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## AB-124 Public resources trailer bill. (2025-2026)

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AMENDED IN SENATE JUNE 24, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

### ASSEMBLY BILL

NO. 124

Introduced by ~~Assembly Member Gabriel~~ Committee on Budget (Assembly Members Gabriel (Chair), Addis, Ahrens, Alvarez, Bennett, Bonta, Connolly, Fong, Haney, Hart, Jackson, Lee, Muratsuchi, Ortega, Patel, Petrie-Norris, Quirk-Silva, Ramos, Rogers, Schiavo, Schultz, Sharp-Collins, Solache, Ward, and Wilson)

January 08, 2025

~~An act relating to the Budget Act of 2025.~~ An act to add Section 4108.5 to the Food and Agricultural Code, to amend Section 66647 of the Government Code, to amend Sections 25299.100, 25299.104, and 25299.107 of the Health and Safety Code, to amend Section 782 of, and to add Section 4114.1 to, the Public Resources Code, to amend Section 2107.7 of the Streets and Highways Code, and to amend Section 12924 of, and to add Article 3.5 (commencing with Section 290) to Chapter 2.5 of Division 1 of, the Water Code, relating to public resources, and making an appropriation therefor, to take effect immediately, bill related to the budget.

### LEGISLATIVE COUNSEL'S DIGEST

AB 124, as amended, Committee on Budget. ~~Budget Act of 2025.~~ Public resources trailer bill.

(1) Existing law establishes the Natural Resources Agency, composed of departments, boards, conservancies, and commissions responsible for the restoration, protection, and management of the state's natural and cultural resources. Existing law establishes within the Natural Resources Agency the Sixth District Agricultural Association, known as Exposition Park.

Existing law establishes the Department of General Services in the Government Operations Agency for purposes of providing centralized services of state government, including, among other things, planning, acquiring, constructing, and maintaining state buildings and property.

This bill would authorize the Natural Resources Agency to enter into a noncompetitive grant with a nonprofit organization, as specified. The bill would authorize the nonprofit organization, in consultation with the Natural Resources Agency and the Department of General Services, to plan, construct, and maintain a memorial to the victims and survivors of the Holocaust at Exposition Park, as specified. The bill would require the Department of General Services, in consultation with the nonprofit organization and the agency, to, among other things, review the preliminary design plans to identify potential maintenance concerns. The bill would require the nonprofit organization, in consultation with Exposition Park and with the approval of the

Natural Resources Agency and the Department of General Services, to prepare certain items, including an agreement for the long-term maintenance and security of the memorial.

(2) Existing law sets forth a comprehensive plan for the conservation of the waters of the San Francisco Bay and the development of its shoreline and delegates to the San Francisco Bay Conservation and Development Commission authority to implement the plan. Existing law establishes in the State Treasury a Bay Fill Clean-Up and Abatement Fund and requires moneys from specified sources to be paid into the fund, including all moneys collected civilly under specified proceedings. Existing law makes the moneys in the fund available for expenditure by the commission or the executive director, when appropriated by the Legislature, for specified purposes, including resource enhancement and remedial cleanup or abatement actions.

This bill would additionally make the moneys in the fund available for enforcement activities and for technology, services, programs, and personnel that directly support those enforcement activities or that directly support any of the other specified purposes of the fund.

(3) Existing law provides for the regulation of underground storage tanks, as defined, by the State Water Resources Control Board. Existing law, until January 1, 2036, requires the board to conduct a loan and grant program to assist small businesses in upgrading, replacing, or removing project tanks to comply with underground storage tank and gasoline vapor control requirements. Existing law makes funds available, upon appropriation by the Legislature, from the Petroleum Underground Storage Tank Financing Account available for the loan and grant program. Existing law defines "project tanks" to mean tanks that would be upgraded, replaced, or removed with loan or grant funds, including tanks that are upgraded to comply with the Enhanced Vapor Recovery Phase II regulations. Existing law authorizes grant funds to be used to reimburse up to 100% of costs incurred to comply with the Enhanced Vapor Recovery Phase II regulations, if the grant application was received by April 1, 2009.

This bill would instead define "project tanks" to mean tanks that would be upgraded, replaced, or removed with loan or grant funds to comply with underground storage tank and gasoline vapor control requirements, including tanks that are required to be permanently closed on or before December 31, 2025. The bill would eliminate the authority to use the grant funds to reimburse costs incurred to comply with the Enhanced Vapor Recovery Phase II regulations. The bill would authorize loan and grant funds to be used to reimburse up to 100% of the costs to remove or replace a project tank if the board receives the loan application before June 30, 2025, and the costs are incurred between specified dates.

