

Assembly Bill No. 89

Passed the Assembly June 26, 2020

Chief Clerk of the Assembly

Passed the Senate June 25, 2020

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2020, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend the Budget Act of 2020 by amending Items 0250-001-0001, 0250-101-0001, 0250-101-0932, 0250-102-0159, 0250-111-0001, 0250-112-0001, 0280-001-0001, 0509-111-0001, 0515-001-0001, 0515-101-0001, 0540-490, 0540-491, 0650-001-0001, 0690-001-0001, 0690-104-0001, 0820-001-0001, 0890-101-0001, 1111-002-0305, 1700-001-0001, 1701-001-3363, 2240-101-0001, 2720-001-0001, 3480-001-3046, 3790-493, 3940-491, 4170-001-0001, 4170-101-0001, 4260-101-0001, 4260-101-0890, 4260-103-3305, 4260-113-0001, 4260-113-0890, 4265-011-3080, 4300-001-0001, 4300-101-0001, 4440-011-0001, 4560-001-3085, 5160-001-0001, 5175-001-0001, 5175-001-0890, 5175-002-0001, 5175-002-0890, 5175-101-0001, 5175-101-0890, 5180-001-0001, 5180-101-0001, 5180-111-0001, 5180-141-0001, 5180-151-0001, 5180-161-0001, 5225-001-0001, 5225-002-0001, 5225-008-0001, 5225-491, 5225-495, 5227-103-0001, 6100-001-0001, 6100-004-0001, 6100-149-0001, 6100-194-0001, 6100-194-0890, 6100-196-0001, 6100-488, 6100-497, 6440-001-0001, 6440-005-0001, 6600-001-0001, 6610-001-0001, 6870-101-0001, 6870-488, 6980-001-0001, 7502-001-0001, 7730-001-0001, 8860-001-0001, 8940-001-0001, 8955-001-0001, 9210-110-0001, 9800-001-0001, 9800-001-0494, and 9800-001-0988 of, adding Items 0650-102-0001, 0690-001-0217, 0968-401, 2240-495, 5225-301-0001, 5225-301-0660, 6440-062-0890, 6440-492, 6870-105-0001, 6870-162-8505, 6980-490, and 6980-495 to, and repealing Items 1690-001-0217, 3540-497, 3850-101-0005, 3900-003-3237, 3940-496, and 5227-107-0001 of, Section 2.00 of, amending Sections 3.90, 4.05, 8.28, 11.90, 12.32, 31.00, 35.50, 39.00, 99.00, and 99.50 of, adding Sections 3.91 and 11.95 to, and repealing Section 12.45 of, that act, relating to the state budget, and making an appropriation therefor, to take effect immediately, budget bill.

LEGISLATIVE COUNSEL'S DIGEST

AB 89, Ting. Budget Act of 2020.

The Budget Act of 2020 made appropriations for the support of state government for the 2020–21 fiscal year.

This bill would amend the Budget Act of 2020 by amending items of appropriation and making other changes.

This bill would declare that it is to take effect immediately as a Budget Bill.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Item 0250-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

0250-001-0001—For support of Judicial Branch.....	452,782,000
Schedule:	
(1) 0130-Supreme Court.....	49,136,000
(2) 0135-Courts of Appeal.....	235,991,000
(3) 0140-Judicial Council.....	158,005,000
(4) 0155-Habeas Corpus Resource Center.....	15,820,000
(5) Reimbursements to 0140-Judicial Council.....	-6,170,000

Provisions:

1. Of the funds appropriated in this item, \$5,800,000 is available for the defense and indemnity of the Judicial Council, the appellate courts, the trial courts and/or the officers, judicial officers, and employees of these entities including government claims, litigation related matters, labor and employment related matters, and matters requiring specialized legal advice. The funds may be used for pre-litigation and litigation fees, and costs from the Attorney General or other outside legal counsel, fees for legal advice in specialized areas of law, and any judgment, stipulated judgment, offer of judgment, or settlement. This amount is for use in connection with (a) matters arising from the actions of appellate courts, appellate court judicial officers, appellate court employees, or court contractors, or (b) matters arising from the actions of the Judicial Council, council members, council employees or agents, or Judicial Council contractors, or (c) matters arising from the actions of trial courts, trial court judicial officers,

trial court employees, or court contractors. The Judicial Council, an appellate court, trial court, and/or an officer, judicial officer, or employee of these entities must be named as a defendant or alleged to be the responsible party, or be the responsible party pursuant to a contractual provision, Memorandum of Understanding, or Intra-Branch Agreement. Any funds not used for this purpose shall revert to the General Fund. The amount allocated shall be available for encumbrance or expenditure until June 30, 2022.

2. Notwithstanding any other provision of law, upon approval and order of the Director of Finance, the amount appropriated in this item shall be reduced by the amount transferred in Item 0250-011-0001 to provide adequate resources to the Judicial Branch Workers' Compensation Fund to pay workers' compensation claims for judicial branch employees and justices, and administrative costs pursuant to Section 68114.10 of the Government Code.
3. Of the funds appropriated in Schedule (2), \$68,644,000 is available for the Court Appointed Counsel Program and shall be used solely for that program. Any funds for the program not expended by June 30, 2021, shall revert to the General Fund.
4. Of the amount appropriated in this item, up to \$325,000 is available to reimburse the California State Auditor for the costs of audits incurred by the California State Auditor pursuant to subdivision (c) of Section 19210 of the Public Contract Code.
5. Of the funds appropriated in Schedule (3), \$1,500,000 shall be available for administrative costs related to the management and claiming of federal reimbursements for court-appointed dependency counsel. To the extent these administrative costs are able to be reimbursed, any excess funding shall revert to the General Fund.
6. Of the funds appropriated in Schedule (3), \$25,000,000 is available for expenditure by the Judicial Council for modernization efforts in the trial courts. Notwithstanding any other law, upon approval of the Admin-

istrative Director, the Controller shall transfer funding to Schedule (1) of Item 0250-101-0001.

SEC. 2. Item 0250-101-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

0250-101-0001—For local assistance, Judicial Branch.....	35,786,000
Schedule:	
(1) 0150010-Support for Operation of Trial Courts.....	7,234,000
(2) 0150051-Child Support Commissioner Program (AB 1058).....	54,332,000
(3) 0150055-California Collaborative and Drug Court Projects.....	5,748,000
(4) 0150075-Grants—Other.....	8,586,000
(5) 0150083-Equal Access Fund.....	20,392,000
(6) Reimbursements to 0150051-Child Support Commissioner Program (AB 1058).....	-54,332,000
(7) Reimbursements to 0150055-California Collaborative and Drug Court Projects.....	-4,588,000
(8) Reimbursements to 0150075-Grants—Other.....	-1,586,000

Provisions:

1. In order to improve equal access and the fair administration of justice, the funds appropriated in Schedule (5) are to be distributed by the Judicial Council through the Legal Services Trust Fund Commission to qualified legal services projects and support centers as defined in Sections 6213 to 6215, inclusive, of the Business and Professions Code, to be used for legal services in civil matters for indigent persons. The Judicial Council shall approve awards made by the commission if the council determines that the awards comply with statutory and other relevant guidelines. Ten percent of the funds in Schedule (5) shall be for joint projects of courts and legal services programs to make legal assistance available to pro per litigants and 90 percent of the funds in Schedule (5) shall be distributed con-

sistent with Sections 6216 to 6223, inclusive, of the Business and Professions Code. The Judicial Council may establish additional reporting or quality control requirements consistent with Sections 6213 to 6223, inclusive, of the Business and Professions Code.

- 2. The amount appropriated in Schedule (1) is available for reimbursement of court costs related to the following activities: (a) payment of service of process fees billed to the trial courts pursuant to Chapter 1009 of the Statutes of 2002, (b) payment of the court costs payable under Sections 4750 to 4755, inclusive, and Section 6005 of the Penal Code, and (c) payment of court costs of extraordinary homicide trials.
- 3. Of the funds appropriated in Schedule (4), \$7,000,000 shall be provided to county law libraries to backfill the decline in civil filing fee revenue due to the COVID-19 pandemic.

SEC. 3. Item 0250-101-0932 of Section 2.00 of the Budget Act of 2020 is amended to read:

0250-101-0932—For local assistance, Judicial Branch,
 payable from the Trial Court Trust Fund..... 2,620,207,000
 Schedule:

(1) 0150010-Support for Operation of Trial Courts.....	2,030,956,000
(2) 0150019-Compensation of Superior Court Judges.....	395,802,000
(3) 0150028-Assigned Judges.....	29,812,000
(4) 0150037-Court Interpreters.....	131,380,000
(5) 0150067-Court Appointed Special Ad- vocate (CASA) program.....	2,713,000
(6) 0150071-Model Self-Help Program.....	957,000
(7) 0150083-Equal Access Fund.....	5,482,000
(8) 0150087-Family Law Information Cen- ters.....	345,000
(9) 0150091-Civil Case Coordination.....	832,000
(10) 0150095-Expenses on Behalf of the Trial Courts.....	21,929,000

(11) Reimbursements to 0150010-Support
 for Operation of Trial Courts..... -1,000

Provisions:

1. Of the funds appropriated in Schedule (1), \$25,300,000 shall be available for support of services for self-represented litigants, and any unexpended funds shall revert to the General Fund.
2. The funds appropriated in Schedule (2) shall be made available for costs of the workers' compensation program for trial court judges.
3. The amount appropriated in Schedule (3) shall be made available for all judicial assignments. Schedule (3) expenditures for necessary support staff shall not exceed the staffing level that is necessary to support the equivalent of three judicial officers sitting on assignments. Prior to utilizing funds appropriated in Schedule (3), trial courts shall maximize the use of judicial officers who may be available due to reductions in court services or court closures.
4. The funds appropriated in Schedule (4) shall be for payments to contractual court interpreters, and certified or registered court interpreters employed by the courts for services provided during court proceedings and other services related to pending court proceedings, including services provided outside a courtroom, and the following court interpreter coordinators: 1.0 each in counties of the 1st through the 15th classes, 0.5 each in counties of the 16th through the 31st classes, and 0.25 each in counties of the 32nd through the 58th classes. For purposes of this provision, "court interpreter coordinators" may be full- or part-time court employees.

The Judicial Council shall set statewide or regional rates and policies for payment of court interpreters, not to exceed the rate paid to certified interpreters in the federal court system.

The Judicial Council shall adopt appropriate rules and procedures for the administration of these funds. The Judicial Council shall report to the Legislature

and the Director of Finance annually regarding expenditures from Schedule (4).

