

ASSEMBLY COMMITTEE ON ACCOUNTABILITY AND
ADMINISTRATIVE REVIEW

MID-SESSION

2023 LEGISLATIVE SUMMARY

HONORABLE COTTIE PETRIE-NORRIS, CHAIR



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Table of Contents

About the Committee

Letter from the Chair.....	3
Committee Members.....	5
Committee Staff.....	7

Legislative History

Assembly Bill Summaries.....	9
Senate Bills Summaries	14
Oversight Hearings	16

Appendix

Assembly Bills	19
Senate Bills	21

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ASSEMBLY COMMITTEE ON
ACCOUNTABILITY AND ADMINISTRATIVE REVIEW
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ASSEMBLYMEMBER, SEVENTY-THIRD DISTRICT

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December 12, 2023

The Committee on Accountability and Administrative Review (A&AR) is charged with overseeing key State department functions such as government efficiency, compliance, organization and procurement.

The A&AR Committee is responsible for reviewing legislative proposals impacting state operations, procurement, including technology, property use, acquisition or distribution, and the Administrative Procedures Act,. In 2023, the Committee was responsible for reviewing and analyzing 35 legislative bill proposals. There are descriptions and the status of these proposals later in this legislative summary.

An example of one of these legislative proposals is Assembly Bill 349 (Ramos), signed by the Governor, that authorizes the director of the Department of General Services to lease a building at Patton State Hospital to a nonprofit corporation or local government for the purpose of providing housing to homeless individuals and providing mental health services to those individuals. Another example is Senate Bill 74 (Dodd) which would have prohibited state employees from using certain social media platforms, such as Tik Tok, on government issued devices. The Author decided to hold the proposal on the Assembly Floor for now but may take up matter next year.

The Committee's primary oversight jurisdictions are identifying savings and efficiencies in the management of state government, and reviewing the implementation, operation, and effectiveness of state programs and agencies. The Committee can hold oversight hearings on topics such as:

- How well state dollars are utilized by a government department or agency.
- Misuse or abuse of state funds or property.
- How well a state government program, department or agency performs its required duties to serve the public.

The A&AR Committee often collaborates with standing committees regarding potential topics of oversight. This year, the A&AR Committee held three oversight hearings on the following topics:

- Implementation of the "**Armed and Prohibited Persons Systems (APPS)**," a state database intended to ensure that persons prohibited from owning a firearm do not

purchase or own one. This was a joint hearing held with the Assembly Public Safety Committee. (1/31/2023)

- **“Coordinating California’s Homelessness Services: 2023 Landscape”** examined the state’s investments in addressing homelessness and determine what needs improvement. This was a joint hearing held with the Assembly Committee on Housing and Community Development, Assembly Health Committee and Assembly Committee on Human Services. (2/15/2023)
- **“Follow the Money: Transparency and Accountability in State Grant Programs”** examined the level of transparency and accountability in the current state grant awards and whether more needs to be required to ensure the prudent stewardship of public funds. (6/27/2023)

Thank you for your interest in our Committee’s work.



COTTIE PETRIE-NORRIS
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**ALL ASSEMBLY BILLS
REFERRED TO THE ASSEMBLY COMMITTEE ON
ACCOUNTABILITY AND ADMINISTRATIVE REVIEW IN 2023**

AB 11 (Jackson) Milton Marks “Little Hoover” Commission on California State Government Organization and Economy.

Requires the Little Hoover Commission (LHC) to study the underlining causes and effects of the increasing cost of living in the State of California and develop solutions to counter such increases in order to make living in the state more affordable.

Specifically, this bill requires LHC to meet quarterly, beginning July 30, 2024, with the final meeting on July 30, 2026, and submit a report to the Legislature with findings and recommendations by August 31, 2025. The study must emphasize maintaining and retaining the state’s middle-class population and creating upward mobility for individuals and families at 200% or below the federal poverty rate, with a particular focus on historically marginalized, disadvantaged, or oppressed populations.