(4) The Professional Foresters Law provides for the regulation of persons who practice the profession of forestry and whose activities have an impact upon the ecology of forested landscapes and the quality of the forest environment. Under existing law, fees received pursuant to the Professional Foresters Law are required to be deposited in the Professional Forester Registration Fund, to be available, upon appropriation by the Legislature, for the administration of these provisions. Existing law authorizes, in specified circumstances, the Director of Finance to authorize an emergency expenditure from the fund in an amount determined by the director, as provided. Existing law requires the State Board of Forestry and Fire Protection to establish by regulation the amount of fees, for, among other things, application for registry and a penalty fee for failure to apply for a renewal, within specified ranges and based on a determination by the state board of the amount of revenues reasonably necessary to carry out the regulation of these provisions.

This bill would increase the specified ranges for the above-described fees. By increasing the range for these specified fees that are deposited into a fund that is continuously appropriated under specified circumstances, this bill would make an appropriation.

(5) Existing law establishes in the Natural Resources Agency the Department of Forestry and Fire Protection (CAL-FIRE) under the control of an executive officer known as the Director of Forestry and Fire Protection. Existing law requires CAL-FIRE, in accordance with a plan approved by the State Board of Forestry and Fire Protection, to, among other things, provide fire prevention and firefighting implements, organize crews and patrols, and employ people to effect the plan.

This bill would require CAL-FIRE, subject to an appropriation of funds, to begin to employ sufficient permanent firefighting personnel to increase the base period hand crew staffing levels. Under the bill, CAL-FIRE would maintain the ability to hire seasonal, temporary firefighters as needed to allow for surge hiring capacity for confronting emergency fire conditions or other personnel shortages as determined by the director.

(6) Existing law requires the annual Budget Bill submitted by the Governor to include an amount not to exceed \$3,400,000 to be appropriated by the Legislature from the Highway Users Tax Account in the Transportation Tax Fund to the State Parks and Recreation Fund. Existing law requires those funds to be appropriated to the Department of Parks and Recreation for state park highway purposes.

This bill would instead require the Governor's annual Budget Bill to include an amount not to exceed \$12,000,000 for those purposes.

(7) Existing law establishes the Department of Water Resources within the Natural Resources Agency and vests it with various powers and duties related to water, including, among other things, the authority to acquire by eminent domain any property

necessary for state water and dam purposes and to award and enter into construction contracts that require expenditures in excess of funds presently available, as specified. Existing law requires workers employed on public works to be paid not less than the general prevailing rate of per diem wages for work of a similar character in the locality that the public work is performed, as prescribed, unless an exception applies.

This bill would authorize the Department of Water Resources to enter into contracts for habitat restoration projects, as specified. The bill would provide that these contracts may include the physical restoration of any state or privately owned real property, and any incidental or necessary services to accomplish that purpose. The bill would require the Department of Water Resources to prepare a request for proposals, as specified, for solicitations by the department for these contracts. The bill would require contracts entered into by the Department of Water Resources to provide compensation, including through progress payments, based upon measurable environmental outcomes and performance targets. The bill would require contracts entered into by the Department of Water Resources that include work considered to be a public work, as defined, to be subject to the public works provisions of the Labor Code. The bill would require the Department of Water Resources to classify the nature of the services to be provided when establishing the terms and conditions applicable for each contracted-for project.

(8) Existing law requires the Department of Water Resources, in conjunction with other public agencies, to conduct an investigation of the state's groundwater basins and to report its findings to the Governor and the Legislature in years ending in 5 and 0.

This bill would require the Department of Water Resources to report its findings, as described above, to the Governor and the Legislature only in years ending in 5.

(9) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2025.~~

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

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

**SECTION 1.** Section 4108.5 is added to the Food and Agricultural Code, to read:

**4108.5.** (a) For purposes of this section, the following terms have the following meanings:

(1) "Agency" means the Natural Resources Agency.

(2) "Department" means the Department of General Services.

(3) "Exposition Park" means the Sixth District Agricultural Association, and shall also be known as the Office of Exposition Park Management.

(4) "Nonprofit organization" means a recognized nonprofit organization that is tax exempt pursuant to Section 501(c)(3) of the Internal Revenue Code, and that represents victims and survivors of the Holocaust.

(b) Consistent with funding and authority provided in the annual budget act, the agency may enter into a noncompetitive grant with a nonprofit organization, subject to the requirements of this section.