5. Upon order of the Director of Finance, the amount available for expenditure in this item may be augmented by the amount of any additional resources available in the Trial Court Trust Fund, which is in addition to the amount appropriated in this item. Any augmentation shall be approved in joint determination with the Chairperson of the Joint Legislative Budget Committee and shall be authorized not sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations, the chairpersons of the committees and appropriate subcommittees that consider the State Budget, and the chairperson of the joint committee, or not sooner than whatever lesser time the chairperson of the joint committee, or the chairperson's designee, may determine. When a request to augment this item is submitted to the Director of Finance, a copy of that request shall be delivered to the chairpersons of the committees and appropriate subcommittees that consider the State Budget. Delivery of a copy of that request shall not be deemed to be notification in writing for purposes of this provision.
6. Notwithstanding any other law, upon approval and order of the Director of Finance, the amount appropriated in this item shall be reduced by the amount transferred in Item 0250-115-0932 to provide adequate resources to the Judicial Branch Workers' Compensation Fund to pay workers' compensation claims for judicial branch employees and judges, and administrative costs pursuant to Section 68114.10 of the Government Code.
7. Upon approval by the Administrative Director, the Controller shall transfer up to \$11,274,000 to Item 0250-001-0932 for recovery of costs for administrative services provided to the trial courts by the Judicial Council.
8. In order to improve equal access and the fair administration of justice, the funds appropriated in Schedule

(7) are available for distribution by the Judicial Council through the Legal Services Trust Fund Commission in support of the Equal Access Fund Program to qualified legal services projects and support centers as defined in Sections 6213 to 6215, inclusive, of the Business and Professions Code, to be used for legal services in civil matters for indigent persons. The Judicial Council shall approve awards made by the commission if the council determines that the awards comply with statutory and other relevant guidelines. Upon approval by the Administrative Director, the Controller shall transfer up to 5 percent of the funding appropriated in Schedule (7) to Item 0250-001-0932 for administrative expenses. Ten percent of the funds remaining after administrative costs shall be for joint projects of courts and legal services programs to make legal assistance available to pro per litigants and 90 percent of the funds remaining after administrative costs shall be distributed, consistent with Sections 6216 to 6223, inclusive, of the Business and Professions Code. The Judicial Council may establish additional reporting or quality control requirements, consistent with Sections 6213 to 6223, inclusive, of the Business and Professions Code.

9. Funds available for expenditure in Schedule (7) may be augmented by order of the Director of Finance by the amount of any additional resources deposited for distribution to the Equal Access Fund Program in accordance with Sections 68085.3 and 68085.4 of the Government Code. Any augmentation under this provision shall be authorized not sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations, the chairpersons of the committees and appropriate subcommittees that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or the chairperson's designee, may determine.

10. Sixteen (16.0) subordinate judicial officer positions are authorized to be converted to judgeships in the 2020–21 fiscal year in the manner and pursuant to the authority described in subparagraph (B) of paragraph (1) of subdivision (c) of Section 69615 of the Government Code, as described in the notice filed by the Judicial Council under subparagraph (B) of paragraph (3) of subdivision (c) of Section 69615 of the Government Code.
11. Notwithstanding any other law, and upon approval of the Director of Finance, the amount available for expenditure in Schedule (1) may be increased by the amount of any additional resources collected for the recovery of costs for court appointed dependency counsel services.
12. Upon approval of the Administrative Director, the Controller shall transfer up to \$556,000 to Item 0250-001-0932 for administrative services provided to the trial courts in support of the court appointed dependency counsel program.
13. Of the amounts appropriated in Schedule (1), \$325,000 shall be allocated by the Judicial Council in order to reimburse the California State Auditor’s Office for the costs of trial court audits incurred by the California State Auditor’s Office pursuant to Section 19210 of the Public Contract Code.
14. Upon approval of the Administrative Director, the Controller shall transfer up to \$500,000 of the funding appropriated in Schedule (10) of this item to Schedule (1) of Item 0250-001-0932 for administrative services provided by the Judicial Council to implement and administer the Civil Representation Pilot Program.
15. Upon approval of the Administrative Director, the amount available for expenditure in Schedule (10) may be augmented by the amount of resources collected to support the implementation and administration of the Civil Representation Pilot Program.
16. Of the amount appropriated in this item, up to \$1,503,000 is available to reimburse the Controller for the costs of audits incurred by the Controller pur-

suant to subdivision (h) of Section 77206 of the Government Code.

17. Of the amount appropriated in Schedule (1), \$2,929,000 is available to implement Chapter 993 of the Statutes of 2018. Notwithstanding Section 77203 of the Government Code and Provision 17 of Item 0250-101-0932, Budget Act of 2019 (Chs. 23 and 55, Stats. 2019), trial courts may carry any unexpended funds that were specifically appropriated and allocated by the Judicial Council to address workload related to Chapter 993 of the Statutes of 2018, from the 2019–20 fiscal year to the 2020–21 fiscal year. Any unexpended funds shall revert to the General Fund.
18. Upon order of the Department of Finance, the amount available for expenditure in Schedules (1) and (4) may be augmented by an amount sufficient to fund trial court employee benefit increases in 2020–21.
19. Of the amount appropriated in Schedule (1), \$140,000 shall be available to fund trial court security in Shasta County.
20. Notwithstanding any other law, and upon approval of the Director of Finance, the amount available for expenditure in Schedule (10) may be increased by the amount of any additional resources collected to support programs pursuant to the Sargent Shriver Civil Counsel Act.
21. Notwithstanding Section 77203 of the Government Code and Provisions 19 and 20 of Item 0250-101-0932, Budget Act of 2016 (Ch. 23, Stats. 2016), trial courts may carry any unexpended funds that were specifically appropriated in the Budget Act and allocated by the Judicial Council for the Court Innovations Grant Program, from 2019–20 to 2020–21. The funds appropriated and allocated for the Court Innovations Grant Program shall be available for encumbrance or expenditure until December 31, 2020. Any unexpended funds shall revert to the General Fund.
22. Upon approval of the Department of Finance, the amount available in Schedule (1) of this item may be increased by \$117,831,000 to allow for the expenditure

of any transfer to this item made pursuant to Section 8.28.

SEC. 4. Item 0250-102-0159 of Section 2.00 of the Budget Act of 2020 is amended to read:

0250-102-0159—For local assistance, Judicial Branch, payable from the State Trial Court Improvement and Modernization Fund.....	56,815,000
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Schedule:

(1) 0150010-Support for Operation of Trial Courts.....	56,815,000
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Provisions:

1. Upon approval of the Director of Finance, the amount available for expenditure in this item may be augmented by the amount of any additional resources available in the State Trial Court Improvement and Modernization Fund, which is in addition to the amount appropriated in this item. Any augmentation shall be authorized not sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider the State Budget, the chairpersons of the committees and appropriate subcommittees in each house of the Legislature that consider appropriations, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time after that notification the chairperson of the joint committee, or the chairperson’s designee, may determine.
2. The Director of Finance may authorize a loan from the General Fund to the State Trial Court Improvement and Modernization Fund for cashflow purposes in an amount not to exceed \$35,000,000 subject to the following conditions: (a) the loan is to meet cash needs resulting from a delay in receipt of revenues, (b) the loan is short term, and shall be repaid by October 31 of the fiscal year following that in which the loan was authorized, (c) interest charges may be waived pursuant to subdivision (e) of Section 16314 of the Government Code, and (d) the Director of Finance shall

not approve the loan unless the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees in each house of the Legislature that consider appropriations not later than 30 days prior to the effective date of the approval, or not sooner than whatever lesser time the chairperson of the joint committee, or the chairperson’s designee, may determine.

- 3. Of the funds appropriated in this item, \$5,000,000 shall be available for support of services for self-represented litigants, and any unexpended funds shall revert to the General Fund.
- 4. Upon approval of the Department of Finance, the amount available in this item may be increased by \$7,788,000 to allow for the expenditure of any transfer to this item made pursuant to Section 8.28.

SEC. 5. Item 0280-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

0280-001-0001—For support of Commission on Judicial Performance.....	6,808,000
Schedule:	
(1) 0180-Commission on Judicial Performance.....	6,887,000
(2) Reimbursements to 0180-Commission on Judicial Performance.....	-79,000
Provisions:	
1. Notwithstanding any other provision of law, upon approval and order of the Department of Finance, the amount appropriated in this item shall be reduced by the amount transferred in Item 0280-011-0001 to provide adequate resources to the Judicial Branch Workers’ Compensation Fund to pay workers’ compensation claims for judicial branch employees and administrative costs pursuant to Section 68114.10 of the Government Code.	

SEC. 6. Item 0250-111-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

0250-111-0001—For transfer by the Controller to the Trial Court Trust Fund..... 1,180,471,000
 Provisions:
 1. Upon order of the Department of Finance, the amount available for transfer in this item may be increased by an amount sufficient to fund trial court employee benefit increases in 2020–21.

SEC. 7. Item 0250-112-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

0250-112-0001—For transfer by the Controller to the State Trial Court Improvement and Modernization Fund..... 42,788,000

SEC. 8. Item 0509-111-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

0509-111-0001—For transfer, upon order of the Department of Finance, to the California Small Business Expansion Fund..... 75,000,000

SEC. 9. Item 0515-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

0515-001-0001—For support of Secretary of Business, Consumer Services, and Housing..... 3,568,000
 Schedule:
 (1) 0260-Support..... 3,070,000
 (1.5) 0265-Homeless Coordinating and Financing Council..... 3,361,000
 (2) Reimbursements to 0260-Support..... -2,863,000
 Provisions:
 1. Upon order of the Department of Finance, up to 5 percent of the funds appropriated in Item 0515-101-0001, Budget Act of 2019 (Chs. 23 and 55, Stats.2019) may be transferred to Schedule (1.5) of this item for

the administration of planning and progress grants to address homelessness.

- 2. Any amount transferred to this item shall be made available for encumbrance or expenditure until June 30, 2025.
- 3. Upon order of the Department of Finance, up to 5 percent of the funds appropriated in Item 0515-101-0001 may be transferred to Schedule (1.5) of this item for the administration of Round 2 of the planning and progress grants to address homelessness.
- 4. Any amount transferred to this item shall be available for encumbrance or expenditure until June 30, 2025.

SEC. 10. Item 0515-101-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

0515-101-0001—For local assistance, Secretary of Business, Consumer Services, and Housing..... 300,000,000
 Schedule:
 (1) 0265-Homeless Coordinating and Financing Council..... 300,000,000

- Provisions:
- 1. The amount appropriated in this item shall be used to address homelessness, and shall be allocated according to statute.
 - 2. Upon order of the Department of Finance, up to 5 percent of the funds appropriated in this item may be transferred to Schedule (1.5) of Item 0515-001-0001 for the administration of planning and progress grants to address homelessness.
 - 3. The amounts appropriated in this item shall be available for encumbrance or expenditure until June 30, 2025.