Last Action: Held in Assembly Appropriations Committee.

AB 349 (Ramos) Patton State Hospital: lease: housing and mental health services for homeless individuals.

Authorizes the director of the Department of General Services, with the consent of the Department of State Hospitals, to lease a building at Patton State Hospital to a nonprofit corporation or local government for the purpose of providing housing and mental health services to unhoused individuals.

Last Action: Chapter 325, Statutes of 2023

AB 433 (Jackson) State- and county-funded grants: advance payments.

Requires state and county departments offering grants to nonprofits organizations to advance a payment of 10% of the total grant amount awarded to the nonprofit organization, upon request by the nonprofit administrators.

Last Action: Held in Accountability and Administrative Review Committee.

AB 437 (Jackson) State government: equity.

Requires state agencies and departments, in carrying out their duties, to consider the use of more inclusive practices to advance equity, as defined in the bill.

Last Action: Inactive on the Senate Floor.

AB 469 (Vince Fong) California Public Records Act Ombudsperson.

Establishes the position of the California Public Records Act Ombudsperson, which is appointed by the Governor, to review state agencies' denial of requests for records under the California Public Records Act. Subject to appropriations, the Office of the Ombudsperson shall sunset on January 1, 2027.

Last Action: Vetoed 10/07/2023

AB 590 (Hart) State-funded assistance grants and contracts: advance payments.

Authorizes a state agency that is administering a grant program to provide for advance payments to a recipient 501(c)(3) nonprofit organization. Advance payments shall be deposited into the recipient entity's account in the recipient entity's name, and not in the name of any of its directors or officers.

Last Action: Chapter 535, Statutes of 2023

AB 681 (Schiavo) Childcare business enterprise participation goal: childcare bid preference.

Requires an awarding state agency to have a statewide procurement participation goal of not less than an unspecified percentage for childcare business enterprises. Requires an awarding state agency to provide a bid preference in an unspecified percentage to contractors, companies, or businesses engaged in specified business activities relating to childcare, if their bid is otherwise similar to that of other bidders.

Last Action: Held in the Accountability and Administrative Review Committee.

AB 696 (Lowenthal) State agency grants and contracts.

Establishes the California State Grants and Contracts Modernization Act, which beginning July 1, 2025, requires a state agency that administers a grant or enters into contracts with eligible entities to provide for and accept signatures and offer electronic options.

Last Action: Held in Senate Appropriations Committee.

AB 740 (Gabriel, Petrie-Norris) Department of General Services: drone cybersecurity.

Directs the California Department of Technology to issue regulations establishing cybersecurity and privacy requirements for data collected by drones operated by state and local government entities.

Last Action: Held in Accountability and Administrative Review Committee.

AB 749 (Irwin) State agencies: information security: uniform standards.

Requires every state agency to implement “Zero Trust” cybersecurity architecture, including multifactor authentication, enterprise endpoint detection and response solutions, and robust logging practices, following uniform technology policies, standards, and procedures developed by the Chief of the Office of Information Security.

Last Action: Held in Senate Appropriations Committee.

AB 790 (Hoover) Construction contract payments: internet website posting.

Increases the number of days within which a state agency is required to post the information to its internet website from 10 to 15 days.

Last Action: Held in Accountability and Administrative Review Committee.

AB 860 (Valencia) Grant programs: administration.

Imposes new requirements on the administration of covered grants by a state agencies or third-party contractors using state funds.

Last Action: Held in Senate Appropriations Committee.

AB 885 (Luz Rivas) Public contracts: nonprofit organizations.

Establishes the “California Nonprofit Fairness in Contracting Act” which provides nonprofits with preferential treatment when contracting with the state for goods or services or when contracting with a local agency using state funds.

Last Action: Held in Accountability and Administrative Review Committee.

AB 956 (Alvarez) California State Auditor: background checks.

Requires the California State Auditor to collect fingerprints from prospective employees and contractors, as specified, and complete a background check with the Department of Justice.

