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SB-515 School facilities: shade structures. (2023-2024)

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Senate Bill No. 515

CHAPTER 489

An act to add Chapter 9 (commencing with Section 17670) to Part 10.5 of Division 1 of Title 1 of the Education Code, relating to school facilities.

[Approved by Governor October 08, 2023. Filed with Secretary of State October 08, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

SB 515, Stern. School facilities: shade structures.

The Field Act requires the Department of General Services under the police power of the state to supervise the design and construction of any school building or the reconstruction or alteration of or addition to any school building, if not exempted, to ensure that plans and specifications comply with adopted rules and regulations and building standards published in regulations, and to ensure that the work of construction is performed in accordance with the approved plans and specifications for the protection of life and property.

The California Building Standards Code requires that specified buildings, structures, and facilities be accessible to, and useable by, persons with disabilities, including that when alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition is provided.

This bill would limit the cost of complying with the requirement to provide an accessible path of travel to a free-standing, open-sided shade structure project that meets specified requirements and that is on a school district, county office of education, charter school, or community college campus to 20% of the adjusted construction cost, as defined, of the shade structure project.

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

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

SECTION 1. Chapter 9 (commencing with Section 17670) is added to Part 10.5 of Division 1 of Title 1 of the Education Code, to read:

CHAPTER 9. Shade Structures

17670. The Legislature finds and declares all of the following:

(a) In April 2022, California released "Protecting Californians from Extreme Heat: A State Action Plan to Build Community Resilience" which warned of the threats extreme heat poses to public health and safety, economic prosperity, and the natural environment and cautioned that extreme heat can be dangerous or even deadly to vulnerable populations, including children, without access to cooling or shade.

(b) A 2022 heat wave shattered all-time high temperature records in cities across California, fueled wildfires, and pushed the electrical grid to the brink of rolling blackouts.

(c) According to research by the United Nations Children's Fund (UNICEF), virtually all two billion children on earth will be exposed to more frequent, longer lasting, and more severe heat waves by 2050.

(d) The federal Centers for Disease Control and Prevention identifies extreme heat as the leading cause of weather-related deaths in the United States.

(e) Children, especially those that attend schools in urban areas built with heat-retaining materials and that are ill equipped to shelter students from extreme heat, are at heightened risk of suffering heat-related illnesses, poor health outcomes, and a reduction in their ability to learn, as excessive heat interrupts outdoor activity and exercise.

(f) Schoolyard shading mitigates the urban heat island effect and reduces ambient temperatures by at least 15 degrees, safeguarding children's physical and mental health and promoting educational progress.

(g) The Legislature has recognized extreme heat as a serious and urgent threat and called on state agencies and departments to invest resources in increasing resilience to extreme heat.

17671. (a) Projects solely for the installation of freestanding, open-sided shade structures included on the Division of the State Architect pre-checked designs list where the adjusted construction cost exceeds the valuation threshold for alterations or additions on a school district, county office of education, charter school, or community college campus shall have the cost of compliance for path of travel improvements required by Section 202.4 of Chapter 11B of Part 2 of Title 24 of the California Code of Regulations limited to 20 percent of the adjusted construction cost of the shade structure project.

(b) For purposes of this section, "adjusted construction cost" has the same meaning as in Section 202 of Chapter 2 of Part 2 of Title 24 of the California Code of Regulations.