0001 also applies to this item.
2. Notwithstanding Chapter 1 (commencing with Section 18000) of Part 6 of Division 9 of the Welfare and Institutions Code and pursuant to Section 30029.8 of the Government Code, a loan not to exceed \$50,000,000 shall be made available from the General Fund, from funds not otherwise appropriated, to cover the federal share or reimbursable share, or both, of costs of a program or programs when the federal funds or reimbursements

have not been received by this state prior to the usual time for transmitting state payments for the federal or reimbursable share of costs. The loan from the General Fund shall be repaid when the federal or reimbursable share of costs for the program or programs becomes available.

3. The Department of Finance may authorize the establishment of positions and transfer of amounts from this item to Item 5180-001-0001, in order to allow the state to perform the facilities evaluation function of the Community Care Licensing Division in the event the counties fail to perform that function.
4. Nonfederal funds appropriated in this item that have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) shall not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.
5. The Department of Finance may authorize the establishment of positions and transfer of amounts from this item to Item 5180-001-0001 in order to allow the state to perform the adoptions function in the event that a county notifies the State Department of Social Services that it intends to cease performing that function.
6. Funds appropriated in this item for the Commercially Sexually Exploited Children Program required by Chapter 5.2 (commencing with Section 16524.6) of Part 4 of Division 9 of the Welfare and Institutions Code shall be appropriately reduced by the Department of Finance to the extent any activities for which funding is included are also required by the Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183).
8. Funds appropriated in this item for legal services to unaccompanied undocumented minors and for immigration services in accordance with Chapter 5.6 (commencing with Section 13300) of Part 3 of Division 9 of the Welfare and Institutions Code shall be available for liquidation until June 30, 2026.
9. Of the total amount appropriated in this item, up to \$4,000,000 shall be available for a county-optional block grant program, for allocation to local agencies to fund activities the Commission on State Mandates identified as reimbursable state mandates in the Interagency Child Abuse and Neglect Investigation Reports (CSM-00-TC-22) mandate. A local agency that receives funding according to this item shall not be eligible to submit claims to the Controller for reimbursement under Section 17560 of the Government Code for any costs related to the reimbursable state-mandated activities identified in CSM-00-TC-22 incurred in the same fiscal year during which the local agency received funding according to this item. The State Department of Social Services, in consultation with the California State Association of Counties, shall develop an allocation methodology for the purpose of distributing these funds to participating counties.

Block grant funding apportioned according to this item is subject to annual financial and compliance audits.

11. (a) Of the funds appropriated in Schedule (1), \$30,640,000 is for the support of activities related to the Child Welfare Services-California Automated Response and Engagement System (CWS-CARES) project. Expenditure of these funds is contingent upon approval of project documents by the Department of Finance and the Department of Technology. This amount may be increased by the Department of Finance, up to a maximum of \$5,000,000 during the 2020–21 fiscal year, upon approval of revised project documents. Such an increase shall only be used to support an acceleration of planned project activities and shall not be used to increase total project costs. Any such increase shall be authorized no less than 10 calendar days following written notification to the Chairperson of the Joint Legislative Budget Committee, or a lesser period if requested by the department and approved by the Chairperson of the Joint Legislative Budget Committee, or the chairperson's designee.
- (b) The Department of Finance may authorize the transfer of funds appropriated for the CWS-CARES project in Schedule (1) to Item 5180-001-0001, for project-related activities, including, but not limited to, necessary personal services expenditures, interagency agreements, and contracts.
- (c) The State Department of Social Services, in coordination with other state entities and counties involved in the CWS-CARES project efforts, shall (1) provide stakeholders, counties, and the Legislature with monthly project status reports, including newly executed contracts, their purpose, and cost and (2) convene a regularly scheduled quarterly forum to provide project updates to stakeholders and legislative staff. The forums shall include updates on the progress of project development and implementation, expenditures incurred to date, significant issues and risks overcome in the prior quarter and presently being addressed, and upcoming project milestones and significant events.
- (d) Of the amount appropriated in this item, \$100,000 is available to fund reimbursements to an Indian tribe, as defined in subdivision (a) of Section 224.1 of the Welfare and Institutions Code, or the tribe's designee, for costs associated with participating with the State Department of Social Services to guide the development of an automated system used for Child Welfare Services. Notwithstanding any other law, the amount and manner of reimbursements shall be determined by the State Department of Social Services in written directives.



12. The Department of Finance may authorize the transfer of funds appropriated in this item for activities related to implementation of the Resource Family Approval Program to Item 5180-001-0001 in order for the State Department of Social Services to perform these activities on behalf of counties. Funds shall only be transferred pursuant to this provision after consultation with the County Welfare Directors Association of California and consistent with written notification from the county or counties of the amount of funding to be transferred.
13. Of the amount appropriated in this item, \$7,000,000 shall be available for contracts under the authority of Chapter 5.6 (commencing with Section 13300) of Part 3 of Division 9 of the Welfare and Institutions Code with organizations qualified pursuant to that chapter, to provide legal services to persons on California State University campuses. These funds shall be available for encumbrance or expenditure until June 30, 2023, and liquidation until June 30, 2026. Use of these funds shall be reported in updates provided to the Legislature on the State Department of Social Services' immigration programs.
14. Of the amount appropriated in this item, \$10,000,000 shall be available for legal services pursuant to Chapter 5.6 (commencing with Section 13300) of Part 3 of Division 9 of the Welfare and Institutions Code, for, but not limited to, unaccompanied undocumented minors and other minors in removal proceedings, and current or past beneficiaries of federal temporary protected status, to be allocated at the discretion of the State Department of Social Services. These funds shall be available for encumbrance or expenditure until June 30, 2023, and liquidation until June 30, 2026. Use of these funds shall be reported in updates provided to the Legislature on the department's immigration programs.
15.
  - (a) Of the amount appropriated in this item, the State Department of Social Services may allocate no more than \$85,000,000 to existing Emergency Food Assistance Program (EFAP) providers under contract with the department, to nonprofit Feeding America members located in California or to a Feeding America partner state organization with the capacity to purchase and distribute food and diapers statewide in California. These funds are made available to mitigate any increases in food insecurity, diaper support, and administrative costs caused by the COVID-19 emergency and related economic recovery. The first \$50,000,000 of these funds shall be allocated at the sole discretion of the department. The remaining \$35,000,000 of these funds shall be allocated \$30,000,000 for food and \$5,000,000 for diapers.
  - (b) Notwithstanding any other law, the department's allocation of these funds shall be exempt from the requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the

Government Code, and from the Public Contract Code and the State Contracting Manual, and shall not be subject to the approval of the Department of General Services.