Last Action: Chapter 94, Statutes of 2023

AB 964 (Ortega) State contracts: certification process.

Requires contractors to certify, under penalty of perjury, to a state agency that the contract being entered into complies with specified requirements to combat human trafficking.

Last Action: Held in Assembly Appropriations Committee.

AB 1077 (Jackson) State agencies and counties: antiracism audits.

Requires the Office of the State Controller, on or before January 1, 2025, and every 5 years thereafter, to perform a comprehensive antiracism audit of each state agency and county. Each state agency and county, within one year following the completion of its audit, would be required to establish and implement an action plan tailored to the function of that agency or the particular activities of the county to rectify deficiencies within the efforts by such entities to identify, interrupt, and dismantle racist practices, policies, and attitudes identified by the audit.

Last Action: Held in Accountability and Administrative Review Committee.

AB 1135 (Lowenthal) State government: toll-free telephone lease lines.

Requires all state agencies to make their primary telephone number a non-toll-free one by January 1st of an unspecified date. Requires all state agencies to post the new, non-toll-free numbers on its internet website and update all publications issued by the agencies with the non-toll-free number or numbers within 1 year of the change taking place. Allows an agency to maintain a toll-free telephone number if the agency deems it necessary, but the primary telephone number or numbers offered to the public shall be a non-toll-free number or numbers.

Last Action: Held in Accountability and Administrative Review Committee.

AB 1163 (Luz Rivas) Lesbian, Gay, Bisexual, and Transgender Disparities Reduction Act.

Expands the data collection requirements in the Lesbian, Gay, Bisexual, and Transgender (LGBT) Disparities Reduction Act, to additionally apply to the Department of State Hospitals (DSH), the Department of Rehabilitation, the Department of Developmental Services, and the Department of Community Services and Development.

Last Action: Chapter 832, Statutes of 2023

AB 1225 (Dixon) State agencies: audits.

Eliminates the requirement for all state and local agencies with an aggregate spending of \$50,000,000 or more annually to consider establishing an ongoing audit function. Instead, state or local agencies could consider establishing an ongoing audit function. Requires state agencies to post any audit findings and recommendations on its internet website within 14 days of reporting audit findings.

Last Action: Held in Accountability and Administrative Review Committee.

AB 1274 (Connolly) Young Californians' Inclusion Act.

Enacts the Young Californians' Inclusion Act, requiring the Governor to appoint and convene a commission to work with state agencies to audit their programs related to engaging young Californians and issue a report with policy recommendations aimed at increasing overall engagement and attraction of a younger generation to California's civil service.

Last Action: Held in Accountability and Administrative Review Committee.

AB 1348 (Grayson) State government: Controller: claims audits.

Authorizes the Office of the State Controller to conduct financial and compliance audits of state ballot propositions passed by the electorate, as well as any audits necessary to carry out the State Controller's constitutional and statutory duties.

Last Action: Held in Senate Appropriations Committee.

AB 1579 (Garcia) Vehicles: batteries.

Requires the Department of General Services to report to the Legislature, by January 1, 2025, the results of a study on the supply chain for lithium batteries in electric vehicles purchased by the state to meet specified zero-emission vehicle goals. The study must also include recommendations for any legislation related to this supply chain to advance state environmental and economic development goals.

Last Action: Held in Assembly Appropriations Committee.

AB 1713 (Gipson) Local agencies: federal funds: reports.

Requires a local agency that receives specified federal grant funding subject to an expiration date, and repeatedly fails to spend at least 25 percent of the funds, to submit a written report to its legislative body that would be included on the agenda of a public meeting.

Last Action: Held in Senate Appropriations Committee.

AB 1759 (A&AR) State archives.

Requires state agencies to notify the Secretary of State (SOS) when records are digitized, regardless of whether this is accomplished by a third-party vendor. Additionally, it requires the Records Management Coordinator of a state agency to notify the SOS when a record is lost or destroyed.