SEC. 11. Item 0540-490 of Section 2.00 of the Budget Act of 2020 is amended to read:

0540-490—Reappropriation, Secretary of the Natural Resources Agency. The balances of the appropriations provided in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2023:

0001—General Fund

- (1) Item 0540-101-0001, Budget Act of 2019 (Chs. 23 and 55, Stats. 2019)

0140—California Environmental License Plate Fund

- (1) Item 0540-101-0140, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018)

0183—Environmental Enhancement and Mitigation Program Fund

- (1) Item 0540-101-0183, Budget Act of 2013 (Chs. 20 and 354, Stats. 2013), as reappropriated by Item 0540-490, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017)
- (2) Item 0540-101-0183, Budget Act of 2015 (Chs. 10 and 11, Stats. 2015), as reappropriated by Item 0540-490, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017)
- (3) Item 0540-101-0183, Budget Act of 2016 (Ch. 23, Stats. 2016), as reappropriated by Item 0540-490, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017)

3228—Greenhouse Gas Reduction Fund

- (1) Item 0540-101-3228, Budget Act of 2016 (Ch. 23, Stats. 2016), as reappropriated by Item 0540-491, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018)
- (2) Item 0540-101-3228, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017)
- (3) Item 0540-101-3228, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018)

6015—River Protection Subaccount

- (1) Item 0540-101-6015, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017)

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

- (1) Item 0540-101-6029, Budget Act of 2014 (Chs. 25 and 663, Stats. 2014), as reappropriated by Item 0540-

490, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017)

- (2) Item 0540-101-6029, Budget Act of 2016 (Ch. 23, Stats. 2016)

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

- (1) Item 0540-101-6031, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 0540-490, Budget Act of 2011 (Ch. 33, Stats. 2011), Item 0540-490, Budget Act of 2014 (Chs. 25 and 663, Stats. 2014), and Item 0540-490, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017)

- (2) Item 0540-101-6031, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 0540-490, Budget Act of 2011 (Ch. 33, Stats. 2011), Item 0540-490, Budget Act of 2014 (Chs. 25 and 663, Stats. 2014), and Item 0540-490, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017)

6051—Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006

- (1) Item 0540-101-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), as reappropriated by Item 0540-490, Budget Act of 2011 (Ch. 33, Stats. 2011), Item 0540-490, Budget Act of 2014 (Chs. 25 and 663, Stats. 2014), and Item 0540-490, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017)

- (2) Item 0540-101-6051, Budget Act of 2010 (Ch. 712, Stats. 2010), as reappropriated by Item 0540-490, Budget Act of 2013 (Chs. 20 and 354, Stats. 2013), Item 0540-490, Budget Act of 2014 (Chs. 25 and 663, Stats. 2014), and Item 0540-490, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017)

6083—Water Quality, Supply, and Infrastructure Improvement Fund of 2014

- (1) Item 0540-101-6083, Budget Act of 2016 (Ch. 23, Stats. 2016)
- (2) Item 0540-101-6083, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017)

6088—California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Fund

- (1) Item 0540-001-6088, Provision 2, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018), as reverted by Item 0540-495, Budget Act of 2019 (Chs. 23 and 55, Stats. 2019)
- (2) Item 0540-101-6088, Provisions 2(a), (b), (c), (d), (e), (f), and (g), Budget Act of 2018 (Chs. 29 and 30, Stats. 2018)

SEC. 12. Item 0540-491 of Section 2.00 of the Budget Act of 2020 is amended to read:

0540-491—Reappropriation, Secretary of the Natural Resources Agency. Notwithstanding any other law, the period to liquidate encumbrances of the following citations is extended to June 30, 2023.

0001—General Fund

- (1) Item 0540-101-0001, Budget Act of 2016 (Ch. 23, Stats. 2016), as reappropriated by Item 0540-490, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017)

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

- (1) Section 40 of Chapter 230 of the Statutes of 2004, as reappropriated by Item 0540-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), Item 0540-490, Budget Act of 2012 (Chs. 21 and 29, Stats. 2012), and Item 0540-491, Budget Act of 2015 (Chs. 10 and 11, Stats. 2015)
- (2) Item 0540-101-6031, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 0540-491, Budget Act of 2009 (Ch. 1, 2009–10 3rd Ex. Sess., as revised by Ch. 1, 2009–10 4th Ex. Sess.), Item 0540-490, Budget Act of 2011 (Ch. 33, Stats. 2011), and Item 0540-491, Budget Act of 2015 (Chs. 10 and 11, Stats. 2015)

SEC. 13. Item 0650-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

0650-001-0001—For support of Office of Planning and Research..... 17,171,000

Schedule:

- (1) 0360-State Planning and Policy Development..... 12,199,000
- (2) 0365-California Volunteers..... 7,875,000
- (3) 0370-Strategic Growth Council..... 1,341,000
- (4) Reimbursements to 0360-State Planning and Policy Development..... -1,117,000
- (5) Reimbursements to 0365-California Volunteers..... -3,157,000

Provisions:

- 1. The California Volunteers’ database shall be subject to all state privacy and use policies as required by the Department of Technology.

SEC. 14. Item 0650-102-0001 is added to Section 2.00 of the Budget Act of 2020, to read:

0650-102-0001—For local assistance, Office of Planning and Research..... 9,420,000

Schedule:

- (1) 0365-California Volunteers..... 9,420,000

SEC. 15. Item 0690-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

0690-001-0001—For support of Office of Emergency Services..... 100,763,000

Schedule:

- (1) 0380-Emergency Management Services..... 59,808,000
- (2) 0385-Special Programs and Grant Management..... 33,027,000
- (3) 0390-Alfred E. Alquist Seismic Safety Commission..... 503,000
- (4) 0395-Public Safety Communications.... 12,638,000
- (5) 9900100-Administration..... 27,247,000
- (6) 9900200-Administration—Distributed..... -27,247,000

- (7) Reimbursements to 0380-Emergency Management Services..... -5,193,000
- (8) Reimbursements to 0385-Special Programs and Grant Management..... -20,000

Provisions:

1. Funds appropriated in this item may be reduced by the Director of Finance, after giving notice to the Chairperson of the Joint Legislative Budget Committee, by the amount of federal funds made available for the purposes of this item in excess of the federal funds scheduled in Item 0690-001-0890.
2. \$2,000,000 of the amount appropriated in Schedule (1) is for implementation of the Wildfire Forecast and Threat Intelligence Integration Center, pursuant to Chapter 405 of the Statutes of 2019. No portion of this funding may be encumbered or expended until the Director of Finance has approved a strategy and spending plan submitted by the Office of Emergency Services for this proposal.
3. Upon order of the Director of Finance, up to \$2,000,000 appropriated in this item for implementation of the Wildfire Forecast and Threat Intelligence Integration Center pursuant to Chapter 405 of the Statutes of 2019 may be transferred to any other state entity to support activities related to that purpose.
4. Notwithstanding any other law, the Director of the Office of Emergency Services is authorized to contract with an operational observer to monitor the efforts of Pacific Gas and Electric Company to prepare for the 2020 wildfire season, implement measures to mitigate the risk of wildfire ignitions from utility infrastructure, and reduce the use, scope, and duration of public safety power shut offs while the State of California is also protecting public health and safety during the Governor’s declared state of emergency relating to the COVID-19 virus. The resulting contract for services shall not require the review, consent, or approval of the Department of General Services or any other state department or agency and need not comply with requirements under the State Contracting Manual, the

Public Contract Code, the personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code, or any other law that otherwise would apply. The contract for services may include those terms and conditions that the Director of the Office of Emergency Services finds to be in the state's best interest.

5. No later than March 1, 2021, the Office of Emergency Services shall report to the appropriate policy and fiscal committees of the Legislature on the activities of the operational observer. The report shall include details of the expenditures made by the operational observer and any findings or conclusions made by the operational observer on the efforts of Pacific Gas and Electric Company to prepare for the 2020 wildfire season, to the extent disclosure of such information does not conflict with any order of the federal bankruptcy court in the case filed by Pacific Gas and Electric Company pursuant to Chapter 11 of the Bankruptcy Code, in the United States Bankruptcy Court, Northern District of California, San Francisco Division, in regards to Pacific Gas and Electric Corporation and Pacific Gas and Electric Company, Case No. 19-30088.
6. Of the amount appropriated in Schedule (1), up to \$7,585,000 shall be used for the California Cybersecurity Integration Center.
7. Information sharing by the California Cybersecurity Integration Center shall be conducted in a manner that protects the privacy and civil liberties of individuals, safeguards sensitive information, preserves business confidentiality, and enables public officials to detect, investigate, respond to, and prevent cyberattacks that threaten public health and safety, economic stability, and national security.
8. The Office of Emergency Service shall report annually during budget subcommittee hearings on the activities and outcomes of the California Cybersecurity Integration Center and the Cyber Incident Response Team.

This report shall include: (1) the number, source(s), and target(s) of cyber attacks in California; (2) how the center responded to each, and whether any of the center’s investigations have led to prosecutions; and (3) a summary of special bulletins, notices, and awareness efforts of the center. The Office of Emergency Services shall submit a summary of the data provided during the annual reports of the prior three years to the appropriate policy and fiscal committees of the Legislature no later than February 1, 2024.

SEC. 16. Item 0690-001-0217 is added to Section 2.00 of the Budget Act of 2020, to read:

0690-001-0217—For support of Office of Emergency Services, for the Alfred E. Alquist Seismic Safety Commission, payable from the Insurance Fund 1,300,000

Schedule:

(1) 0390-Alfred E. Alquist Seismic Safety Commission..... 1,315,000

(2) Reimbursements to 0390-Alfred E. Alquist Seismic Safety Commission..... -15,000

Provisions:

1. The funds appropriated in this item shall be used for direct costs of the commission staff and appointed commissioners.

SEC. 17. Item 0690-104-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

0690-104-0001—For local assistance, Office of Emergency Services..... 50,000,000

Schedule:

(1) 0385-Special Programs and Grant Management..... 50,000,000

Provisions:

1. The funds appropriated in this item are available for community power resiliency activities. None of these funds shall be used to secure, compensate, or backfill professional services contracts.

- 1.5 Local governments, including cities, counties, cities and counties, and special districts, as well as tribes, are eligible to receive the funds appropriated in this item. To be eligible to receive this funding, an entity required to have an emergency plan shall submit to the Office of Emergency Services either: (1) the portion of its local emergency plan that includes power outages, whether resulting from public safety power shutoff events or for any other reason, or (2) an attestation that power outages, whether resulting from public safety power shutoff events or for any other reason, will be included the next time the local government revises any portion of its emergency plan. Only special districts with an identified critical facility or facilities, or providing critical infrastructure, pursuant to the deenergization guidelines adopted by the Public Utilities Commission, shall be eligible for funding. This provision shall not be construed to permit public access to records submitted pursuant to this provision if access is otherwise restricted by federal or state law, or to alter the process for requesting public records.
2. The Director of Finance, upon notification to the Chairperson of the Joint Legislative Budget Committee, may authorize the transfer of amounts from this item to Item 0690-001-0001 for governmental purposes related to community power resiliency activities. The notification shall include: (1) the amount to be transferred, (2) descriptions of these activities, and (3) the associated costs.
- 2.5 The Director of Finance, upon notification to the Chairperson of the Joint Legislative Budget Committee, may transfer funds in this item to any other state entity for state operations or local assistance. The notification shall include: (1) the state entity to which funds will be transferred, (2) the amount to be transferred, (3) descriptions of the activities to be funded, and (4) the associated costs.
3. The Office of Emergency Services shall report on the expenditures of the funds appropriated in this item no later than February 1, 2022. The report shall identify

how the funds have been used to date, including identifying each project or activity undertaken, the state or local entity that undertook the project or activity, the amount of state funding provided to the project or activity, a description of each project or activity, and specific outcomes achieved by each project or activity, including whether the project or activity was completed and whether it was used.

