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AB-2565 School facilities: interior locks. (2023-2024)

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Assembly Bill No. 2565

CHAPTER 531

An act to add Section 17586 to the Education Code, and to amend Section 36005 of the Revenue and Taxation Code, relating to school facilities.

[Approved by Governor September 24, 2024. Filed with Secretary of State September 24, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2565, McCarty. School facilities: interior locks.

Existing law requires all new construction projects submitted to the Division of the State Architect pursuant to the Leroy F. Greene School Facilities Act of 1998 to include locks that allow doors to classrooms and rooms with an occupancy of 5 or more persons to be locked from the inside, except as specified.

Existing law requires the governing board of a school district, if the governing board of the school district elects to seek state funding pursuant to the act for a school modernization project for a school facility constructed before January 1, 2012, to include, as part of the modernization project, locks that allow doors to classrooms and any room with an occupancy of 5 or more persons to be locked from the inside of the room, except as provided.

Existing law requires the governing board of any school district to furnish, repair, insure against fire, and in its discretion rent, the school property of its school district.

This bill would, contingent upon an appropriation, require a charter school, school district, or county office of education serving pupils in kindergarten or any of grades 1 to 12, inclusive, that undertakes an addition, alteration, reconstruction, rehabilitation, or retrofit of a school building, to install interior locks on each door of any room with an occupancy of 5 or more persons in that school building, except as provided. By placing a new requirement on local educational agencies, the bill would constitute a state-mandated local program.

Existing law, the Gun Violence Prevention and School Safety Act, commencing July 1, 2024, imposes an excise tax in the amount of 11% of the gross receipts from the retail sale in this state of a firearm, firearm precursor part, and ammunition, as specified. The act requires that the revenues collected be deposited in the Gun Violence Prevention and School Safety Fund in the State Treasury, and requires the moneys received in the fund to be used to fund various gun violence prevention, education, research, response, and investigation programs, as specified, including, among others, up to \$50,000,000 to the State Department of Education, upon appropriation by the Legislature, to enhance school safety by addressing risk factors for gun violence affecting pupils in kindergarten and grades 1 to 12, inclusive, through the funding of related measures, including, without limitation, physical security improvements, among other measures.

This bill would specifically include the installation of interior locks, as required by this bill described above, as an authorized physical security improvement for purposes of the act. The bill also would make a nonsubstantive change.

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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) Gun violence was the leading cause of death for children in the United States in 2020 and 2021.

(2) In 2023, there were 346 school shooting incidents across the country, meaning the United States averaged nearly one incident every day and saw its highest total on record since at least 1966.

(3) In 2023, California tied for the most incidents among states with 25 school shootings.

(4) In 2015, the Sandy Hook Advisory Commission found that a locked classroom door had never been breached in an active shooter situation.

(5) The commission strongly encouraged the installation of interior locks on classroom doors as a practical and effective safety measure.

(6) One in four schools still do not have interior locks on their classroom doors and instead have only locks that must be locked from the outside.

(7) A teacher being able to lock their door from the inside of a classroom, rather than having to step back outside in the middle of an active shooter situation, could make all the difference between life and death.

(b) Therefore, it is the intent of the Legislature to enact legislation that ensures as many doors as possible on school grounds have interior locks to enhance pupil and staff safety.

SEC. 2. Section 17586 is added to the Education Code, to read:

17586. (a) A school district, county office of education, or charter school serving pupils in kindergarten or any of grades 1 to 12, inclusive, that undertakes an addition, alteration, reconstruction, rehabilitation, or retrofit of a school building, shall install interior locks on each door of any room with an occupancy of five or more persons in that school building.

(b) The requirement in subdivision (a) does not apply to any of the following:

(1) Doors that are locked from the outside at all times, doors with locks that lock from the inside, and pupil restrooms.

(2) The maintenance of a school facility for individual projects or tasks under twenty thousand dollars (\$20,000).

(3) Projects applying for funding pursuant to Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 for a school modernization project, before January 1, 2025, and that were initially submitted to the Division of the State Architect for approval before January 1, 2025.

(c) The locks required by subdivision (a) shall conform to the specifications and requirements set forth in Title 24 of the California Code of Regulations.

(d) For purposes of this section, "addition," "alteration," "reconstruction," "rehabilitation," "retrofit," "school building," and "maintenance" have the same meaning as specified in Section 4-314 of Part 1 of Title 24 of the California Code of Regulations.

(e) The implementation of this section is contingent upon an appropriation for its purposes in the annual Budget Act or another statute.

SEC. 3. Section 36005 of the Revenue and Taxation Code is amended to read:

36005. (a) There is hereby established in the State Treasury the Gun Violence Prevention and School Safety Fund to receive moneys pursuant to Section 36041.

(b) All moneys in the Gun Violence Prevention and School Safety Fund, including interest or dividends earned by the fund, shall be distributed annually in accordance with the allocation formula provided in subdivision (c), provided that the dollar amounts

specified in that subdivision shall be annually adjusted to account for changes in the California Consumer Price Index.

(c) Moneys in the Gun Violence Prevention and School Safety Fund shall be annually allocated in the following order:

(1) The first seventy-five million dollars (\$75,000,000) available in the fund, or as much of that amount as is available, shall be continuously appropriated annually to the Board of State and Community Corrections, or other successor agency designated by law as the administering agency for the California Violence Intervention and Prevention (CalVIP) Grant Program, to fund CalVIP Grants and administration and evaluations of CalVIP-supported programs, in accordance with Title 10.2 (commencing with Section 14130) of Part 4 of the Penal Code.