Last Action: Chapter 145, Statutes of 2023

**ALL SENATE BILLS
REFERRED TO THE ASSEMBLY COMMITTEE ON
ACCOUNTABILITY AND ADMINISTRATIVE REVIEW IN 2023**

SB 74 (Dodd) State entities: state-owned or state-issued devices: social media platforms.

Establishes a rebuttable presumption that some executive branch state agencies shall prohibit the use of certain social media platforms (defined to include TikTok) on state electronic devices but also allows an agency to overcome the presumption and use social media platforms on state devices with a written finding that using the platform is necessary for an official state purpose and other requirements.

Last Action: Inactive File on Assembly Floor.

SB 225 (Caballero) Community Anti-Displacement and Preservation Program: statewide contract.

Establishes the Community Anti-Displacement and Preservation Program at the Department of Housing and Community Development to fund the acquisition and rehabilitation of unrestricted housing units and attach long-term affordability restrictions on the housing units, while safeguarding against the displacement of current residents.

Last Action: Held in Assembly Appropriations Committee.

SB 240 (Ochoa Bogh) Surplus state real property: affordable housing and housing for formerly incarcerated individuals.

Adds housing for formerly incarcerated individuals as a priority in the disposal of state surplus land and provides that these projects are a use by-right.

Last Action: Chapter 775, Statutes of 2023.

SB 259 (Seyarto) Reports submitted to legislative committees.

Requires a state agency to post on its internet website any report required or requested by law, or identified in the Legislative Analyst Office's Supplemental Report of the Budget Act, and requires Legislative Counsel to make available to the public a link to the list of state and local agency reports submitted by state and local agencies to a committee of the Legislature or to the Members of either house.

Last Action: Chapter 148, Statutes of 2023.

SB 336 (Umberg) State grant programs: negotiated indirect cost rates.

Requires a state agency administering a grant program to reimburse a grantee's indirect costs at one of three specified rates requested by the grantee in its state grant program application.

Last Action: Inactive File on Assembly Floor.

SB 387 (Dodd) State property: sale or lease: broadband development.

Authorizes the Department of General Services to enter into long-term leases of state real property, at an amount less than fair market value, in support of broadband infrastructure deployment to connect locations in the state that lack high-speed internet service.

Last Action: Chapter 485, Statutes of 2023.

SB 416 (Laird) State agencies: building and renovation projects: LEED certification.

Requires any new state building or renovation projects undertaken by a state agency on or after January 1, 2024, to obtain Leadership in Energy and Environmental Design (LEED) Gold or higher certification.

Last Action: Chapter 395, Statutes of 2023.

SB 557 (Limón) California Prompt Payment Act: nonprofit organizations.

Expands the definition of a grant for the purpose of the California Prompt Payment Act requiring timely payments to include any grant payment to a 501(c)(3) nonprofit organization. Also sets a specific monetary threshold of \$250 or 5% of the invoiced amount, whichever is lower, for when a state agency can dispute a bill related to property or services delivered.

Last Action: Vetoed 10/08/2023

SB 702 (Limón) Gubernatorial appointments: report.

Requires the Governor's Office to maintain on its internet website a list of every state board and commission, including specified data of every state board and commission. Requires the Governor's Office to publish on its internet website a report that contains aggregate demographic information of appointments by the Governor's Office.

Last Action: Vetoed 10/08/2023

SB 792 (Smallwood-Cuevas) State property.

Requires the Department of General Services to conduct an inventory of all real property held by the state, to update the inventory annually, and to categorize that inventory by agency and geographical location. This inventory is required to include specified information furnished by state agencies and the University of California to be completed and updated by January 1 of each year.

Last Action: Held in Accountability and Administrative Review Committee.

SCR 47 (Glazer) Chief Justice Rose Elizabeth Bird Justice For All Plaza.