- (c) The department shall inform the Legislature of the final allocation of funding available pursuant to this provision no later than August 1, 2021.
  - (d) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the State Department of Social Services may implement and administer this provision without adopting regulations.
16. The Department of Finance may increase the expenditure authority in this item to support unanticipated costs related to the federal Family First Prevention Services Act, subject to documentation provided by the State Department of Social Services explaining the need for the resources.
17. Of the funds appropriated in Schedule (2), \$25,000,000 shall be available for the Housing and Disability Advocacy Program to increase participation among homeless persons with disabilities who may be eligible for disability benefits programs pursuant to Section 18999.1 of the Welfare and Institutions Code.
18. (a) (1) Of the funds appropriated in Schedule (1), \$8,250,000 is to augment the Child Welfare Public Health Nursing Early Intervention Program.
- (2) Of the funds appropriated in Schedule (1), \$29,734,000 is to augment the Family Urgent Response System.
19. Of the funds appropriated in Schedule (1), \$8,504,000 shall be available to fund the administrative costs associated with continuing an extended foster care benefit assistance payment for any nonminor dependent who met eligibility requirements for the Extended Foster Care program, has lost their employment or has experienced a disruption in their education program resulting from COVID-19, and cannot otherwise meet any of the participation requirements, as described in All County Letter 20-45 and in federal letter ACYF-CB-PI-20-10, unless Stafford Act flexibilities for employment and education requirements, as described in PI-20-10, are rescinded prior to June 30, 2021. Additionally, the funds shall be used to fund the administrative costs associated with monthly case management and to make payments to, or on behalf of, any individual who attained 21 years of age while in extended foster care on or after April 17, 2020, through June 30, 2021. Payments shall be consistent with applicable rates for existing foster care placement settings.
20. (a) Of the amount appropriated in Schedule (1), \$80,000,000 shall be provided on a one-time

basis to county welfare agencies for child welfare services activities. The State Department of Social Services shall develop, in consultation with the County Welfare Directors Association, the methodology for determining the amount to be provided to each county. As a condition of receipt, each county welfare department director shall provide a signed certification from the director of the child welfare agency that the funds received pursuant to this section will be spent on child welfare services activities.

- (b) Within 45 days of the enactment of the act that adds this provision, the State Department of Social Services shall disburse to counties the amounts as determined pursuant to subdivision (a).

21. Of the funds appropriated in Schedule (2), \$30,000,000 shall be available for a COVID-19 Public Awareness and Community Outreach effort prioritizing communities and economic sectors that are disproportionately impacted by the virus.

- (a) Notwithstanding any other law, upon order of the Director of Finance, the amount appropriated in Schedule (2) may be augmented by any amount equal to federal funding authorized for the purposes described in this provision. Any such augmentations shall support upfront expenditures that will ultimately be reimbursed back to the General Fund.
- (b) Upon order of the Director of Finance, any amount of the funds appropriated in Schedule (2) for the purposes described in this provision may be transferred to any other state entity to support the COVID-19 Public Awareness and Community Outreach effort. In addition, the amount appropriated in Schedule (2) may be increased by transfers from any other state entity for the purposes described in this provision to support the COVID-19 Public Awareness and Community Outreach effort.
- (c) It is the intent of the Legislature to consider additional appropriations for the purposes described in this provision on or before February 28, 2021, upon receipt of a proposal from the administration and information facilitating legislative oversight and feedback regarding funding spent to date for these purposes.
- (d) Upon order of the Director of Finance, up to \$250,000 of the amount of the funds appropriated in Schedule (2) for the purposes described in this provision may be transferred to item 5180-001-0001 to support the Public Awareness and Community Outreach effort.

22. Of the funds appropriated in Schedule (2), \$24,020,000 shall be available to fund wraparound services and financial assistance for agriculture workers to provide COVID-19 quarantine support. Persons who are not lawfully present in the United States are eligible for the services and financial

assistance authorized by this provision if they are otherwise qualified.

- (a) Of the funds allocated by this provision and notwithstanding any other law, any personal identifying information of a recipient of those funds, including name, birth date, and address, shall be subject to the requirements of Section 10850 of the Welfare and Institutions Code and shall be exempt from inspection under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).
- (b) Notwithstanding any other law, funding awarded pursuant to this section shall be exempt from the personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of Government Code.
- (c) Notwithstanding any other law, funding awarded pursuant to this section shall be exempt from the Public Contract Code and the State Contracting Manual, and shall not be subject to approval by the Department of General Services.

23. It is the intent of the Legislature that the State Department of Social Services, in consultation with the Department of Finance, will evaluate the availability of federal funding above current food assistance levels that may be utilized for a supplemental food benefit. Potential uses for the funds could include augmentations to existing food assistance programs, outreach funding to facilitate enrollment in food assistance programs, or other innovative approaches to assist California residents struggling with food security during the COVID-19 pandemic. These augmentations are intended for the 2020–21 state fiscal year, with the possibility of an additional year to encumber funds in order to provide additional support depending upon the availability of federal funds.