SEC. 18. Item 0820-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

0820-001-0001—For support of Department of Justice.....	338,177,000
Schedule:	
(1) 9900100-Administration.....	143,813,000
(2) 9900200-Administration—Distrib-	
ed.....	-143,813,000
(3) 0435-Division of Legal Services.....	196,093,000
(4) 0440-Law Enforcement.....	84,163,000
(5) 0445-California Justice Information	
Services.....	97,274,000
(6) Reimbursements to 0435-Division of	
Legal Services.....	-1,342,000
(7) Reimbursements to 0440-Law Enforce-	
ment.....	-31,429,000
(8) Reimbursements to 0445-California	
Justice Information Services.....	-6,582,000

Provisions:

1. The Attorney General shall submit to the Legislature, the Director of Finance, and the Governor the quarterly and annual reports that the Attorney General submits to the federal government on the activities of the Medi-Cal Fraud Unit.
2. Notwithstanding any other law, the Department of Justice may purchase or lease vehicles of any type or class that, in the judgment of the Attorney General or the Attorney General’s designee, are necessary to the performance of the investigatory and enforcement responsibilities of the Department of Justice, from the funds appropriated for that purpose in this item.

- 3. Of the amount included in Schedule (3), \$6,500,000 is available to address new legal workload related to various actions taken at the federal level, and any litigation related to the CalSavers Retirement Savings Program.
- 4. Of the amount appropriated in Schedule (3), \$11,624,000 shall be available to pay claims related to the Erskine wildfire. Any unencumbered funds shall revert to the General Fund.

SEC. 19. Item 0890-101-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

0890-101-0001—For local assistance, Secretary of State.....	36,500,000
Schedule:	
(1) 0705-Elections.....	36,500,000
(2) 9900100-Administration.....	1,500,000
(3) 9900200-Administration—Distrib-	
ed.....	-1,500,000
Provisions:	

- 3. Upon order of the Department of Finance, the Controller shall reduce the amounts appropriated in Schedule (1) of this item and Schedule (1) of Item 0890-001-0001 if federal funds are received for the same purposes.
- 4. Of the amount appropriated in this item, \$23,133,000 shall be provided to counties for: (1) conducting the November 2020 election consistent with state requirements put in place to reduce the spread of COVID-19, and (2) conducting voter education and outreach. The Secretary of State shall estimate costs for these requirements by county, including additional ballot printing, mailing and postage, equipment needs, additional staffing, communication and outreach, and other costs as necessary. Pursuant to Section 19402 of the Elections Code, counties may use excess funding to cover COVID-19 related costs in the November 2020 election. The Secretary of State shall compile the remain-

ing amounts from the state’s voting system funding provided in the Budget Act of 2018 (Chs. 29 and 30, Stats. 2018) and the Budget Act of 2019 (Chs. 23 and 55, Stats. 2019) by county. The Secretary of State shall then calculate the difference between the costs related to conducting the November 2020 election and remaining state voting system funding by county. The Secretary of State shall then reimburse counties for the difference in costs by using \$23,133,000 provided in this item and a portion of the \$65,482,000 provided in Item 0890-101-0890.

- 5. Of the amount appropriated in this item, \$11,867,000 shall be provided to counties for costs related to COVID-19 in the November 2020 election. The Secretary of State shall provide this funding to counties based on a prorated amount per registered voter in each county.

SEC. 20. Item 0968-401 is added to Section 2.00 of the Budget Act of 2020, to read:

0968-401—Pursuant to Sections 12206, 17058, and 23610.5 of the Revenue and Taxation Code, the California Tax Credit Allocation Committee may allocate up to \$500,000,000 for calendar year 2021 in state low-income housing tax credits.

SEC. 21. Item 1111-002-0305 of Section 2.00 of the Budget Act of 2020 is amended to read:

1111-002-0305—For support of Bureau for Private Postsecondary Education, Department of Consumer Affairs, payable from the Private Postsecondary Education Administration Fund..... 19,436,000

Schedule:

(1) 1410013-Bureau for Private Postsecondary Education.....	19,437,000
(2) Reimbursements to 1410013-Bureau for Private Postsecondary Education.....	-1,000

Provisions:

- 1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

SEC. 22. Item 1690-001-0217 of Section 2.00 of the Budget Act of 2020 is repealed.

SEC. 23. Item 1700-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

1700-001-0001—For support of Department of Fair Employment and Housing.....	33,855,000
Schedule:	
(1) 1490-Administration of Civil Rights Law.....	33,204,000
(2) 1495-Fair Employment and Housing Council.....	222,000
(3) 1500-Department of Justice Legal Services.....	429,000

SEC. 24. Item 1701-001-3363 of Section 2.00 of the Budget Act of 2020 is amended to read:

1701-001-3363—For support of Department of Business Oversight, payable from the Financial Protection Fund.....	95,066,000
Schedule:	
(1) 1510-Investment Program.....	33,673,000
(2) 1515-Lender-Fiduciary Program.....	27,006,000
(3) 1520-Licensing and Supervision of Banks and Trust Companies.....	29,856,000
(4) 1525-Money Transmitters.....	5,561,000
(6) Reimbursements to 1510-Investment Program.....	-130,000
(7) Reimbursements to 1520-Licensing and Supervision of Banks and Trust Companies.....	-900,000

Provisions:

- 1. The amount appropriated in this item may include revenues derived from the assessment of fines and

penalties imposed as specified in Section 13332.18 of the Government Code.

- 2. The Department of Business Oversight shall submit an annual report to the Department of Finance and to the Legislature on January 10 with the new release of the Governor’s Budget each year beginning in 2016. This report shall include, as part of the Broker-Dealer and Investment Adviser Program, the number of positions authorized and filled, the number and share of licensees examined, results and outcomes of those examinations, and estimated staffing levels required to achieve targeted examination cycles for licensees under this program.
- 3. If state law is amended to provide authority for the California Consumer Financial Protection Law program, the Department of Finance may augment this item by an amount deemed necessary to implement the program. Any augmentation made pursuant to this provision shall not occur sooner than 30 days after written notice is provided to the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or the chairperson’s designee, may determine. Notice to the Joint Legislative Budget Committee may be provided in advance of the enactment of the amendments to state law described in this provision.

SEC. 25. Item 2240-101-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

2240-101-0001—For local assistance, Department of Housing and Community Development..... 55,629,000

Schedule:

(1) 1665-Financial Assistance Program..... 55,629,000

Provisions:

- 1. Of the amount appropriated in this item, \$50,000,000 shall be disbursed through the Multifamily Housing Program to be used for the acquisition, conversion, rehabilitation, and operating subsidies for hotels, motels, and other properties to provide housing for indi-

viduals and families who are experiencing homelessness or who are at risk of homelessness.

- 2. The amount identified in Provision 1 shall be available for encumbrance or expenditure until June 30, 2022, and for liquidation of encumbrance until June 30, 2022.

SEC. 26. Item 2240-495 is added to Section 2.00 of the Budget Act of 2020, to read:

2240-495—Reversion, Department of Housing and Community Development. As of June 30, 2020, the balances specified below of the appropriations provided in the following citations shall revert to the balances in the funds from which the appropriations were made.

0001—General Fund

- (1) Item 2240-105-0001, Budget Act of 2019 (Chs. 23 and 55, Stats. 2019). \$203,000,000 appropriated for the Department of Housing and Community Development in Program 1665-Financial Assistance Program.
- (2) \$250,000,000 of the transfer to Self-Help Housing Fund pursuant to Section 29 of Chapter 149 of the Statutes of 2019.

0813—Self-Help Housing Fund

- (1) \$250,000,000 appropriated pursuant to Section 29 of Chapter 149 of the Statutes of 2019 in Program 1665-Financial Assistance Program.

SEC. 27. Item 2720-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

2720-001-0001—For support of Department of the California Highway Patrol.....	6,737,000
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Schedule:

- (1) 2050-Traffic Management..... 6,737,000

Provisions:

- 1. Of the amount appropriated in this item, up to \$5,760,000 shall be expended to convene a regional property crimes task force in coordination with the Department of Justice.

- 2. Of the amount appropriated in Schedule (1), up to \$977,000 shall be used for the California Cybersecurity Integration Center.
- 3. Information sharing by the California Cybersecurity Integration Center shall be conducted in a manner that protects the privacy and civil liberties of individuals, safeguards sensitive information, preserves business confidentiality, and enables public officials to detect, investigate, respond to, and prevent cyberattacks that threaten public health and safety, economic stability, and national security.

SEC. 28. Item 3480-001-3046 of Section 2.00 of the Budget Act of 2020 is amended to read:

3480-001-3046—For support of Department of Conservation, payable from the Oil, Gas, and Geothermal Administrative Fund..... 84,548,000

Schedule:

- (1) 2425-Geologic Energy Management Division..... 84,748,000
- (2) 9900100-Administration..... 23,781,000
- (3) 9900200-Administration—Distributed..... -23,781,000
- (4) Reimbursements to 2425-Geologic Energy Management Division..... -200,000

SEC. 29. Item 3540-497 of Section 2.00 of the Budget Act of 2020 is repealed.

SEC. 30. Item 3790-493 of Section 2.00 of the Budget Act of 2020 is amended to read:

- 3790-493—Reappropriation, Department of Parks and Recreation. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citation is extended as specified:
- 0001—General Fund
- (1) Up to \$1,389,000 of the amount appropriated in Item 3790-101-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017), until June 30, 2021

0392—State Parks and Recreation Fund

- (1) Up to \$1,564,000 of the amount appropriated in Item 3790-001-0392, Budget Act of 2019 (Chs. 23 and 55, Stats. 2019), until June 30, 2021
- (2) Up to \$10,218,000 of the amount appropriated in Item 3790-101-0392, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017), until June 30, 2021

0786—California Wildlife, Coastal, and Park Land Conservation Fund of 1988

- (1) Up to \$1,690,000 of the amount appropriated in Item 3790-101-0786, Budget Act of 2014 (Chs. 25 and 663, Stats. 2014), until June 30, 2021

6051—Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006

- (1) Up to \$2,344,000 of the amount appropriated in Item 3790-101-6051, Budget Act of 2011 (Ch. 33, Stats. 2011), until June 30, 2021
- (2) Up to \$13,379,000 of the amount appropriated in Item 3790-101-6051, Budget Act of 2009, as reappropriated by Item 3790-493, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017), until June 30, 2022

SEC. 31. Item 3850-101-0005 of Section 2.00 of the Budget Act of 2020 is repealed.

SEC. 32. Item 3900-003-3237 of Section 2.00 of the Budget Act of 2020 is repealed.

SEC. 33. Item 3940-491 of Section 2.00 of the Budget Act of 2020 is amended to read:

3940-491—Reappropriation, State Water Resources Control Board. The balances of the appropriations provided in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2021, and liquidations until June 30, 2024:

0001—General Fund

- (1) Provisions 2, 6(a), 6(b), 7, and 8, Item 3940-101-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018)

- (2) Provisions 1, 2, 2.5, and 2.6(a) through (k), Item 3940-101-0001, Budget Act of 2019 (Chs. 23 and 55, Stats. 2019)
 - (3) Item 3940-102-0001, Budget Act of 2019 (Chs. 23 and 55, Stats. 2019)
- 3228—Greenhouse Gas Reduction Fund
- (1) Item 3940-102-3228, Budget Act of 2019 (Chs. 23 and 55, Stats. 2019)

SEC. 34. Item 3940-496 of Section 2.00 of the Budget Act of 2020 is repealed.