(c) The nonprofit organization, in consultation with the agency and department, may plan, construct, and maintain a memorial to the victims and survivors of the Holocaust at Exposition Park in accordance with this section. The memorial shall be consistent with the operating policies and procedures of the Office of Exposition Park Management, including the location of the memorial.

(d) The department, in consultation with the nonprofit organization and the agency, shall do all of the following:

(1) Review the preliminary design plans to identify potential maintenance concerns.

(2) Review and approve any documents prepared pursuant to the California Environmental Quality Act (Division 13 commencing with Section 21000) of the Public Resources Code).

(3) Review final construction documents to ensure that the documents comply with all applicable laws.

(4) Inspect all construction performed by the contractor selected by the nonprofit organization pursuant to this section.

(e) The nonprofit organization, in consultation with the Office of Exposition Park Management and with the approval of the agency and department, shall do both of the following:

(1) Prepare the right-of-entry permit outlining the final area of work, final construction documents, construction plans, the contractor hired to perform the work, insurance, bonding, provisions for damage to state property, and inspection requirements.

*(2) Prepare an agreement for the long-term maintenance and security of the memorial.*

*(f) This section shall be implemented only upon appropriation by the Legislature for its purposes in the Budget Act or other statute.*

**SEC. 2.** *Section 66647 of the Government Code is amended to read:*

**66647.** (a) There is in the State Treasury a Bay Fill Clean-up and Abatement Fund. All moneys from the following sources are to be paid into the fund:

(1) All moneys appropriated by the Legislature for the fund.

(2) All moneys contributed to the fund by any person or entity and accepted by the commission.

(3) All moneys collected civilly under any proceeding brought pursuant to any provision of this chapter or Division 19 (commencing with Section 29000) of the Public Resources Code.

(b) All moneys paid into the fund shall be available for expenditure by the commission or the executive director, when appropriated by the Legislature, for the purposes of removing fill, resource enhancement, ~~or enforcement,~~ and performing any other remedial cleanup or abatement actions within the commission's ~~jurisdiction;~~ *jurisdiction, including for funding of technology, services, programs, and personnel that directly support these purposes.*

**SEC. 3.** *Section 25299.100 of the Health and Safety Code is amended to read:*

**25299.100.** For purposes of this chapter, the following definitions apply:

(a) "Board" means the State Water Resources Control Board.

(b) "Loan applicant" means a small business that applies to the board for a loan pursuant to this chapter.

(c) "Grant applicant" means a small business that applies to the board for a grant pursuant to this chapter.

(d) "Tank" means an underground storage tank, as defined in Section 25281, used for the purpose of storing petroleum, as defined in Section 25299.22. "Tank" also includes under-dispenser containment systems, spill containment systems, enhanced monitoring and control systems, and vapor recovery systems and dispensers connected to the underground piping and the underground storage tank.

(e) "Project tanks" means tanks that would be upgraded, replaced, or removed with loan or grant ~~funds. "Project tanks" also includes tanks that are upgraded to comply with the Enhanced Vapor Recovery Phase II regulations;~~ *funds to comply with Chapter 6.7 (commencing with Section 25280), Section 41954, and implementing regulations. "Project tanks" also includes tanks that are required to be permanently closed on or before December 31, 2025.*

(f) Terms defined in Section 25281 and used in this chapter, if not defined in this section, including, but not limited to, "facility," "local agency," "owner," and "operator," have the same meanings as specified in Section 25281.

**SEC. 4.** *Section 25299.104 of the Health and Safety Code is amended to read:*

**25299.104.** (a) The minimum amount that the board may loan an applicant is ten thousand dollars (\$10,000), and the maximum amount that the board may loan an applicant is seven hundred fifty thousand dollars (\$750,000).

(b) The term of the loan shall be for a maximum of 20 years if secured by real property, and for 10 years if not secured by real property. The interest rate for loans shall be set at the rate equal to one-half of the most recent general obligation bond rate obtained by the office of the Treasurer at the time of the loan commitment.

(c) (1) Loan funds may be used to finance up to 100 percent of the costs necessary to upgrade, remove, or replace project tanks, to comply with Chapter 6.7 (commencing with Section 25280), Section 41954, and implementing regulations.