(2) The next fifty million dollars (\$50,000,000) available in the fund, or as much of that amount as is available, if any, shall, upon appropriation by the Legislature, be annually allocated to the State Department of Education to enhance school safety by addressing risk factors for gun violence affecting pupils in kindergarten and grades 1 to 12, inclusive, through the funding of related measures, including, without limitation, the measures described in subparagraphs (A) to (D), inclusive. The department may use these funds to support both activities conducted directly by the department and those conducted through contracts with, or grants to, other entities.

(A) Physical security improvements, including, but not limited to, the installation of interior locks for purposes of Section 17586 of the Education Code.

(B) Physical safety assessments.

(C) School-based or school-linked mental health and behavioral services, including training for teachers and employees.

(D) Before school and after school programs for at-risk pupils, including programs offered by entities eligible to receive funding under the Bipartisan Safer Communities Act Stronger Connections Grant Program.

(3) The next fifteen million dollars (\$15,000,000) available in the fund, or as much of that amount as is available, if any, shall, upon appropriation by the Legislature, be annually allocated to the Judicial Council to support a court-based firearm relinquishment grant program to be administered in coordination with the Department of Justice to ensure the prompt, consistent, and safe removal of firearms by the Department of Justice and local law enforcement agencies from individuals who become prohibited from owning or possessing firearms and ammunition pursuant to a criminal conviction or other criminal or civil court order, including, but not limited to, criminal protective orders, domestic violence restraining orders, gun violence restraining orders, civil harassment restraining orders, and workplace violence restraining orders. The grant program shall be designed to reduce the number of people who are entered into or remain in the Armed Prohibited Persons System, including by supporting partnerships with courts and local law enforcement agencies.

(4) The next fifteen million dollars (\$15,000,000) available in the fund, or as much of that amount as is available, if any, shall, upon appropriation by the Legislature, be annually allocated to the Department of Justice to fund a victims of gun violence grant program. The purpose of this program is to support evidence-based activities to equitably improve investigations and clearance rates in firearm homicide and firearm assault investigations in communities disproportionately impacted by firearm homicides and firearm assaults, and thereby help reduce gun violence in communities across California. Grants from this program shall be made on a competitive basis to state, local, or tribal law enforcement agencies and prosecuting offices for activities that have the specific objective of increasing clearance rates for firearm homicides and nonfatal shootings, which may include, without limitation, hiring and training detectives dedicated to investigating these offenses, hiring and training personnel or other partners to coordinate with victims and witnesses or to collect, process, and test relevant evidence, improving data analysis, forensics, and technological capacities, and promoting recurring and trauma-informed engagement with victims, witnesses, and other impacted community members in a manner that builds trust, safety, and collaboration.

(5) The next two million five hundred thousand dollars (\$2,500,000) available in the fund per year, or as much of that amount as is available, if any, shall, upon appropriation by the Legislature, be annually allocated to the Department of Justice to support activities to inform firearm and ammunition purchasers and firearm owners about gun safety laws and responsibilities, such as safe firearm storage, and to promote implementation and coordination of gun violence prevention efforts through activities such as technical assistance, training, capacity building, and local gun violence data and problem analysis support for local governments, law enforcement agencies, community-based service providers, and other stakeholders. The department may use these funds to support activities conducted directly by the department or conducted through contracts with, or grants to, other entities.

(6) The next two million five hundred thousand dollars (\$2,500,000) available in the fund, or as much of that amount as is available, if any, shall, upon appropriation by the Legislature, be annually allocated to the Office of Emergency Services to provide counseling and trauma-informed support services to direct and secondary victims of mass shootings and other gun homicides and to individuals who have experienced chronic exposure to community gun violence. The office may use these

funds to support activities directly conducted by the office, or conducted through contracts with, or grants to, other entities, and to help reduce gun violence in communities across California.

(7) The next one million dollars (\$1,000,000) available in the fund, or as much of that amount as is available, if any, shall, upon appropriation by the Legislature, be allocated to the University of California, Davis, California Firearm Violence Research Center, if those funds are accepted by the Regents of the University of California, for a one-time grant for gun violence research and initiatives to educate health care providers and other stakeholders about clinical tools and other interventions for preventing firearm suicide and injury. This allocation may, if sufficient funds are not available, be made over the course of more than one budget year; however, the total amount allocated pursuant to this paragraph across all years shall not exceed one million dollars (\$1,000,000).

(d) Any remaining moneys available in the fund each year after the allocations described in subdivision (c) shall, upon appropriation by the Legislature, be allocated to fund and support activities and programs focused on preventing gun violence, supporting victims of gun violence, and otherwise remediating the harmful effects of gun violence.

(e) Except as otherwise provided in this section or in any other law, a department or agency may reserve up to 5 percent of the funds appropriated to that department or agency under subdivision (c) for the costs of administering and promoting the effectiveness of programs supported by this act, including, without limitation, costs to employ personnel, develop and review grant solicitations, publicize grant opportunities, engage with and provide technical assistance to prospective grant applicants and grantees, and conduct or support data collection or research evaluations.

SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.