SEC. 35. Item 4170-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

4170-001-0001—For support of California Department of Aging.....		9,237,000
Schedule:		
(1) 3890-Nutrition.....	1,452,000	
(1.5) 3895-Senior Community Employment Service.....	82,000	
(2) 3900-Supportive Services.....	3,338,000	
(3) 3905-Community-Based Programs and Projects.....	602,000	
(4) 3910-Medi-Cal Programs.....	9,924,000	
(7) Reimbursements to 3890-Nutrition.....	-637,000	
(8) Reimbursements to 3900-Supportive Services.....	-430,000	
(9) Reimbursements to 3905-Community-Based Programs and Projects.....	-382,000	
(10) Reimbursements to 3910-Medi-Cal Programs.....	-4,712,000	

SEC. 36. Item 4170-101-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

4170-101-0001—For local assistance, California Department of Aging.....	58,788,000
Schedule:	
(1) 3890-Nutrition.....	27,969,000
(2) 3900-Supportive Services.....	12,816,000
(3) 3905-Community-Based Programs and Projects.....	4,493,000
(4) 3910-Medi-Cal Programs.....	20,232,000
(5) Reimbursements to 3890-Nutrition.....	-2,163,000
(6) Reimbursements to 3900-Supportive Services.....	-66,000
(7) Reimbursements to 3905-Community-Based Programs and Projects.....	-4,493,000
Provisions:	
1. Notwithstanding Section 26.00, the Department of Finance, upon notification by the California Department of Aging, may authorize transfers between Program 3890-Nutrition and Program 3900-Supportive Services in response to budget revisions submitted by the area agencies on aging.	
2. Of the funds appropriated in this item, the Controller shall, upon enactment of this act, reimburse the amount specified in Program 3910-Medi-Cal Programs to the State Department of Health Care Services for support of the Multipurpose Senior Services Program.	

SEC. 37. Item 4260-101-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

4260-101-0001—For local assistance, State Department of Health Care Services, California Medical Assistance Program, payable from the Health Care Deposit Fund after transfer from the General Fund.....	22,452,869,000
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Schedule:

(1) 3960014-Eligibility (County Administration).....	892,819,000
(2) 3960018-Fiscal Intermediary Management.....	122,132,000
(3) 3960022-Benefits (Medical Care and Services).....	23,215,530,000
(4) Reimbursements to 3960014-Eligibility (County Administration).....	-189,000
(5) Reimbursements to 3960022-Benefits (Medical Care and Services)....	-1,777,423,000

Provisions:

1. The aggregate principal amount of disproportionate share hospital general obligation debt that may be issued in the current fiscal year pursuant to subparagraph (A) of paragraph (2) of subdivision (f) of Section 14085.5 of the Welfare and Institutions Code shall be \$0.
2. Notwithstanding any other law, both the federal and nonfederal shares of any moneys recovered for previously paid health care services, provided pursuant to Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code, are hereby appropriated and shall be expended as soon as practicable for medical care and services as defined in the Welfare and Institutions Code.
3. Notwithstanding any other law, accounts receivable for recoveries as described in Provision 2 shall have no effect upon the positive balance of the General Fund or the Health Care Deposit Fund. Notwithstanding any other law, moneys recovered as described in this item that are required to be transferred from the Health Care Deposit Fund to the General Fund shall be credited by the Controller to the General Fund without regard to the appropriation from which it was drawn.
4. Without regard to fiscal year, the General Fund shall make one or more loans available not to exceed a cumulative total of \$45,000,000 to be transferred as needed to the Health Care Deposit Fund to meet cash

needs. All moneys so transferred shall be repaid as soon as sufficient reimbursements have been collected to meet immediate cash needs and in installments as reimbursements accumulate if the loan is outstanding for more than one year.

5. Notwithstanding any other law, the State Department of Health Care Services may give public notice relative to proposing or amending any rule or regulation or administrative directive that could result in increased costs in the Medi-Cal program only after approval by the Department of Finance. Additionally, any rule or regulation adopted by the State Department of Health Care Services and any communication that increases costs in the Medi-Cal program shall be effective only after the date upon which it is approved by the Department of Finance.
7. Change orders to the medical or the dental fiscal intermediary contract for amounts exceeding a total cost of \$250,000 shall be approved by the Department of Finance not sooner than 30 days after written notification of the change order is provided to the chairpersons of the fiscal and policy committees in each house of the Legislature and to the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time after that notification as the chairperson of the joint committee, or the chairperson's designee, may determine. The semiannual estimates of Medi-Cal expenditures provided to the Legislature in January and May may constitute the notification required by this provision.
8. Recoveries of advances made to counties in prior years pursuant to Section 14153 of the Welfare and Institutions Code are reappropriated to the Health Care Deposit Fund for reimbursement of those counties where allowable costs exceeded the amounts advanced. Recoveries in excess of the amounts required to fully reimburse allowable costs shall be transferred to the General Fund. When a projected deficiency exists in the California Medical Assistance Program, these funds, subject to notification to the Chairperson of the

- Joint Legislative Budget Committee, are appropriated and shall be expended as soon as practicable for the state's share of payments for medical care and services, county administration, and fiscal intermediary services.
9. The Department of Finance may transfer funds representing all or any portion of any estimated savings that are a result of improvements in the Medi-Cal claims processing procedures from the Medi-Cal services budget or the support budget of the State Department of Health Care Services (Item 4260-001-0001) to the fiscal intermediary budget item for purposes of making improvements to the Medi-Cal claims system.
 10. Notwithstanding any other law, the Department of Finance may authorize the transfer of expenditure authority between Schedules (1), (2), and (3) of this item and between this item and Items 4260-102-0001, 4260-111-0001, 4260-113-0001, 4260-114-0001, and 4260-117-0001 in order to effectively administer the programs funded in these items. The Department of Finance shall notify the Legislature within 10 days of authorizing such a transfer unless prior notification of the transfer has been included in the Medi-Cal estimates submitted pursuant to Section 14100.5 of the Welfare and Institutions Code. The 10-day notification to the Legislature shall include the reasons for the transfer, the fiscal assumptions used in calculating the transfer amount, and any potential fiscal effects on the program from which funds are being transferred or for which funds are being reduced.
 11. If a federal grant that provides 75 percent federal financial participation to allow individuals in nursing homes to voluntarily move into a community setting and still receive the same amount of funding for services is awarded to the State Department of Health Care Services during the current fiscal year, then, notwithstanding any other law, the department may count expenditures from the appropriation made to this item as state matching funds for that grant.
 12. Notwithstanding any other law, the Department of Finance may authorize an increase to this appropriation

to address costs resulting from adverse court rulings. The Department of Finance shall provide a 30-day notice of any proposed increase to the Legislature. The notification shall include the specifics of any cases with adverse rulings and the overall fiscal impact. Submission of the semiannual Medi-Cal estimate provided to the Legislature in January and May shall be considered meeting the notification requirement of this provision if the required information is included in the estimate.

13. The Department of Finance may augment the amount appropriated in this item up to \$479,557,000 for repayment of over-claimed Title XXI federal funds related to the Non Optional Targeted Low Income Children Program population of the Medicaid program. Repayment shall occur upon the final determination of the Centers for Medicare and Medicaid Services that associated Title XXI federal funds must be refunded by the state. The Department of Finance shall notify the Legislature within 10 days of authorizing an augmentation pursuant to this provision. The 10-day notification to the Legislature shall describe the reason for the augmentation and the fiscal assumptions used.
15. To the extent practicable and consistent with existing procedures, the State Department of Health Care Services, in its sole discretion, shall seek favorable terms from the federal government regarding the repayment of federal funds for state-only populations in order to minimize the annual impact on the General Fund in any individual fiscal year.
16. Of the funds appropriated in this item, \$195,000 is available for systems changes and other preparations necessary to implement, no sooner than July 1, 2021, the provision of hearing aids and associated services to non-Medi-Cal children who otherwise do not have health insurance coverage for these services and are at or below 600% of the federal poverty level.

SEC. 38. Item 4260-101-0890 of Section 2.00 of the Budget Act of 2020 is amended to read:

4260-101-0890—For local assistance, State Department of Health Care Services, payable from the Federal Trust Fund..... 66,828,916,000

Schedule:

- (1) 3960014-Eligibility (County Administration)..... 3,731,345,000
- (2) 3960018-Fiscal Intermediary Management..... 223,828,000
- (3) 3960022-Benefits (Medical Care and Services)..... 62,873,743,000

Provisions:

1. Notwithstanding any other law, the Department of Finance may authorize the transfer of expenditure authority between Schedules (1), (2), and (3) of this item and between this item and Items 4260-102-0890, 4260-106-0890, 4260-111-0890, 4260-113-0890, 4260-114-0890, and 4260-117-0890 in order to effectively administer the programs funded in these items. The Department of Finance shall notify the Legislature within 10 days of authorizing such a transfer unless prior notification of the transfer has been included in the Medi-Cal estimates submitted pursuant to Section 14100.5 of the Welfare and Institutions Code. The 10-day notification to the Legislature shall include the reasons for the transfer, the fiscal assumptions used in calculating the transfer amount, and any potential fiscal effects on the program from which funds are being transferred or for which funds are being reduced.
2. (a) The Department of Finance is authorized to approve expenditures payable from the Federal Trust Fund (Item 4260-101-0890) in those amounts made necessary by changes in either caseload or payments.
- (b) If the Department of Finance determines that the estimate of expenditures will exceed the expenditures authorized for this item, the Department of Finance shall so report to the Legislature. At the time the report is made, the amount of the appropriation made in this item shall be increased by

the amount of the excess unless and until otherwise provided by law.

SEC. 39. Item 4260-103-3305 of Section 2.00 of the Budget Act of 2020 is amended to read:

4260-103-3305—For local assistance, State Department of Health Care Services, payable from the Healthcare Treatment Fund..... 180,000,000

Schedule:

(1) 3960022-Benefits (Medical Care and Services)..... 180,000,000

Provisions:

- 1. Of the funds appropriated in this item, \$180,000,000 is allocated for Proposition 56 Value-Based Payment programs to offer financial incentives to health care providers that improve their performance on predetermined measures or meet specified targets that focus on quality and efficiency of care. These provisions shall be implemented only to the extent the State Department of Health Care Services determines federal financial participation is available and not otherwise jeopardized.

SEC. 40. Item 4260-113-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

4260-113-0001—For local assistance, State Department of Health Care Services, for the Healthy Families Program (Medi-Cal)..... 974,583,000

Schedule:

(1) 3960014-Eligibility (County Administration)..... 14,316,000

(2) 3960018-	
Fiscal Inter-	
mediary	
Managem-	
ent.....	1,210,000
(3) 3960022-	
Benefits	
(Medical	
Care and	
Services)....	959,057,000

Provisions:

1. Notwithstanding any other law, the Department of Finance may authorize transfer of expenditure authority between Schedules (1), (2), and (3) of this item and between this item and Items 4260-101-0001, 4260-102-0001, 4260-111-0001, 4260-114-0001, and 4260-117-0001 in order to effectively administer the programs funded in these items. The Department of Finance shall notify the Legislature within 10 days of authorizing such a transfer unless prior notification of the transfer has been included in the Medi-Cal estimates submitted pursuant to Section 14100.5 of the Welfare and Institutions Code. The 10-day notification to the Legislature shall include the reasons for the transfer of expenditure authority, the fiscal assumptions used in calculating the amount of expenditure authority transferred, and any potential effects on the program from which funds are being transferred or reduced.