Designates the plaza at the center of the California State Capitol World Peace Rose Garden in the City of Sacramento as the Chief Justice Rose Elizabeth Bird Justice For All Plaza.

Last Action: Chapter 141, Statutes of 2023.

ALL ASSEMBLY OVERSIGHT AND INFORMATIONAL HEARINGS CONDUCTED BY THE COMMITTEE ON ACCOUNTABILITY AND ADMINISTRATIVE REVIEW IN 2023

Armed and Prohibited Person System

Joint Hearing with Assembly Public Safety and the Accountability and Administrative Review Committees

January 31, 2023 - 1:30 p.m.

State Capitol Room 437

This hearing focused on reviewing the effectiveness of the Armed Prohibited Person System (APPS), a program established to remove firearms from those who have been convicted of a felony or certain misdemeanors, have a restraining order against them, or have been deemed a danger to themselves or others. It was the Committee's goal to understand what has been working and what additional steps need to be taken to effectively reduce gun violence.

Key findings:

- Currently there are 73 staffers at the Bureau of Firearms that deal with implementation of APPS for the entire state of CA and its 24,000 prohibited persons.
- With the help of the San Diego City Attorney's Office and their state-wide eGVRO ("Gun Violence Restraining Orders") Training, law enforcement agencies may be able to encourage officers to learn more about GVROs.
- More funding into development programs for officers and resource allocation to database maintenance and reporting are needed to further support current investigation efforts.

Coordinating California's Homelessness Services: 2023 Landscape

Joint Hearing with Assembly Housing and Community Development, Accountability and Administrative Review, Health, and the Human Services Committees

February 15, 2023 - 9:30 a.m.

1021 O Street, Room 1100, Sacramento

The goal of this hearing was to understand the full scope of the state's investments in homelessness all across the board. The Committee sought to gain a greater understanding of what actions have already been taken and what needs to be improved upon in order to address the fundamental problems exuberating homelessness.

Suggested priorities for the State:

- Keeping Californians housed by producing more affordable and climate-smart housing.

- Focus policy to address land use laws, permit streamlining, and the enforcing of current laws to remove barriers for further housing development.
- City and counties must plan and zone for new housing to support further development efforts. State teams should continue to offer technical assistance to support local jurisdiction in complying with applicable housing laws.

Follow the Money: Transparency and Accountability in State Grant Programs

Assembly Accountability and Administrative Review Committee Oversight Hearing

June 27, 2023 - 9:30 a.m.

State Capitol Room 447

February 15, 2023 - 9:30 a.m.

1021 O Street, Room 1100, Sacramento

This hearing examined California’s accomplishments in ensuring transparency and accountability in the administration of state grant programs. While state agencies have been tasked with the administration grants, recent surveys have suggested that there has not been an established standard reporting practice in place in order to make grant information readily available.

The Committee was also made aware that there is not an effective enforcement mechanism directing state agencies to use the official state repository and reporting system built into the California State Library website, which can be accessed by both lawmakers and the general public.

The purpose of this hearing was gain more insight into what is currently working for state agencies who are meeting the disclosure and reporting requirements of their data and to also receive feedback on how to support other agencies who are still unable to do so.

Recommend changes and actions to be taken to further establish accountability within state department practices in the administration of grant programs:

- Establish clear goals and objectives for grant programs in statute to ensure that programs are well-coordinated with other state efforts.
- Provide statutory guidance for how grant programs are intended to operate, including what is to be funded and how grantees are to be selected.
- Specifying, in statute, how grant programs are to be held accountable and how progress is to be evaluated by state agencies. For example, such as through timely and actionable reporting that facilitates the evaluation of program outcomes.

- Establish authorization for funding of new grant programs through a limited-term basis to permit administrators to conduct recurring program reviews before releasing further funding.
- Establish practices for continuous reporting of information by state agencies on their grant programs to the state repository.
- Hold frequent legislative oversight hearings to review performance of grant programs.
- Follow through on corrective actions or other steps to address issues that are identified through reporting and oversight hearings.