**SEC. 12.** Item 6100-194-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

6100-194-0001—For local assistance, State Department of Education, for allocation by the Superintendent of Public Instruction to school districts, county offices of education, and other agencies for childcare and development programs included in this item, in lieu of the amount that otherwise would be appropriated pursuant to any other statute ..... 1,794,275,000

Schedule:

- |     |  |             |
|-----|--|-------------|
| (1) | 5210026-General Child Development .....                      | 337,658,000 |
| (2) | 5210027-State Preschool Non-Local Educational Agencies ..... | 489,583,000 |
| (3) | 5210028-Migrant Day Care .....                               | 39,446,000  |
| (4) | 5210030-Alternative Payment .....                            | 170,131,000 |

(5)	5210032-Resource and Referral .....	20,333,000
(6)	5210034-CalWORKs Stage 2 .....	462,083,000
(7)	5210036-CalWORKs Stage 3 .....	266,979,000
(8)	5210038-Accounts Payable .....	4,000,000
(9)	5210040-Child Care for Children with Severe Disabilities .....	2,084,000
(10)	5210042-California Child Care Initiative .....	225,000
(11)	5210044-Quality Improvement .....	1,461,000
(12)	5210046-Local Planning Councils .....	292,000

Provisions:

1. Funds in Schedules (5), (10), (11), and (12) shall be allocated to meet federal requirements to improve the quality of childcare and shall be used in accordance with the approved California State Plan for the federal Child Care and Development Fund that is developed pursuant to the requirements under Section 8206.1 of the Education Code.
2. Nonfederal funds appropriated in this item which have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) shall not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.
3. Notwithstanding any other provision of law, funds in Schedule (8) are available for accounts payable for alternative payment programs for actual and allowable costs incurred for additional services, pursuant to Section 8222.1 of the Education Code. The State Department of Education shall give priority for the allocation of these funds for accounts payable.
5.
  - (a) The maximum standard reimbursement rate shall not exceed \$49.54 per day for general childcare programs. Furthermore, the migrant childcare program shall adhere to the maximum standard reimbursement rates as prescribed for the general childcare programs. All other rates and adjustment factors shall conform.
  - (b) Notwithstanding any other law, the maximum standard reimbursement rate shall not exceed \$30.87 per day for part-day California state preschool programs. The maximum standard reimbursement rate shall not exceed \$49.85 for full-day California state preschool programs.
6.
  - (a) Alternative payment childcare programs shall be subject to the rate ceilings established in the Regional Market Rate Survey of California childcare and development providers for

provider payments. When approved pursuant to Section 8447 of the Education Code, any changes to the market rate limits, adjustment factors, or regions shall be utilized by the State Department of Education, the California Community Colleges, and the State Department of Social Services in various programs under the jurisdiction of these departments.

- (b) Notwithstanding any other law, the funds appropriated in this item for the cost of licensed childcare services provided through alternative payment or voucher programs, including those provided under Article 3 (commencing with Section 8220) and Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, shall be used only to reimburse childcare costs up to the greater of either:
    - (1) The 75th percentile of rates based on the 2016 Regional Market Rate Survey.
    - (2) The regional market rate ceiling for that region as it existed on December 31, 2017.
  - (c) The funds appropriated in this item for the cost of license-exempt childcare services provided through alternative payment or voucher programs, including those provided under Article 3 (commencing with Section 8220) and Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, shall be used only to reimburse license-exempt childcare costs up to 70 percent of the regional reimbursement rate limits established for family childcare homes.
  - (d) The State Department of Education shall distribute funds for increases to the Regional Market Rate based on estimates of how contractors' reimbursements will increase due to the rate change.
7. (a) The State Department of Education (SDE) shall conduct monthly analyses of CalWORKs Stage 2 and Stage 3 caseloads and expenditures and adjust agency contract maximum reimbursement amounts and allocations as necessary to ensure funds are distributed proportionally to need. SDE shall share monthly caseload analyses with the State Department of Social Services (DSS).
- (b) SDE shall provide quarterly information regarding the sufficiency of funding for Stage 2 and Stage 3 to DSS. SDE shall provide caseloads, expenditures, allocations, unit costs, family fees, and other key variables and assumptions used in determining the sufficiency of state allocations. Detailed backup by month and on a county-by-county basis shall be provided to DSS at least on a quarterly basis for comparisons with Stage 1 trends.
  - (c) By September 30 and March 30 of each year, SDE shall ensure that detailed caseload and

expenditure data, through the most recent period for Stage 2 and Stage 3 along with all relevant assumptions, is provided to DSS to facilitate budget development. The detailed data provided shall include actual and projected monthly caseload from Stage 2 scheduled to time off of their transitional childcare benefit from the last actual month reported by agencies through the next two fiscal years as well as local attrition experience. DSS shall utilize data provided by SDE, including key variables from the prior fiscal year and the first two months of the current fiscal year, to provide coordinated estimates in November of each year for each of the three stages of care for preparation of the Governor's Budget, and shall utilize data from at least the first two quarters of the current fiscal year, and any additional monthly data as they become available for preparation of the May Revision. DSS shall share its assumptions and methodology with SDE in the preparation of the Governor's Budget.

- (d) SDE shall coordinate with DSS to identify annual general subsidized childcare program expenditures for Temporary Assistance for Needy Families-eligible children. SDE shall modify existing reporting forms as necessary to capture this data.
- (e) SDE shall provide to DSS, upon request, access to the information and data elements necessary to comply with federal reporting requirements and any other information deemed necessary to improve estimation of childcare budgeting needs.
- (f)
  - (1) On or before January 30 of each year, following consultation with DSS, SDE shall determine the adequacy of funding appropriated by the Legislature for CalWORKs Stage 2 and Stage 3.
  - (2) If SDE determines that the Stage 2 appropriation exceeds the current year caseload needs and the Stage 3 appropriation is not sufficient to fully fund its caseload need, then SDE shall submit a request to the Department of Finance to transfer the excess funds from Schedule (6), CalWORKs Stage 2 childcare to Schedule (7), CalWORKs Stage 3 childcare. Notwithstanding Section 26.00 or any other provision of law, the Department of Finance may, at its discretion, approve such a transfer.
  - (3) If SDE determines that the Stage 3 appropriation exceeds the current year caseload needs and the Stage 2 appropriation is not sufficient to fully fund its caseload need, SDE shall submit a request to the Department of Finance to transfer the excess funds from Schedule (7), CalWORKs Stage 3 childcare to Schedule (6), CalWORKs Stage 2 childcare. Notwithstanding Section 26.00

or any other law, the Department of Finance may, at its discretion, approve such a transfer.