SEC. 41. Item 4260-113-0890 of Section 2.00 of the Budget Act of 2020 is amended to read:

4260-113-0890—For local assistance, State Department of Health Care Services, payable from the Federal Trust Fund..... 3,102,713,000

Schedule:

- (1) 3960014-Eligibility (County Administration)..... 58,648,000
- (2) 3960018-Fiscal Intermediary Management..... 2,556,000
- (3) 3960022-Benefits (Medical Care and Services)..... 3,041,509,000

Provisions:

1. Notwithstanding any other law, the Department of Finance may authorize the transfer of expenditure authority between Schedules (1) and (2) of this item and between this item and Items 4260-101-0890, 4260-102-0890, 4260-106-0890, 4260-111-0890, 4260-114-0890, and 4260-117-0890 in order to effectively administer the programs funded in these items. The Department of Finance shall notify the Legislature within 10 days of authorizing such a transfer unless prior notification of the transfer has been included in the Medi-Cal estimates submitted pursuant to Section 14100.5 of the Welfare and Institutions Code. The 10-day notification to the Legislature shall include the reasons for the transfer, the fiscal assumptions used in calculating the transfer amount, and any potential fiscal effects on the program from which funds are being transferred or for which funds are being reduced.
2. (a) The Department of Finance is authorized to approve expenditures payable from the Federal Trust Fund (Item 4260-113-0890) in those amounts made necessary by changes in either caseload or payments.
- (b) If the Department of Finance determines that the estimate of expenditures will exceed the expenditures authorized for this item, the department shall so report to the Legislature. At the time the report is made, the amount of the appropriation made in this item shall be increased by the amount of the

excess unless and until otherwise provided by law.

SEC. 42. Item 4265-011-3080 of Section 2.00 of the Budget Act of 2020 is amended to read:

4265-011-3080—For transfer by the Controller, upon order of the Director of Finance, from the AIDS Drug Assistance Program Rebate Fund, to the General Fund as a loan..... (100,000,000)

Provisions:

1. The Department of Finance may transfer up to \$100,000,000 as a loan to the General Fund. The Department of Finance shall order the repayment of all or a portion of the loan if, in consultation with the State Department of Public Health, it determines that any of the following circumstances exists:
 - (a) The fund or account from which the loan was made has a need for the moneys to maintain a prudent reserve, which shall not be less than 40 percent of the operating expenses in the previous fiscal year for the AIDS Drug Assistance Program (ADAP) and the HIV prevention program as described in Chapter 6 (commencing with Section 120950) of Part 4 of Division 105 of, and the HIV prevention program as described in Section 120972 of, the Health and Safety Code,
 - (b) The fund or account from which the loan was made has a need for the moneys to maintain a prudent reserve due to a decrease in federal funding for ADAP.
 - (c) The fund or account from which the loan was made has a need for the moneys to provide drugs and services through ADAP and the HIV prevention program.
 - (d) The fund or account from which the loan was made has a need for the moneys to increase eligibility criteria or add new drugs and services to ADAP and the HIV prevention program as described in Section 120972 of the Health and Safety Code.
 - (e) There is no longer a need for the moneys in the fund or account that received the loan. This loan shall be repaid with interest calculated at the rate earned by

the Pooled Money Investment Account at the time of transfer.

SEC. 43. Item 4300-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

4300-001-0001—For support of State Department of Developmental Services..... 394,579,000

Schedule:

- (1) 4145046-State-Operated Residential and Community Services..... 372,986,000
- (2) 4149001-Program Administration..... 111,025,000
- (3) Reimbursements to 4145046-State-Operated Residential and Community Services..... -48,762,000
- (4) Reimbursements to 4149001-Program Administration..... -40,670,000

Provisions:

- 1. The General Fund shall make a loan available to the State Department of Developmental Services not to exceed a cumulative total of \$30,000,000. The loan funds shall be transferred to this item as needed to meet cashflow needs due to delays in collecting reimbursements from the Health Care Deposit Fund, and are subject to the repayment provisions in Section 16351 of the Government Code.
- 2. The State Department of Developmental Services may promulgate regulations specifically for implementing proposals to increase federal funding to the state. Notwithstanding any other law, such regulations shall be deemed emergency regulations necessary for the immediate preservation of the public peace, health and safety, or general welfare for purposes of subdivision (b) of Section 11346.1 of the Government Code.
- 4. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-101-0001. Within 10 working days after approval of a transfer as authorized by this provision, the Department of Finance shall notify the chairpersons of the fiscal committees in each

house of the Legislature and the Chairperson of the Joint Legislative Budget Committee of the transfer, including the amount transferred, how the amount transferred was determined, and how the amount transferred will be utilized.

5. The State Department of Developmental Services (DDS) shall notify the chairperson of each fiscal committee and policy committee of each house of the Legislature of specific outcomes resulting from citations and the results of annual surveys conducted by the State Department of Public Health, as well as findings of any other governmental agency authorized to conduct investigations or surveys of state developmental centers. DDS shall forward the notifications, including a copy of the specific findings, to the chairpersons of the committees within 10 working days of its receipt of these findings. DDS also shall forward these findings, within three working days of submission, to the appropriate investigating agency. In addition, DDS shall provide notification to the chairpersons of the committees, within three working days, of its receipt of information concerning any investigation initiated by the United States Department of Justice and the private nonprofit corporation designated by the Governor pursuant to Division 4.7 (commencing with Section 4900) of the Welfare and Institutions Code or concerning any findings or recommendations resulting from any of these investigations.
6. The State Department of Developmental Services shall provide the Joint Legislative Budget Committee and the appropriate legislative budget and policy committees, within five days of receipt, a copy of any communication from the Centers for Medicare and Medicaid Services regarding federal Medicaid funding for any developmental center relative to the eligibility status of developmental center residents or certification status of any housing unit. The notice shall include the amount of federal Medicaid funding that must be repaid as a result of decertification.

- 7. The resources provided for the State Department of Developmental Services’ headquarters reorganization included as part of this item are intended toward system improvements and progress on key indicators, as specified in Section 4519.2 of the Welfare and Institutions Code.
- 8. Of the amount appropriated in this item, \$860,000 shall be available for encumbrance or expenditure until June 30, 2023, for costs associated with the Clifford L. Allenby Building new facility relocation. Expenditure of these funds is contingent on the completion of the state’s evaluation of telework opportunities and restacking opportunities in state-owned buildings. The State Department of Developmental Services may only expend these funds prior to the completion of this evaluation if it is determined by the Department of Finance that expenditures would not be impacted by the outcome of this evaluation.

SEC. 44. Item 4300-101-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

4300-101-0001—For local assistance, State Department of Developmental Services, for Regional Centers..... 5,457,023,000

Schedule:

(1) 4140015-Operations.....	905,397,000
(2) 4140019-Purchase of Services.....	8,346,487,000
(3) 4140031-Early Start Family Resource Services.....	2,003,000
(4) Reimbursements to 4140015-Operations.....	-295,548,000
(5) Reimbursements to 4140019-Purchase of Services.....	-3,501,316,000

Provisions:

- 1. Upon order of the Director of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-001-0001. Within 10 working days after approval of a transfer as authorized by this provision, the Director of Finance shall notify the chairpersons of the fiscal committees in each house

of the Legislature and the Chairperson of the Joint Legislative Budget Committee of the transfer, including the amount transferred, how the amount transferred was determined, and how the amount transferred will be utilized.

2. A loan or loans shall be made available from the General Fund to the State Department of Developmental Services not to exceed a cumulative total of \$676,049,000. The loan funds shall be transferred to this item as needed to meet cashflow needs due to delays in collecting reimbursements from the Health Care Deposit Fund. All moneys so transferred shall be repaid as soon as sufficient reimbursements have been collected to meet immediate cash needs and in installments as reimbursements accumulate if the loan is outstanding for more than one year.
3. Notwithstanding Section 26.00, the Director of Finance may authorize transfer of expenditure authority between Schedules (1) and (2) in order to more accurately reflect expenditures in the Early Intervention Program (Part C of the Individuals with Disabilities Education Act).
4. Notwithstanding Section 26.00, the Director of Finance may authorize transfer of expenditure authority from Schedule (3) 4140031-Early Start Family Resource Services to Schedule (2) 4140019-Purchase of Services to more accurately reflect expenditures in the Early Start Programs.
5. Notwithstanding Section 26.00, the Director of Finance may authorize a transfer of up to \$5,000,000 in expenditure authority from Schedule (1) to Schedule (2) to more accurately reflect yearend expenditures.
7. Of the funds appropriated in Schedule (1), \$17,000,000 is appropriated for the purpose of increasing client program coordinator staff above the level currently employed as determined by the State Department of Developmental Services. Regional centers shall report annually to the department the number of staff hired with the additional funds and the effectiveness of these funds in reducing average caseload ratios. Additional-

ly, regional centers shall provide justification, in a manner to be determined by the department, for the use of any funds to hire Program Coordinators who do not serve clients receiving services under the Home and Community-Based Services waiver.

- 8. Of the funds appropriated in Schedule (2), \$46,000,000 is appropriated for the State Department of Developmental Services to establish new Alternative Residential Model rates based on a four-bed model. These rates, as established by the department, shall be adjusted upon application to the regional center. Regional centers shall report annually to the department the number of facilities receiving these rates.
- 9. Of the funds appropriated in Schedule (2), \$15,000,000 is appropriated for the State Department of Developmental Services to allocate to providers based on demonstrated need to comply with the new Home and Community-Based Services regulations requirements that must be implemented by March 17, 2022. The funds will be allocated based upon application to the regional center and approval of both the regional center and the department. Regional centers shall report annually to the department the number of providers receiving these funds.

SEC. 45. Item 4440-011-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

4440-011-0001—For support of State Department of State

Hospitals.....	1,874,927,000
Schedule:	
(1) 4400-Administration.....	201,018,000
(2) 4410-State Hospitals.....	1,685,589,000
(3) 4420-Conditional Release Program.....	51,118,000
(4) 4430-Contracted Patient Services.....	89,369,000
(5) 4440-Evaluation and Forensic Services.....	23,415,000
(6) Reimbursements to 4400-Administration.....	-3,412,000

(7) Reimbursements to 4410-State Hospitals..... -172,170,000

Provisions:

1. The reimbursements shall include amounts received in Schedule (7) by the State Department of State Hospitals as a result of billing state hospital bed day expenditures attributable to conservatees who are gravely disabled as defined in subparagraph (B) of paragraph (1) of subdivision (h) of Section 5008 of the Welfare and Institutions Code (Murphy Conservatee).
2. The Controller shall transfer the total amount attributable in the 2020–21 fiscal year to patient-generated collections as revenue to the General Fund.
3. Notwithstanding any other law, funds appropriated to accommodate projected hospital population levels in excess of those that actually materialize, if any, shall revert to the General Fund. However, the Department of Finance may approve an increase in expenditures that are not related to caseload for the state hospitals through the redirection of funding that is reasonably believed not to be needed for accommodating projected hospital population levels if the approval is made in writing and filed with the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees of each house of the Legislature that consider appropriations not later than 30 days prior to the effective date of the approval, or prior to whatever lesser time the chairperson of the joint committee, or the chairperson’s designee, may in each instance determine. All notifications shall include (a) the reason for the proposed redirection of caseload funding to expenditures that are not related to caseload, (b) the approved amount, and (c) the basis of the Director of Finance’s determination that the funding is not needed for accommodating projected hospital population levels.
4. Of the amount appropriated in this item, and until the 2021–22 fiscal year, \$250,000 shall be used for candidates participating in psychiatric technician assistant

20/20 training programs, subject to the terms and conditions in the Memorandum of Understanding with Bargaining Unit 18 that were agreed upon on June 16, 2010, and renewed July 1, 2013.

