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**SB-130 State employment: State Bargaining Units 5, 6, 7, and 8: agreements.** (2021-2022)

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**Senate Bill No. 130**

**CHAPTER 64**

An act relating to state employment, and making an appropriation therefor, to take effect immediately, bill related to the budget.

[ Approved by Governor June 30, 2022. Filed with Secretary of State June 30, 2022. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 130, Committee on Budget and Fiscal Review. State employment: State Bargaining Units 5, 6, 7, and 8: agreements.

Existing law provides that a provision of a memorandum of understanding reached between the state employer and a recognized employee organization representing state civil service employees that requires the expenditure of funds does not become effective unless approved by the Legislature in the annual Budget Act.

Existing law requires the Department of Human Resources to provide a memorandum of understanding to the Legislative Analyst who then has 10 calendar days from the date the tentative agreement is received to issue a fiscal analysis to the Legislature. Existing law prohibits the memorandum of understanding from being subject to legislative determination until either the Legislative Analyst has presented a fiscal analysis of the memorandum of understanding or until 10 calendar days has elapsed since the memorandum was received by the Legislative Analyst.

This bill, notwithstanding the above statutory provisions, would approve provisions of agreements entered into between the state employer and State Bargaining Units 5, 6, 7, and 8. The bill would provide that the provisions of the addenda or memorandum of understanding that require the expenditure of funds will not take effect unless funds for these provisions are specifically appropriated by the Legislature. The bill would authorize the state employer or these state bargaining units to reopen negotiations if funds for these provisions are not specifically appropriated by the Legislature. The bill would require the provisions of the agreements that require the expenditure of funds to become effective even if the provisions are approved by the Legislature in legislation other than the annual Budget Act.

This bill would appropriate the sum of \$79,403,000 for State Bargaining Units 5, 6, 7, 8, and all employees excluded from collective bargaining, for the purpose of state employee compensation, as provided in specified items of the Budget Act of 2022, in accordance with a specified schedule.

This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the 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.** The Legislature finds and declares that the purpose of this act is to approve the agreements and make conforming changes for the agreements entered into by the state employer and State Bargaining Units 5, 6, 7, and 8 pursuant to Section 3517.5 of the Government Code.

**SEC. 2.** Notwithstanding Section 19829.5 of the Government Code, the provisions of the addenda prepared pursuant to Section 3517.5 of the Government Code and entered into by the state employer and State Bargaining Unit 5, dated June 9, 2022 (Public Safety Recognition Payment), State Bargaining Unit 6, dated June 15, 2022 (Health Care Facility Retention Payment), State Bargaining Unit 7, dated June 15, 2022 (Public Safety Recognition Payment), State Bargaining Unit 8, dated June 23, 2022 (Public Safety Recognition Payment), and that require the expenditure of funds, are hereby approved for the purposes of Section 3517.6 of the Government Code.

**SEC. 3.** The provisions of the addenda included in Section 2 that require the expenditure of funds shall not take effect unless funds for these provisions are specifically appropriated by the Legislature. If funds for these provisions are not specifically appropriated by the Legislature, either the state employer or State Bargaining Units 5, 6, 7, or 8 may reopen negotiations on the memorandum of understanding.

**SEC. 4.** Notwithstanding Section 3517.6 of the Government Code, the provisions of the addenda included in Section 2 that require the expenditure of funds shall become effective even if the provisions of the addenda are approved by the Legislature in legislation other than the annual Budget Act.

**SEC. 5.** The sum of seventy-nine million four hundred three thousand dollars (\$79,403,000) is hereby appropriated for State Bargaining Units 5, 6, 7, 8, and all employees excluded from collective bargaining for the purpose of, state employee compensation, as provided in Items 9800-001-0001, 9800-001-0494, and 9800-001-0988 of Section 2.00 of the Budget Act of 2022, in accordance with the following schedule:

(a) Fifty-two million two hundred twenty-seven thousand dollars (\$52,227,000) from the General Fund in augmentation of Item 9800-001-0001 of Section 2.00 of the Budget Act of 2022.

(b) Twenty million eight hundred ninety-one thousand dollars (\$20,891,000) from unallocated special funds in augmentation of Item 9800-001-0494 of Section 2.00 of the Budget Act of 2022.

(c) Six million two hundred eighty-five thousand dollars (\$6,285,000) from other unallocated nongovernmental cost funds in augmentation of Item 9800-001-0988 of Section 2.00 of the Budget Act of 2022.

**SEC. 6.** This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.