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**SB-1354 Design-build contracting: cities, counties, and cities and counties: compliance with the federal Americans with Disabilities Act of 1990.** (2021-2022)

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**Senate Bill No. 1354**

**CHAPTER 900**

An act to add Section 22162.4 to the Public Contract Code, relating to public contracts.

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

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1354, Jones. Design-build contracting: cities, counties, and cities and counties: compliance with the federal Americans with Disabilities Act of 1990.

Existing law, until January 1, 2025, authorizes local agencies, as defined, to use the design-build procurement process for specified public works with prescribed cost thresholds. Existing law requires specified information submitted by a design-build entity in the design-build procurement process to be certified under penalty of perjury.

This bill would authorize a city, county, or city and county to use the design-build contracting process to award contracts for constructing projects that are necessary in order to comply with construction-related accessibility standards, as specified. By expanding design-build authority to include additional projects, the bill would expand the scope of the crime of perjury, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

**SECTION 1.** Section 22162.4 is added to the Public Contract Code, to read:

**22162.4.** Upon approval of its governing body, a city, county, or city and county may use the design-build contracting process described in this chapter to award contracts for construction of projects that are necessary in order to comply with construction-related accessibility standards, as defined in Section 65946 of the Government Code.

**SEC. 2.** No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of

the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.