5. The funds appropriated in Schedule (3) shall be used to provide community services as provided in Section 4360 of the Welfare and Institutions Code. These funds shall support direct community services, as well as administrative and ancillary services related to the provision of direct services.
6. The State Department of State Hospitals shall provide forensic conditional release services mandated either in Title 15 (commencing with Section 1600) of Part 2 of the Penal Code or in Article 4 (commencing with Section 2960) of Chapter 7 of Title 1 of Part 3 of the Penal Code, through contracts with programs which integrate the supervision and treatment roles and providers selected consistent with Section 1615 of the Penal Code.
7. Of the funds appropriated in Schedule (3), it is intended that funds shall not be available for the payment of treatment services to persons on court visit from state hospitals to the community as designated in subdivision (a) of Section 4117 of the Welfare and Institutions Code.
8. Upon approval of the State Department of State Hospitals, a portion of the funds appropriated in Schedule (2) shall be available to reimburse counties for the cost of treatment and legal services to patients in the five state hospitals, pursuant to Section 4117 of the Welfare and Institutions Code. Expenditures made under this item shall be charged to either the fiscal year in which the claim is received or the fiscal year in which the Controller issues the warrant. Claims filed by local jurisdictions for legal services may be scheduled by the Controller for payment.
9. The Director of State Hospitals shall submit, as part of the annual Governor's Budget and May Revision estimate, each institution's expenditures for its approved allotments. If any institution's expenditures

are trending above the allotments provided to it, the Director of State Hospitals shall detail the reasons why the institution is spending at a level above its allotments and list the actions the department is undertaking in order to align expenditures with approved allotments. The report shall contain a yearend summary and an operating budget for each of the institutions under the control of the State Department of State Hospitals. Specifically, the report shall include all of the following:

- (a) The yearend expenditures by line-item detail for each institution.
 - (b) The budgeted amounts for each institution in the past year, current year, and budget year, and past year actual, projected current, and budget year expenditures for each institution including staffing, overtime, benefits, registry, and operating expenses.
 - (c) The number of authorized and vacant positions for each institution.
 - (d) The number of authorized and vacant positions for each institution specific to: (1) psychiatric technicians, (2) nurses, (3) physicians, (4) psychiatrists, (5) social workers, and (6) rehabilitation therapists.
 - (e) The number of positions in the temporary help blanket for each institution.
11. Of the amount appropriated in Schedule (2), \$5,257,000 shall be expended for ligature risk special repair projects at Atascadero, Metropolitan, Napa, and Patton State Hospitals.
 12. The State Department of State Hospitals shall provide a status update on the recruitment and retention of hospital police officers, to be included in the department's 2021–22 Governor's Budget estimate and subsequent May Revision estimate. The update shall include the number of authorized and vacant positions for each hospital, the actual attrition rate for the 2020–21 fiscal year, the projected attrition rate for the 2021–22 fiscal year, and the rate of success pertaining

to the number of hospital police officer cadet graduates of the OPS Police Academy.

- 13. Of the amount appropriated in Schedule (1), \$3,250,000 is available for encumbrance or expenditure until June 30, 2023, for costs associated with the relocation to the Clifford L. Allenby Building. Expenditure of these funds is contingent on the completion of the state’s evaluation of telework opportunities and restacking opportunities in state-owned buildings. The State Department of State Hospitals may only expend these funds prior to the completion of this evaluation if it is determined by the Department of Finance that expenditures would not be impacted by the outcome of this evaluation.
- 14. Of the amount appropriated in Schedule (1), \$26,569,000 shall be expended to address deferred maintenance projects that represent critical roof repairs and replacements at the Napa, Metropolitan, and Patton State Hospitals. The amount allocated shall be available for encumbrance or expenditure until June 30, 2024.

SEC. 46. Item 4560-001-3085 of Section 2.00 of the Budget Act of 2020 is amended to read:

4560-001-3085—For support of Mental Health Services Oversight and Accountability Commission, payable from the Mental Health Services Fund..... 15,876,000

Schedule:

(1) 4170-Mental Health Services Oversight and Accountability Commission..... 15,876,000

Provisions:

1. Of the funds appropriated in this item, up to \$4,020,000 is available for encumbrance or expenditure until June 30, 2022. Of the \$4,020,000, \$2,000,000 is available to support suicide prevention efforts consistent with the Mental Health Services Oversight and Accountability Commission’s Suicide Prevention Report “Striving for Zero” and in consultation and coordination with the State Department of Public Health

and the State Department of Health Care Services. The remaining \$2,020,000 is available to support innovative approaches, in partnership with counties and other entities, to address mental health needs as a result of the COVID-19 pandemic.

- 2 Notwithstanding any provision of the Government Code and the Public Contract Code, the Mental Health Services Oversight and Accountability Commission may, until June 30, 2021, adjust the terms of pending contracts or amend existing contracts under its authority, including contracts executed through a competitive procurement process, under this item and Item 4560-101-3085, if the amendment meets all of the following conditions: a) is consistent with the legislative intent of the available funding, b) furthers the state’s interest in addressing current and emerging mental health needs, c) and improves the cost-effectiveness of the local assistance program, as determined by the commission.

SEC. 47. Item 5160-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

5160-001-0001—For support of Department of Rehabilitation.... 68,409,000

Schedule:

- (1) 4210-Vocational Rehabilitation Services..... 75,891,000
- (2) 4215-Independent Living Services..... 3,798,000
- (3) 9900100-Administration..... 9,078,000
- (4) 9900200-Administration—Distributed..... -9,078,000
- (5) Reimbursements to 4210-Vocational Rehabilitation Services..... -8,080,000
- (6) Reimbursements to 4215-Independent Living Services..... -3,200,000

Provisions:

- 1. The Department of Rehabilitation shall maximize its use of certified time as a match for federal vocational rehabilitation funds. To the extent that certified time

is available, it shall be used in lieu of the General Fund moneys.

- 2. Notwithstanding any other law, the Director of Finance may authorize a loan from the General Fund to the Department of Rehabilitation for cashflow purposes in an amount not to exceed \$10,000,000 subject to the following conditions:
 - (a) The loan is to meet cash needs resulting from a delay in local certified match reimbursements.
 - (b) The outstanding loan amount shall be repaid by October 31, 2021.
 - (c) Interest charges may be waived pursuant to subdivision (e) of Section 16314 of the Government Code.

SEC. 48. Item 5175-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

5175-001-0001—For support of Department of Child Support

Services.....	34,162,000
Schedule:	
(1) 4260010-Child Support Administration.....	34,285,000
(2) Reimbursements to 4260010-Child Support Administration.....	-123,000

SEC. 49. Item 5175-001-0890 of Section 2.00 of the Budget Act of 2020 is amended to read:

5175-001-0890—For support of Department of Child Support

Services, payable from the Federal Trust Fund.....	71,601,000
Schedule:	
(1) 4260010-Child Support Administration.....	71,601,000

SEC. 50. Item 5175-002-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

5175-002-0001—For support of Department of Child Support Services..... 18,770,000

Schedule:

(1) 4260010-Child Support Administration..... 18,770,000

Provisions:

1. Funds in this item shall be used for contracts and inter-agency agreements in the child support program, unless otherwise authorized by the Department of Finance no sooner than 30 days after providing notification in writing to the chairpersons of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or no sooner than such lesser time as the chairperson of the joint committee, or the chairperson’s designee, may in each instance determine.
2. Notwithstanding any other law, the Department of Finance may augment this item to reimburse the Judicial Council for the increased costs associated with salary adjustments for child support commissioners and family law facilitators pursuant to Section 17712 of the Family Code, in the event such salary adjustments are provided to superior court judges, no sooner than 30 days after notification in writing of the necessity therefor to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or the chairperson’s designee, may in each instance determine.

SEC. 51. Item 5175-002-0890 of Section 2.00 of the Budget Act of 2020 is amended to read:

5175-002-0890—For support of Department of Child Support Services, payable from the Federal Trust Fund..... 49,283,000

Schedule:

(1) 4260010-Child Support Administration..... 49,283,000

Provisions:

- 1. Provisions 1 and 2 of Item 5175-002-0001 also apply to this item.

SEC. 52. Item 5175-101-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

5175-101-0001—For local assistance, Department of Child Support Services..... 262,048,000

Schedule:

- (1) 4260010-Child Support Administration..... 236,916,000
- (2) 4260019-Child Support Automation..... 25,132,000

Provisions:

- 1. Notwithstanding any other provision of law, a loan not to exceed \$100,000,000 shall be made available from the General Fund, from funds not otherwise appropriated, to cover the federal share of costs of the program when federal funds have not been received by the state prior to the usual time for transmitting that federal share to the counties of the state or to cover the federal share of child support collections for which federal funds have been reduced prior to the collections being received from the counties. This loan from the General Fund shall be repaid when the federal share of costs for the program becomes available or when the collections are received from the counties.
- 2. The Department of Finance may authorize the establishment of positions and transfer of amounts from this item to Item 5175-001-0001 in order to allow the state to perform the functions or oversee the functions of the local child support agency of any county that fails to perform that function or is out of compliance with state performance standards.

SEC. 53. Item 5175-101-0890 of Section 2.00 of the Budget Act of 2020 is amended to read:

5175-101-0890—For local assistance, Department of Child Support Services, payable from the Federal Trust Fund..... 426,881,000

Schedule:

- (1) 4260010-Child Support Administration..... 378,176,000
- (2) 4260019-Child Support Automation..... 48,705,000

Provisions:

1. The Department of Finance may authorize the establishment of positions and transfer of amounts from this item to Item 5175-001-0890 in order to allow the state to perform the functions or oversee the functions of the local child support agency of any county that fails to perform that function or is out of compliance with state performance standards.
2. Notwithstanding Section 28.00 or any other law, upon request of the Department of Child Support Services, the Department of Finance may increase or decrease the expenditure authority in this item to offset any increases or decreases in collections deposited in the Child Support Collections Recovery Fund and appropriated in Item 5175-101-8004. The Department of Finance shall notify the Joint Legislative Budget Committee of any adjustment made pursuant to this provision within 10 working days from the date of Department of Finance approval.