APPENDIX A-1: ASSEMBLY BILLS

Measure	Author	Subject	Status
AB 11	Jackson	Milton Marks “Little Hoover” Commission on California State Government Organization and Economy.	Held in Assembly APPR Committee.
AB 349	Ramos	Patton State Hospital: lease: housing and mental health services for homeless individuals.	Chapter 325, Statutes of 2023
AB 433	Jackson	State- and county-funded grants: advance payments.	Held in AAR Committee.
AB 437	Jackson	State government: equity.	Inactive File on Senate Floor.
AB 469	Vince Fong	California Public Records Act Ombudsperson.	Vetoed 10/07/2023
AB 590	Hart	State-funded assistance grants and contracts: advance payments.	Chapter 535, Statutes of 2023
AB 681	Schiavo	Childcare business enterprise participation goal: childcare bid preference.	Held in AAR Committee
AB 696	Lowenthal	State agency grants and contracts.	Held in Senate APPR Committee.
AB 740	Gabriel, Petrie-Norris	Department of General Services: drone cybersecurity.	Held in AAR Committee.
AB 749	Irwin	State agencies: information security: uniform standards.	Held in Senate APPR Committee.
AB 790	Hoover	Construction contract payments: internet website posting.	Held in AAR Committee.
AB 860	Valencia	Grant programs: administration.	Held in Senate APPR Committee.

AB 885	Luz Rivas	Public contracts: nonprofit organizations.	Held in AAR Committee.
AB 956	Alvarez	California State Auditor: background checks.	Chapter 94, Statutes of 2023
AB 964	Ortega	State contracts: certification process.	Held in Assembly APPR Committee.
AB 1077	Jackson	State agencies and counties: antiracism audits.	Held in AAR Committee.
AB 1135	Lowenthal	State government: toll-free telephone lease lines.	Held in Assembly AAR Committee.
AB 1163	Luz Rivas	Lesbian, Gay, Bisexual, and Transgender Disparities Reduction Act.	Chapter 832, Statutes of 2023
AB 1225	Dixon	State agencies: audits.	Held in AAR Committee.
AB 1274	Connolly	Young Californians' Inclusion Act.	Held in AAR Committee.
AB 1348	Grayson	State government: Controller: claims audits.	Held in Senate APPR Committee.
AB 1579	Garcia	Vehicles: batteries.	Held in Assembly AAR Committee.
AB 1713	Gipson	Local agencies: federal funds: reports.	Held in Senate APPR Committee.
AB 1759	A&AR	State archives.	Chapter 145, Statutes of 2023

APPENDIX A-2: SENATE BILLS

Measures	Author	Subject	Status
SB 74	Dodd	State entities: state-owned or state-issued devices: social media platforms.	Inactive File on Assembly Floor.
SB 225	Caballero	Community Anti-Displacement and Preservation Program: statewide contract.	Held in Assembly APPR Committee.
SB 240	Ochoa Bogh	Surplus state real property: affordable housing and housing for formerly incarcerated individuals.	Chapter 775, Statutes of 2023.
SB 259	Seryarto	Reports submitted to legislative committees.	Chapter 148, Statutes of 2023.
SB 336	Umberg	State grant programs: negotiated indirect cost rates.	Inactive File on Assembly Floor.
SB 387	Dodd	State property: sale or lease: broadband development.	Chapter 485, Statutes of 2023.
SB 416	Laird	State agencies: building and renovation projects: LEED certification.	Chapter 395, Statutes of 2023.
SB 557	Limón	California Prompt Payment Act: nonprofit organizations.	Vetoed 10/08/2023
SB 702	Limón	Gubernatorial appointments: report.	Vetoed 10/08/2023
SB 792	Smallwood-Cuevas	State property.	Held in AAR Committee.
SCR 47	Glazer	Chief Justice Rose Elizabeth Bird Justice For All Plaza.	Chapter 141, Statutes of 2023.