- (g) Notwithstanding any other law or any other sections of this act, the Department of Finance may augment the appropriation for CalWORKS Stage 3 if the estimate of expenditures, as determined by SDE, following consultation with DSS, will exceed the expenditures authorized in Schedule (7). The Department of Finance shall report any augmentation pursuant to this paragraph to the Joint Legislative Budget Committee. At the time the report is made, the amount of the appropriation made in Schedule (7) shall be increased by the amount of the augmentation.
  - (h) The Director of Finance may, pursuant to subdivisions (f) and (g), authorize the augmentation of the amount available for expenditure in Schedule (7) by making a transfer from Schedule (6). An augmentation may be authorized not sooner than 30 days after notification in writing of the necessity to exceed the limitations is provided to the Joint Legislative Budget Committee, or whatever lesser time the chairperson of the joint committee may determine. Any request made by SDE to augment the CalWORKS Stage 3 appropriation shall be approved only in order to cover increases in costs that are consistent with assumptions of this act. This provision shall not be construed to treat Stage 3 as an entitlement.
- 8. Notwithstanding any other law, the funds in Schedule (7) are reserved exclusively for continuing childcare for the following: (a) former CalWORKS families who are working, have left cash aid, and have exhausted their two-year eligibility for transitional services in either Stage 1 or Stage 2 pursuant to subdivision (c) of Section 8351 or Section 8353 of the Education Code, respectively, but still meet eligibility requirements for receipt of subsidized childcare services, and (b) families who received lump-sum diversion payments or diversion services under Section 11266.5 of the Welfare and Institutions Code and have spent two years in Stage 2 off of cash aid, but still meet eligibility requirements for receipt of subsidized childcare services.
- 9. Notwithstanding any other law, each local planning council receiving funds appropriated in Schedule (12) shall meet the requirements of Section 8499.5 of the Education Code to the extent feasible and to the extent data is readily accessible.
- 10. Notwithstanding any other law, the implementation of Provision 12 is not subject to the appeal and resolution procedures for agencies that contract with the State Department of Education for the provision of childcare services or the due process requirements afforded to families that are denied services specified in Chapter 19 (commencing with Section 18000) of Division 1 of Title 5 of the California Code of Regulations.



11. Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the State Department of Education may implement Provision 12 through management bulletins or similar instructions.
12. Notwithstanding any other law, families shall be disenrolled from subsidized childcare services consistent with the priorities for services specified in subdivision (b) of Section 8263 of the Education Code. Families shall be disenrolled in the following order: (a) families with the highest income below 85 percent of the State Median Income (SMI) adjusted for family size, (b) of families with the same income level, those that have been receiving childcare services for the longest period of time, (c) of families with the same income level, those that have a child with exceptional needs, and (d) families with children who are receiving child protective services or are at risk of being neglected or abused, regardless of family income.
13. Of the funds appropriated in Schedule (2), \$1,470,000 shall be allocated to extend family fee waivers through August 31, 2020.
14. Funds in Schedule (2) shall be allocated to both the part-day and full-day California State Preschool Program for nonlocal educational agencies.
15. Of the funds appropriated in Schedule (2), \$1,941,000 shall be allocated for the costs associated with extending family fee waivers until June 30, 2021.

**SEC. 13.** Item 6100-196-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

6100-196-0001—For local assistance, State Department of Education (Proposition 98), for allocation by the Superintendent of Public Instruction to school districts, county offices of education, and other agencies for the purposes of part-day California state preschool programs pursuant to Article 7 (commencing with Section 8235) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code funded in this item, in lieu of the amount that otherwise would be appropriated pursuant to any other statute ..... 837,899,000

Schedule:

- (1) 5210020-State Preschool—Local Educational Agencies ..... 787,899,000
- (2) 5210010-Child Development, Quality Rating Improvement System Grants ..... 50,000,000

Provisions:

1. Nonfederal funds appropriated in this item that have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) shall not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.

3. Notwithstanding any other law, the maximum standard reimbursement rate shall not exceed \$30.87 per day for part-day California state preschool programs. The maximum standard reimbursement rate shall not exceed \$49.85 for full-day California state preschool programs.
4. Of the amount appropriated in Schedule (1), up to \$5,000,000 is available for the family literacy supplemental grant provided to California state preschool programs pursuant to Section 8238.4 of the Education Code.
5. The amount appropriated in Schedule (2) is available for Quality Rating and Improvement System grants provided to California state preschool programs pursuant to Section 8203.1 of the Education Code.
6. Funds in Schedule (1) shall be allocated to both the part-day and full-day California State Preschool Program for local educational agencies.
7. Of the funds appropriated in Schedule (1), \$1,000,000 shall be allocated to extend family fee waivers through August 31, 2020.
8. Of the funds appropriated in Schedule (1), \$3,433,000 shall be allocated for the costs associated with extending family fee waivers until June 30, 2021.

**SEC. 14.** Item 6440-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

6440-001-0001—For support of University of California  
 ..... 3,170,975,000

Schedule:

(1) 5440-Support ..... 3,170,975,000

Provisions:

1. This appropriation is exempt from Sections 6.00 and 31.00.
2. (a) The Regents of the University of California shall implement measures to reduce the university's cost structure.
- (b) The Legislature finds and declares that many state employees hold positions with comparable scope of responsibilities, complexity, breadth of job functions, experience requirements, and other relevant factors to those employees designated to be in the Senior Management Group pursuant to existing Regents policy.
- (c) (1) Therefore, at a minimum, the Regents shall, when considering compensation for any employee designated to be in the Senior Management Group, use a market reference zone that includes state employees.
- (2) At a minimum, the Regents shall include in a market reference zone all comparable positions from the lists included in subdivision (l) of Section 8 of Article III of the California Constitution and Article 1 (commencing with Section