*(2) If the board received the applicant's loan application on or before June 30, 2025, loan funds may be used to reimburse up to 100 percent of both of the following costs to comply with Section 25292.05:*

*(A) Costs to remove project tanks incurred by the applicant on or after December 31, 2024, but before January 1, 2026.*

*(B) Costs to replace project tanks incurred by the applicant on or after December 31, 2024, but before January 1, 2027.*

(d) The board may charge a loan fee to loan applicants of up to 2 percent of the requested loan amount. The loan fee shall be deposited in the Petroleum Underground Storage Tank Financing Account.

(e) The inoperation or repeal of this chapter pursuant to Section 25299.117 shall not extinguish a loan obligation and shall not impair the deed of trust or other collateral made pursuant to this chapter or the authority of the state to pursue appropriate action for collection.

(f) Notwithstanding Section 16304.1 of the Government Code, the board shall encumber the funds appropriated pursuant to Section 25299.109 for purposes of this section within three years of the appropriation and the board may make a disbursement in liquidation of an encumbrance before or during the three years following the last day the appropriation is available for encumbrance.

**SEC. 5.** *Section 25299.107 of the Health and Safety Code is amended to read:*

**25299.107.** (a) Except as provided in subdivision (e), the minimum amount that the board may grant an applicant is three thousand dollars (\$3,000), and the maximum amount that the board may grant an applicant is seventy thousand dollars (\$70,000).

(b) Grant funds may be used to finance up to 100 percent of the costs necessary to upgrade, remove, or replace project tanks to comply with Chapter 6.7 (commencing with Section 25280), Section 41954, and implementing regulations.

(c) If the board received the applicant's grant application on or before ~~April 1, 2009~~, *June 30, 2025*, grant funds may be used to reimburse up to 100 percent of ~~both of the costs that the applicant incurred after the board received the grant application to comply with the Enhanced Vapor Recovery Phase II regulations.~~ *following costs to comply with Section 25292.05:*

*(1) Costs to remove project tanks incurred by the applicant on or after December 31, 2024, but before January 1, 2026.*

*(2) Costs to replace project tanks incurred by the applicant on or after December 31, 2024, but before January 1, 2027.*

(d) Except as provided in subdivision (e), a person or entity is not eligible to receive more than seventy thousand dollars (\$70,000) in grant funds pursuant to this chapter.

(e) (1) Notwithstanding subdivisions (a) and (d), if the project tanks are located at a fueling station that is available for public use and there is no other fueling station available for public use within a radius of 15 miles from the fueling station, the board may make a grant in the maximum amount of one hundred forty thousand dollars (\$140,000) to assist the grant applicant to remove and replace tanks that are required to be permanently closed pursuant to Section 25292.05.

(2) Any grant issued pursuant to paragraph (1) shall not be included in the maximum amount that a person or entity may receive in grant funds pursuant to subdivision (d).

**SEC. 6.** *Section 782 of the Public Resources Code is amended to read:*

**782.** The board shall establish by regulation the amount of fees within the following ranges, and based on a determination by the board of the amount of revenues reasonably necessary to carry out this article:

(a) The application fee for registration or for each certificate of specialization shall be not less than fifty dollars (\$50) and not more than ~~two hundred dollars (\$200)~~ *six hundred dollars (\$600)*.

(b) The registration fee and certificate of specialization fees and renewal fees shall be not less than twenty-five dollars (\$25) and not more than ~~two hundred fifty dollars (\$250)~~ *seven hundred fifty dollars (\$750)* per year. Every licensed person shall, on or before July 1 of the year of expiration, pay the renewal fee.

(c) The fee for the issuance of a duplicate display registration document or certificate of specialization shall be not less than five dollars (\$5) and not more than ~~twenty-five dollars (\$25)~~ *seventy-five dollars (\$75)*.

(d) The penalty fee for failure to apply for a renewal shall be not less than ten dollars (\$10) and not more than ~~twenty-five dollars (\$25)~~ *seventy-five dollars (\$75)* for each month of delinquency. In return for the payment of the renewal fee and any applicable late fees, a renewal registration card shall be issued.

(e) A registrant or certificant may, upon written notice to the board, be granted a withdrawal period without penalty not to exceed five years. A reinstatement application shall be accompanied with a fee of not less than fifteen dollars (\$15) and not more than ~~fifty dollars (\$50)~~ *one hundred fifty dollars (\$150)* for registration or each certificate of specialization.