- 2.1. Notwithstanding any other law, the Director of Finance may reduce funds appropriated in this item by an amount equal to the estimated Cal Grant and Middle Class Scholarship Program cost increases caused by a 2020–21 academic year increase in systemwide tuition. No reduction may be authorized pursuant to this provision sooner than 30 days after the Director of Finance provides notice of the intended reduction to the Chairperson of the Joint Legislative Budget Committee.
3.
  - (a) The Controller shall transfer funds from this appropriation upon receipt of a report from the Department of Finance indicating the amount of debt service anticipated to become due and payable in the fiscal year associated with state general obligation bonds issued for university projects.
  - (b) The Controller shall return funds to this appropriation upon receipt of a report from the Department of Finance.
4. Payments made by the state to the University of California for each month from July through April shall not exceed one-twelfth of the amount appropriated in this item, less the amount that is expected to be transferred pursuant to Provision 3. Transfers of funds pursuant to Provision 3 shall not be considered payments made by the state to the university.
5.
  - (a) Of the funds appropriated in this item, \$15,000,000 shall be available to support meal donation programs, food pantries serving students, CalFresh enrollment, and other means of directly providing nutrition assistance to students. The funds shall also be used to assist homeless and housing-insecure students in securing stable housing.
  - (b) The University of California shall report to the Department of Finance and relevant policy and fiscal committees of the Legislature by March 1 each year regarding the use of funds specified in this provision. The report shall include, but not necessarily be limited to, all of the following information:
    - (1) The amount of funds distributed to campuses, and identification of which campuses received funds.
    - (2) For each campus, a programmatic budget summarizing how the funds were spent. The budget shall include any other funding used to supplement the General Fund.
    - (3) A description of the types of programs in which each campus invested.
    - (4) A list of campuses that accept or plan to accept electronic benefit transfer.
    - (5) A list of campuses that participate or plan to participate in the CalFresh Restaurant Meals Program.

- (6) A list of campuses that offer or plan to offer emergency housing or assistance with long-term housing arrangements.
  - (7) A description of how campuses leveraged or coordinated with other state or local resources to address housing and food insecurity.
  - (8) An analysis describing how funds reduced food insecurity and homelessness among students, and, if feasible, how funds impacted student outcomes such as persistence or completion.
  - (9) Other findings and best practices implemented by campuses.
- 6. Of the funds appropriated in this item, \$5,300,000 shall be available to increase student mental health resources.
- 7.
  - (a) Of the funds appropriated in this item, \$3,500,000 shall be available to support rapid rehousing efforts assisting homeless and housing insecure students.
  - (b) Campuses shall establish ongoing partnerships with community organizations that have a tradition of helping populations experiencing homelessness to provide wraparound services and rental subsidies for students. Funds appropriated in the item may be used for, but authorized uses are not limited to, the following activities:
    - (1) Connecting students with community case managers who have knowledge and expertise in accessing safety net resources.
    - (2) Establishing ongoing emergency housing procedures, including on-campus and off-campus resources.
    - (3) Providing emergency grants that are necessary to secure housing or to prevent the imminent loss of housing.
  - (c) Funding shall be allocated to campuses based on demonstrated need.
  - (d) The terms "homeless" and "housing insecure" shall be defined as students who lack a fixed, regular, and adequate nighttime residence. This includes students who are:
    - (1) Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.
    - (2) Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations.
    - (3) Living in emergency or transitional shelters.
    - (4) Abandoned in hospitals.
    - (5) Living in a primary nighttime residence that is a public or private place not

designed for or ordinarily used as a regular sleeping accommodation for human beings.

- (6) Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
  - (e) The University of California shall submit a report to the Director of Finance and, in conformity with Section 9795 of the Government Code, to the Legislature by July 15 each year regarding the use of these funds, including the number of coordinators hired, number of students served by campus, distribution of funds by campus, a description of the types of programs funded, and other relevant outcomes, such as the number of students that were able to secure permanent housing, and whether students receiving support remained enrolled at the institution or graduated.
- 8. Of the funds appropriated in this item, \$4,000,000 shall be used by the University of California to provide summer-term financial aid to any student who is eligible for state financial aid and is a California resident, including students receiving an exemption for nonresident tuition pursuant to Section 68130.5 of the Education Code. These funds shall be used to supplement and not supplant existing funds provided by the University of California for summer-term financial aid. The Legislature finds and declares that this provision is a state law within the meaning of subdivision (d) of Section 1621 of Title 8 of the United States Code.
- 8.5.
  - (a) The funding provided in Provision 8 shall be suspended on December 31, 2021, unless the condition in subdivision (b) applies.
  - (b) The suspension shall not take effect if the estimates of General Fund revenues and expenditures for the 2021–22 and 2022–23 fiscal years, as determined pursuant to Section 12.5 of Article IV of the California Constitution, that accompany the May Revision required to be released by May 14, 2021, pursuant to Section 13308 of the Government Code, contain a determination by the Director of Finance that estimated annual General Fund revenues exceed estimated annual General Fund expenditures for the 2021–22 and 2022–23 fiscal years by an amount equal to or greater than the sum total of all General Fund appropriations for all programs subject to suspension.
  - (c) It is the intent of the Legislature to consider alternative solutions to restore this program if the suspension takes effect.
- 9. Of the funds appropriated in this item, \$3,730,000 shall be allocated for a statewide grant program expanding the number of primary care and emergency medicine residency slots.

10. Of the funds appropriated in this item, \$25,000,000 shall be available to support expanded enrollment and operational costs for the University of California Riverside School of Medicine. These funds shall be in addition to the existing \$15,000,000 provided by the University of California for the University of California Riverside School of Medicine.
11. Of the funds appropriated in this item, \$15,000,000 shall be available to support operational costs and expanded services provided by the University of California San Francisco School of Medicine Fresno Branch Campus, in partnership with the University of California, Merced. These funds shall be used to supplement and not supplant existing funds provided by the University of California for the University of California San Francisco School of Medicine Fresno Branch Campus.
13. Of the funds appropriated in this item, \$1,000,000 shall be used for the Institute on Global Conflict and Cooperation.
15. If the funding restoration for this item reflected in Section 8.28 does not occur, it is the intent of the Legislature that the reduction in the University of California's ongoing support not have a disproportionate impact on low-income students, students from underrepresented minority groups, and other disadvantaged students. The University of California shall not implement associated budget adjustments in a manner than disproportionately impacts the enrollment of, and services provided to, those students. If the funding restoration for this item reflected in Section 8.28 does not occur, it is the further intent of the Legislature that by November 1, 2020, the Office of the President of the University of California shall submit to the budget committees and the relevant policy committees of both houses of the Legislature, the Legislative Analyst's Office, and the Department of Finance a report on university budget actions associated with reductions in ongoing General Fund support, including the level of reduction by campus. This report shall include a description of the stakeholder consultation process, an explanation of how those actions were decided, and a statement of reasons describing how the university's decisions minimize harm to the enrollment of and services provided to students eligible for Pell Grants, students from underrepresented minority groups, and other disadvantaged students.
16. The University of California is authorized to redirect at least \$21,618,000 of the funds provided in Provision 6 of Item 6440-001-0001 of the Budget Act of 2019 (Chs. 23 and 55, Stats. 2019) to support undergraduate instruction, undergraduate resident enrollment, student support services, and other core academic operations.
17. Notwithstanding any other law, the Director of Finance may augment this item by up to \$5,000,000 to develop a one-time demonstration grant program for animal shelters through the University of California Davis Koret Shelter Medicine Program if philanthropic resources in an amount that is sufficient to implement the one-time demonstration grant program have not been raised by April 1, 2021. If the Director of

Finance augments this item pursuant to this provision, the following shall apply:

- (a) It is the intent of the Legislature that these funds be directly allocated to the University of California Davis Koret Shelter Medicine Program.
  - (b) The funds shall be available for encumbrance or expenditure until June 30, 2025.
- 18. It is the intent of the Legislature that the University of California use its unrestricted reserves to mitigate the impacts of fiscal year-over-fiscal year ongoing General Fund reductions to this item.
- 19. Of the funds appropriated in this item, \$650,000 is provided to support University of California campus efforts to increase student applications in the CalFresh program. Funds may be used to create outreach materials, host events, support equipment needs, and support application assistance, including hiring staff and student workers to assist students applying for CalFresh and understanding how to use their CalFresh benefits. The university shall report back to the Department of Finance and relevant committees of the Legislature by December 1, 2021, as to how funds were distributed to campuses, how funds were used, and how many students applied for CalFresh as a result of these activities.
- 20.
  - (a) Of the funds appropriated in this item, \$1,400,000 in one-time funding shall be available to the Asian American Studies Center at the University of California Los Angeles campus. This funding shall support the Stop Asian American Pacific Islander Hate website, the COVID-19 Multilingual Resources website, analysis and research associated with hate incidents experienced by Asian Pacific Islander communities, and policy research projects on COVID-19-related challenges directly impacting Asian Pacific Islander communities. Funding may be distributed to the Asian American Studies Department at California State University, San Francisco and other entities involved in the Stop Anti-Asian Hate collaborative.
  - (b) The University of California and the University of California Los Angeles campus shall not assess administrative costs or charges against the funds described in subdivision (a).
  - (c) It is the intent of the Legislature that the research and analysis supported by the funding described in subdivision (a) provide actionable recommendations for local and state officials whenever possible. A preliminary report describing activities and projects undertaken with this funding, along with recommendations for policy or budgetary changes, shall be submitted to the Department of Finance and relevant committees of the Legislature by September 1, 2021. A final report shall be submitted by April 1, 2022.

**SEC. 15.** Item 6610-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

## Schedule:

(1) 5560-Support ..... 3,723,360,000

## Provisions:

1. This appropriation is exempt from Sections 6.00 and 31.00.
- 1.1. Of the funds appropriated in this item, \$3,300,000 is provided to support Project Rebound. As a condition of receiving these funds, the California State University shall annually report to the Department of Finance and the relevant policy and fiscal committees of the Legislature regarding the California State University's use of these funds, program enrollment, and student outcomes. The report shall include, but not be limited to, the following:
  - (a) An expenditure plan.
  - (b) The amount of other funds, including Graduation Initiative funding and philanthropic grants, each campus is using to support Project Rebound students in 2020–21.
  - (c) A description of educational and support services each Project Rebound campus provides to students and potential students.
  - (d) How Project Rebound programs coordinate with other campus student support services and statewide and local programs available to formerly incarcerated individuals.
  - (e) Student enrollment in Project Rebound, disaggregated by race, ethnicity, gender, and age, as well as first-time freshmen, transfer students, undergraduate students, and graduate students.
  - (f) Outcomes associated with the program, including student retention, graduation, and recidivism rates.
  - (g) Any plans to expand Project Rebound to other California State University campuses.
- 1.2.
  - (a) Of the funds appropriated in this item, \$6,500,000 shall be available to support rapid rehousing efforts assisting homeless and housing insecure students.
  - (b) Campuses shall establish ongoing partnerships with community organizations that have a tradition of helping populations experiencing homelessness to provide wrap-around services and rental subsidies for homeless and housing insecure students. Funds appropriated in this item may be used for, but are not limited to, the following authorized activities:
    - (1) Connecting students with community case managers who have knowledge and expertise in accessing safety net resources.



- (2) Establishing ongoing emergency housing procedures, including on-campus and off-campus resources.
    - (3) Providing emergency grants that are necessary to secure housing or to prevent the imminent loss of housing.
  - (c) Funding shall be allocated to campuses based on demonstrated need.
  - (d) "Homeless" and "housing insecure" mean students who lack a fixed, regular, and adequate nighttime residence. This includes students who are:
    - (1) Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.
    - (2) Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations.
    - (3) Living in emergency or transitional shelters.
    - (4) Abandoned in hospitals.
    - (5) Living in a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
    - (6) Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
  - (e) The California State University shall annually submit a report to the Director of Finance and, in conformity with Section 9795 of the Government Code, to the Legislature regarding the use of these funds, including the number of coordinators hired, the number of students served by campus, the distribution of funds by campus, a description of the types of programs funded, and other relevant outcomes, such as the number of students who were able to secure permanent housing, and whether students receiving support remained enrolled at the institution or graduated.
- 1.3. Of the funds appropriated in this item, \$6,000,000 shall be used by the California State University to provide summer-term financial aid to any student who is eligible for state financial aid and who is a California resident, including students who receive an exemption from nonresident tuition pursuant to Section 68130.5 of the Education Code. These funds shall be used to supplement and not supplant existing funds provided by the California State University for summer-term financial aid. The Legislature finds and declares that this provision is a state law within the meaning of subdivision (d) of Section 1621 of Title 8 of the United States Code.
- 1.35. (a) The funding provided in Provision 1.3 shall be suspended on December 31, 2021, unless the

condition described in subdivision (b) of this provision occurs.