**SEC. 7.** *With respect to Section 8, adding Section 4114.1 to the Public Resources Code, it is the intent of the Legislature, subject to appropriation of funds for this purpose, to transition, through the civil service examination and appointment process, existing Firefighter I positions within the Department of Forestry and Fire Protection to a permanent firefighter employment classification.*

**SEC. 8.** *Section 4114.1 is added to the Public Resources Code, to read:*

**4114.1.** (a) *Subject to appropriation of funds for this purpose, the department shall begin to employ sufficient permanent firefighting personnel to increase the base period hand crew staffing levels.*

(b) *The department shall maintain the ability to hire seasonal, temporary firefighters as needed to allow for surge hiring capacity for confronting emergency fire conditions or other personnel shortages as determined by the director.*

**SEC. 9.** *Section 2107.7 of the Streets and Highways Code is amended to read:*

**2107.7.** (a) For each fiscal year, there shall be included in the annual Budget Bill submitted by the Governor an amount not to exceed ~~three million four hundred thousand dollars (\$3,400,000)~~ *twelve million dollars (\$12,000,000)* to be appropriated by the Legislature from the Highway Users Tax Account in the Transportation Tax Fund to the State Parks and Recreation Fund.

(b) These funds shall be appropriated to the Department of Parks and Recreation for the maintenance and repair of highways in units of the state park system.

(c) In addition, the money may be used by the Department of Parks and Recreation for construction and improvement on the highways when appropriated for such purposes by the Legislature.

(d) The highway construction and improvement shall be designed in accordance with the standards established by the Department of Parks and Recreation for state park roads, and may be carried out through service agreements with the Department of Transportation.

(e) Any increase in the amount of this appropriation shall be considered in the course of the annual budget process, which shall include review and comment by the Department of Transportation.

(f) For purposes of this section, highways in units of the state park system shall include those routes of motor vehicle travel generally open to public travel and service roads, parking areas, and roads within campgrounds. Nothing in this section shall constitute the highway as a state highway or add it to the state highway system.

**SEC. 10.** *Article 3.5 (commencing with Section 290) is added to Chapter 2.5 of Division 1 of the Water Code, to read:*

**Article 3.5. Habitat Restoration Contracts**

**290.** (a) *Notwithstanding any other law, when undertaking a habitat restoration project where the department has available funds to carry out the project, the department may enter into contracts to accomplish the restoration pursuant to this section, the State Contract Act (Chapter 1 (commencing with Section 10100) of Part 2 of Division 2 of the Public Contract Code), and Section 65967 of the Government Code.*

(b) *Contracts may include the physical restoration of any state or privately owned real property, and any incidental or necessary services to accomplish that purpose. This may include, but is not limited to, the acquisition or sale of real property, including to the department, conducting environmental reviews, performance of design, securing any necessary permits, and ongoing monitoring or land management.*

(c) *Solicitations for a contract for habitat restoration issued by the department shall be subject to all of the following:*

*(1) The department shall prepare a request for proposals in a manner prescribed by the department.*

*(2) The request for proposals shall include all applicable terms and conditions that may apply to the habitat restoration project.*

*(3) The request for proposals shall include minimum requirements for any proposals, standards for competition, including the minimum number of proposals required, and the processes and procedures for the scoring, evaluation of proposals, and protests.*

(d) *Contracts entered into by the department shall provide compensation, including through progress payments, based upon measurable environmental outcomes and performance targets.*

(e) *Contracts entered into by the department that include work meeting the definition of a "public work" pursuant to Section 1720 of the Labor Code shall be subject to the provisions of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.*

(f) *In establishing the terms and conditions applicable for each project, the department shall classify the nature of the services to be provided. The department shall ensure that the contract includes necessary terms and conditions that are consistent with other*

*applicable state contracts for each identified classification.*

**SEC. 11.** *Section 12924 of the Water Code is amended to read:*

**12924.** (a) The department, in conjunction with other public agencies, shall conduct an investigation of the state's groundwater basins. The department shall identify the state's groundwater basins on the basis of geological and hydrological conditions and consideration of political boundary lines whenever practical. The department shall also investigate existing general patterns of groundwater extraction and groundwater recharge within those basins to the extent necessary to identify basins that are subject to critical conditions of overdraft.

(b) The department may revise the boundaries of groundwater basins identified in subdivision (a) based on its own investigations or information provided by others.

(c) ~~The~~ *Notwithstanding Section 10231.5 of the Government Code, the* department shall report its findings to the Governor ~~and the Legislature not later than January 1, 2012, and thereafter~~ *and, in compliance with Section 9795 of the Government Code, the Legislature* in years ending in ~~5 or 0~~ *five*.

**SEC. 12.** *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.*

~~SECTION 1. It is the intent of the Legislature to enact statutory changes relating to the Budget Act of 2025.~~