- (b) The suspension described in subdivision (a) of this provision shall not take effect if the estimates of General Fund revenues and expenditures for the 2021–22 and 2022–23 fiscal years, as determined pursuant to Section 12.5 of Article IV of the California Constitution, that accompany the May Revision required to be released by May 14, 2021, pursuant to Section 13308 of the Government Code contain a determination by the Director of Finance that estimated annual General Fund revenues exceed estimated General Fund expenditures for the 2021–22 and 2022–23 fiscal years by an amount equal to or greater than the sum total of all General Fund appropriations for all programs subject to suspension.
  - (c) It is the intent of the Legislature to consider alternative solutions to restore the program described in Provision 1.3 if the suspension described in subdivision (a) of this provision takes effect.
- 2.
  - (a) The Controller shall transfer funds from this appropriation as follows:
    - (1) For base rental as and when provided for in the schedule submitted by the State Public Works Board.  
Notwithstanding the payment dates in any related Facility Lease or Indenture, the schedule may provide for an earlier transfer of funds to ensure debt requirements are met and pay base rental in full when due.
    - (2) For additional rental no later than 30 days after enactment of this budget, \$58,000 of the amount appropriated in this item to the Expense Account in the Public Buildings Construction Fund.
    - (3) For debt service anticipated to become due and payable in the fiscal year associated with state general obligation bonds issued for university projects upon receipt of any report from the Department of Finance.
  - (b) The Controller shall return funds to this appropriation if directed pursuant to a report from the Department of Finance.
- 2.1. Notwithstanding any other law, the Director of Finance may reduce funds appropriated in this item by an amount equal to the estimated Cal Grant and Middle Class Scholarship program cost increases caused by a 2020–21 academic year increase in systemwide tuition. A reduction shall not be authorized pursuant to this provision sooner than 30 days after the Director of Finance provides notice of the intended reduction to the Chairperson of the Joint Legislative Budget Committee.
- 3. Payments made by the state to the California State University for each month from July through April

shall not exceed one-twelfth of the amount appropriated in this item, less the amount that is expected to be transferred pursuant to Provision 2. Transfers of funds pursuant to Provision 2 shall not be considered payments made by the state to the university.

4. Should the funding restoration for this item reflected in Section 8.28 not occur, it is the intent of the Legislature that the reduction in the California State University's ongoing support not have a disproportionate impact on low-income students, students from underrepresented minority groups, and other disadvantaged students. The California State University shall not implement associated budget adjustments in a manner that disproportionately impacts the enrollment of, and services provided to, such students. If the funding restoration for this item reflected in Section 8.28 does not occur, it is the further intent of the Legislature that by November 1, 2020, the Office of the Chancellor of the California State University shall submit to the budget committees and the relevant policy committees of both houses of the Legislature, the Legislative Analyst's Office, and the Department of Finance a report on university budget actions associated with reductions in ongoing General Fund support, including the level of reduction by campus. This report shall include a description of the stakeholder consultation process, an explanation of how those actions were decided, and a statement of reasons describing how the university's decisions minimize harm to the enrollment of and services provided to students eligible for Pell Grants, students from underrepresented minority groups, and other disadvantaged students.
5. The California State University may redirect at least \$146,000,000 of the funds provided in subdivision (a) of Provision 1.5 of Item 6610-001-0001 of the Budget Act of 2019 (Chs. 23 and 55, Stats. 2019) to support undergraduate instruction, student support services, undergraduate enrollment, and other core academic operations.
6. It is the intent of the Legislature that the California State University use its unrestricted reserves to mitigate the impacts of fiscal year-over-fiscal year ongoing General Fund reductions to this item.
7. Of the funds appropriated in this item, \$1,000,000 is provided to the Center for Healthy Communities at the California State University Chico campus to support CalFresh outreach and application assistance efforts at California community colleges, and California State University and University of California campuses. The center may use this funding to create outreach materials, for training, and for other activities to support campus efforts to increase student enrollment in the CalFresh program.
8. Of the funds appropriated in this item, \$1,300,000 is provided to support California State University campus efforts to increase student applications in the CalFresh program. Funds may be used to create outreach materials, host events, support equipment needs, and support application assistance, including hiring staff and student workers to assist students

applying for CalFresh and understanding how to use their CalFresh benefits. The university shall report back to the Department of Finance and relevant committees of the Legislature by December 1, 2021, as to how funds were distributed to campuses, how funds were used, and how many students applied for CalFresh as a result of these activities.

**SEC. 16.** Item 6870-121-0001 is added to Section 2.00 of the Budget Act of 2020, to read:

6870-121-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98) ..... 123,100,000

Schedule:

(1)	5670015- Apportionments .....	100,000,000
(2)	5675109- Institutional Effectiveness .....	20,000,000
(3)	5675019- Student Financial Aid Administration .....	3,100,000

Provisions:

1. The funds appropriated in this item are for transfer by the Controller during the 2020–21 fiscal year to Section B of the State School Fund.
2.
  - (a) The funds appropriated in Schedule (1) shall be apportioned to community college districts on a one-time basis to provide emergency financial assistance to low-income community college students
  - (b) The Office of the Chancellor of the California Community Colleges shall allocate funds to community college districts based on the headcount number of students in the district that receive a fee waiver pursuant to Section 76300 of the Education Code, as well as those who meet all the requirements for an exemption from paying nonresident tuition pursuant to Section 68130.5 of the Education Code and meet the income criteria applicable to the California Dream Act application, using the most recent fiscal year for which these data are available for all community college districts.
  - (c) Grants may be available to community college students who self-certify that they meet the following conditions:
    - (1) The student is currently enrolled in at least 6 semester units, or the quarterly equivalent.
    - (2) The student is able to demonstrate an emergency financial aid need, including loss of employment, and that they either currently qualify as low-income by meeting requirements to receive a fee waiver pursuant to Section 76300 of the Education Code, or is projected to receive a fee waiver pursuant to Section 76300 of the Education Code for the upcoming semester or quarter.
    - (3) The student either (A) earned a grade point average of at least 2.0 in one of their previous three semester terms or in

one of their previous four quarter terms,  
or (B) is a disabled student that is  
receiving additional support or services  
through a community college's disabled  
students programs and services.

- (d) In providing an emergency financial aid grant to an applying student, to the extent that data is readily available to the district, a community college district may verify (1) that the student is enrolled in at least 6 semester units, or the quarterly equivalent, (2) if the student is currently receiving a fee waiver pursuant to Section 76300 of the Education Code, (3) if the student meets all the requirements for an exemption from paying nonresident tuition pursuant to Section 68130.5 of the Education Code and meets the income criteria applicable to the California Dream Act application, and (4) if the student meets the required 2.0 grade point average or is receiving additional support or services through a community college's disabled students programs and services.

- (e) The Office of the Chancellor may provide guidance to community college districts to implement this provision.

3. The funds appropriated in Schedule (2) shall be allocated by the Office of the Chancellor of the California Community Colleges to support efforts to increase student retention rates and enrollment by primarily engaging former community college students that may have withdrawn from college due to the impacts of COVID-19, as well as with current community college students that may be hesitant to remain in college due to the impacts of COVID-19 and prospective students that may be hesitant to enroll in a community college due to COVID-19. The Chancellor's Office may allocate up to 10% of the funds provided for the purposes of this provision to support statewide recruitment and retention efforts.
4. The funds appropriated in Schedule (3) shall be allocated by the Office of the Chancellor of the California Community Colleges to community college districts to support campus efforts to increase student applications in the CalFresh program. Funds may be used to create outreach materials, host events, support equipment needs, and support application assistance, including hiring staff and student workers to assist students applying for CalFresh and understanding how to use their CalFresh benefits. The Office of the Chancellor shall report back to the Department of Finance and relevant committees of the Legislature by December 1, 2021, as to how funds were distributed to campuses, how funds were used, and how many students applied for CalFresh as a result of these activities.

**SEC. 17.** Section 11.95 of the Budget Act of 2020 is amended to read:

**SEC. 11.95.** (a) Federal legislation enacted between March 6, 2020, and April 24, 2020, and between December 26, 2020, and December 31, 2020, provides funding to the state to support testing, contact tracing, food assistance, and vaccination in response to the COVID-19 public health emergency. The Department of Finance may allocate these funds to support testing, contact tracing, food assistance, and vaccination, provided that funds are not used by any state or local entity for applications that collect information related to an individual's location and movement. This subdivision does not preclude a contact tracer from

using a program to store, organize, or analyze any data otherwise affirmatively provided to the contact tracer by an individual. All testing and contact tracing must be conducted in compliance with applicable federal and state privacy laws.

(b) Funds described in subdivision (a) may be allocated to offset or reduce appropriations in the 2019–20 and 2020–21 fiscal years that support the COVID-19 response between March 1, 2020 and June 30, 2021. If no item for a department currently exists to allow for adjustments for the additional federal funds allocation or additional reimbursements to be allocated, then an item may be created for this purpose.

(c) The Department of Finance may adjust any item in Section 2.00 to account for additional federal funding or any additional reimbursements to support testing, contact tracing, food assistance, and vaccination. If no item for a department currently exists in Section 2.00 of this Act to allow for adjustments for the additional federal funds allocation or additional reimbursements to be allocated, then an item may be created for this purpose.

(d) Changes to any item in Section 2.00 may be authorized not sooner than 10 days after written notification to the Joint Legislative Budget Committee of the changes to the planned expenditures to support testing, contact tracing, food assistance, and vaccination. The chairperson of the Joint Legislative Budget Committee or the chairperson's designee may shorten the 10 days by written notification.

**SEC. 18.** Section 39.00 of the Budget Act of 2020 is amended to read:

**SEC. 39.00.** The Legislature hereby finds and declares that the following bills are other bills providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution: AB 6, AB 75, AB 76, AB 77, AB 78, AB 79, AB 80, AB 81, AB 82, AB 83, AB 84, AB 85, AB 87, AB 88, AB 89, AB 90, AB 92, AB 93, AB 94, AB 100, AB 102, AB 103, AB 104, AB 105, AB 106, AB 107, AB 108, AB 109, AB 1865, AB 1866, AB 1867, AB 1868, AB 1869, AB 1870, AB 1871, AB 1872, AB 1873, AB 1874, AB 1875, AB 1876, AB 1877, AB 1878, AB 1879, AB 1880, AB 1881, AB 1882, AB 1883, AB 1884, AB 1885, SB 88, SB 97, SB 98, SB 100, SB 101, SB 102, SB 107, SB 108, SB 110, SB 111, SB 114, SB 116, SB 118, SB 119, SB 121, SB 122, SB 123, SB 124, SB 126, SB 809, SB 810, SB 811, SB 812, SB 813, SB 814, SB 815, SB 816, SB 817, SB 820, SB 821, SB 822, SB 823, SB 824, SB 825, SB 826, SB 827, SB 828, SB 829, SB 830, SB 831, SB 832, SB 833, SB 834, SB 835, SB 836, SB 837, SB 838, SB 839, and SB 840 of the 2019–20 Regular Session and AB 80, AB 81, AB 82, AB 83, AB 84, AB 86, AB 87, AB 88, AB 89, SB 86, SB 87, SB 88, SB 91, SB 92, SB 93, SB 94, and SB 95 of the 2021–22 Regular Session.

**SEC. 19.** This act is a Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution and shall take effect immediately.