SEC. 54. Item 5180-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

5180-001-0001—For support of State Department of Social Services..... 240,707,000

Schedule:

- (1) 4270-Welfare Programs..... 43,182,000
- (2) 4275-Social Services and Licensing.... 202,134,000
- (3) 4285-Disability Evaluation and Other Services..... 52,592,000
- (6) Reimbursements to 4270-Welfare Programs..... -1,725,000

- (7) Reimbursements to 4275-Social Services and Licensing..... -25,921,000
- (8) Reimbursements to 4285-Disability Evaluation and Other Services..... -29,555,000

Provisions:

1. The Department of Finance may authorize the transfer of funds from Schedule (2) of this item to Schedule (1), Program 4275019, of Item 5180-151-0001, Children and Adult Services and Licensing, in order to allow counties to perform the facilities evaluation function.
2. The Department of Finance may authorize the transfer of funds from Schedule (2) of this item to Schedule (1), Program 4275019, of Item 5180-151-0001, Children and Adult Services and Licensing, in order to allow counties to perform the adoptions program function.
3. Nonfederal funds appropriated in this item that have been budgeted to meet the state’s Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) shall not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.
4. Notwithstanding paragraph (4) of subdivision (b) of Section 1778 of the Health and Safety Code, the State Department of Social Services may use no more than 20 percent of the fees collected pursuant to Chapter 10 (commencing with Section 1770) of Division 2 of the Health and Safety Code for overhead costs, facilities operation, and indirect department costs.
5. Upon request of the State Department of Social Services and the State Department of Health Care Services, the Director of Finance may authorize the transfer of amounts from Item 4260-101-0001, State Department of Health Care Services, to this item to fund the cost of the administrative hearing process associated with changes in aid or service payments in the Medi-Cal program. The Department of Finance

shall report to the Legislature the amount to be transferred pursuant to this provision. The transfer shall be authorized at the time the report is made.

6. Provision 1 of Items 5180-001-0270 and 5180-001-0279 also apply to this item.
7. The Department of Finance and Department of Technology shall determine the appropriateness of maintaining funding for permanent positions included in this item for the Child Welfare Services-California Automated Response and Engagement System project during the development of the budget for the 2020–21 fiscal year or after implementation of the project is completed, whichever is later.
8. The Department of Finance may increase expenditure authority in this item up to \$500,000 to comply with the federal Able-Bodied Adult Without Dependents rule.
9. Of the funds appropriated in this item, \$22,158,000 (\$4,633,333 in the 2020–21 fiscal year, \$11,291,667 in the 2021-22 fiscal year and \$6,233,000 in the 2022-23 fiscal year) is allocated for the External Consulting and Professional services associated with the design, development, and implementation of the Facility Management System project. This amount shall be augmented upon the Department of Technology’s Stage 4 project approval.
10. Of the amount appropriated in Schedule (1), up to \$2,000,000 is available for encumbrance or expenditure until June 30, 2021, upon approval by the Department of Finance, for purposes of effectuating Part 1.7 (commencing with Section 10200) of Division 9 of the Welfare and Institutions Code. As determined necessary by the State Department of Social Services, these funds may support the use of temporary positions or contracts to conduct stakeholder engagement, planning activities, human resources and legal activities, information technology planning and migration, space planning and configuration, engagement with representative labor organizations, and physical relocation of staff and equipment. Updates on these activ-

ities shall be provided during the 2020-21 fiscal year as part of the meetings required by Section 10202 of the Welfare and Institutions Code.

SEC. 55. Item 5180-101-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

5180-101-0001—For local assistance, State Department of Social Services..... 2,732,311,000

Schedule:

(1) 4270010-CalWORKs.....	2,177,485,000
(2) 4270019-Other Assistance Pay-ments.....	555,161,000
(3) Reimbursements to 4270010-Cal-WORKs.....	-335,000

Provisions:

1. (a) Funds appropriated in this item shall not be encumbered unless every rule or regulation adopted and every all-county letter issued by the State Department of Social Services that adds to the costs of any program is approved by the Department of Finance as to the availability of funds before it becomes effective. In making the determination as to availability of funds to meet the expenditures of a rule, regulation, or all-county letter that would increase the costs of a program, the Department of Finance shall consider the amount of the proposed increase on an annualized basis, the effect the change would have on the expenditure limitations for the program set forth in this act, the extent to which the rule, regulation, or all-county letter constitutes a deviation from the premises under which the expenditure limitations were prepared, and any additional factors relating to the fiscal integrity of the program or the state’s fiscal situation.
- (b) Notwithstanding Sections 28.00 and 28.50, the availability of funds contained in this item for rules, regulations, or all-county letters that add to program costs funded from the General Fund in

excess of \$500,000 on an annual basis, including those that are the result of a federal regulation, but excluding those that are (1) specifically required as a result of the enactment of a federal or state law or (2) included in the appropriation made by this act, shall not be approved by the Department of Finance sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, or sooner than such lesser time after notification as the chairperson of the joint committee, or the chairperson's designee, may in each instance determine.

2. Notwithstanding Chapter 1 (commencing with Section 18000) of Part 6 of Division 9 of the Welfare and Institutions Code, a loan not to exceed \$500,000,000 shall be made available from the General Fund, from funds not otherwise appropriated, to: (a) cover the costs of a program or programs when the federal funds have not been received or funds in any subaccount within the Local Revenue Fund have not been deposited prior to the usual time for the state to transmit payment to the counties or (b) ensure cash disbursement needs in this item are met when abatements have not yet posted in time for disbursement. For this purpose, the Department of Finance may authorize an augmentation to this item to ensure cash disbursement requirements are met. This loan from the General Fund shall be repaid when the federal funds or the funds for any subaccounts within the Local Revenue Fund for the program or programs becomes available.
3. The Department of Finance may authorize the transfer of amounts from this item to Item 5180-001-0001 in order to fund the costs of the administrative hearing process associated with the CalWORKs program.
4. (a) The Department of Finance is authorized to approve expenditures in those amounts made necessary by changes in either caseload or payments,

- including, but not limited to, the timing of federal payments, or any rule or regulation adopted and any all-county letter issued as a result of the enactment of a federal or state law, the adoption of a federal regulation, or a court action, during the 2020–21 fiscal year that are within or in excess of amounts appropriated in this act for that year.
- (b) If the Department of Finance determines that the estimate of expenditures will exceed the expenditures authorized for this item, the department shall so report to the Legislature. At the time the report is made, the amount of the appropriation made in this item shall be increased by the amount of the excess unless and until otherwise provided by law.
5. Nonfederal funds appropriated in this item which have been budgeted to meet the state’s Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) shall not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.
 6. In the event of a declared disaster and upon county request, the State Department of Social Services may act in the place of any county and assume direct responsibility for the administration of eligibility and grant determination. The Department of Finance may authorize the transfer of funds from this item and Item 5180-101-0890 to Items 5180-001-0001 and 5180-001-0890, for this purpose.
 7. Pursuant to the Electronic Benefits Transfer (EBT) Act (Chapter 3 (commencing with Section 10065) of Part 1 of Division 9 of the Welfare and Institutions Code) and in accordance with the EBT System regulations (Manual of Policies and Procedures Section 16-401.15), in the event a county fails to reimburse the EBT contractor for settlement of EBT transactions made against the county’s cash assistance programs, the state is required to pay the contractor. The State

- Department of Social Services may use funds from this item to reimburse the EBT contractor for settlement on behalf of the county. The county shall be required to reimburse the department for the county's settlement via direct payment or administrative offset.
8. The Department of Finance is authorized to approve expenditures for the California Food Assistance Program in those amounts made necessary by changes in the CalFresh Program Standard Utility Allowance, including changes that result from midyear Standard Utility Allowance adjustments requested by the state and any adjustments necessary to maintain parity with federal program changes. If the Department of Finance determines that the estimate of expenditures will exceed the expenditure authority of this item, the department shall so report to the Legislature. At the time the report is made, the amount of the appropriation made in this item shall be increased by the amount of the excess unless and until otherwise provided by law.
 9. Of the amount appropriated in Schedule (1), \$95,000,000 shall be available for housing supports for those families in receipt of CalWORKs for whom homelessness or housing instability is a barrier to self-sufficiency or child well-being pursuant to Section 11330.5 of the Welfare and Institutions Code. These funds shall be available for encumbrance or expenditure until June 30, 2022.
 11. (a)(1) Of the funds appropriated in Schedule (2), \$10,000,000 is to augment the Emergency Child Care Bridge Program.
 - (2) Funds appropriated in Schedule (2) shall be used to provide a one-time increase to the rates paid to foster family agencies as described in paragraph (1) of subdivision (f) of Section 11463 of the Welfare and Institutions Code.
 12. The Department of Finance is authorized to approve expenditures in excess of the amounts appropriated in Schedule (2), upon notification from the State Depart-

ment of Social Services, to replenish the State Emergency Food Bank Reserve.

- 13. Of the funds appropriated in Schedule (2), \$29,021,000 shall be available to fund the assistance costs associated with continuing an extended foster care benefit assistance payment for any nonminor dependent who met eligibility requirements for the Extended Foster Care program, has lost their employment or has experienced a disruption in their education program resulting from COVID-19, and cannot otherwise meet any of the participation requirements, as described in All County Letter 20-45, and extend foster care eligibility for nonminor dependents who turn 21 years of age while in extended foster care on or after April 17, 2020, through June 30, 2021, beyond the maximum age limit of Sections 11400 and 11403 of the Welfare and Institutions Code and accompanying rules or regulations.

SEC. 56. Item 5180-111-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

5180-111-0001—For local assistance, State Department of Social Services..... 7,160,167,000

Schedule:

(1) 4270028-SSI/SSP.....	2,699,320,000
(2) 4275010-IHSS.....	15,213,970,000
(3) Reimbursements to 4275010-IHSS.....	-10,753,123,000

Provisions:

- 1. Provisions 1 and 4 of Item 5180-101-0001 also apply to this item.
- 2. Notwithstanding Chapter 1 (commencing with Section 18000) of Part 6 of Division 9 of the Welfare and Institutions Code, a loan not to exceed \$450,000,000 shall be made available from the General Fund from funds not otherwise appropriated, to cover the federal share or reimbursable share, or both, of costs of a program or programs when the federal funds or reimbursements (from the Health Care Deposit Fund or

counties) have not been received by this state prior to the usual time for transmitting payments for the federal or reimbursable share of costs for this state. That loan from the General Fund shall be repaid when the federal share of costs for the program or programs becomes available, or in the case of reimbursements, subject to Section 16351 of the Government Code. County reimbursements also shall be subject to Section 16314 of the Government Code, which specifies the rate of interest. The State Department of Social Services may offset a county's share of cost of the In-Home Supportive Services (IHSS) program against local assistance payments made to the county if the county fails to reimburse its share of cost of the IHSS program to the state.

3. The Director of Finance may authorize the transfer of amounts from this item to Item 5180-001-0001 in order to fund the cost of the administrative hearing process associated with changes in aid or service payments in the IHSS program. The Department of Finance shall report to the Legislature the amount to be transferred pursuant to this provision. The transfer shall be authorized at the time the report is made.
4. (a) Notwithstanding any other law, funds appropriated in this item shall be used to fully offset the reduction in hours of service described in Section 12301.02 of the Welfare and Institutions Code.
(b) (1) Funds appropriated for the purpose described in subdivision (a) shall be suspended on December 31, 2021, unless the conditions specified in paragraph (2) apply.
(2) The suspension shall not take effect if the estimates of General Fund revenues and expenditures for the 2021–22 and 2022–23 fiscal years, as determined pursuant to Section 12.5 of Article IV of the California Constitution, that accompany the May Revision required to be released by May 14, 2021, pursuant to Section 13308 of the Government Code, contain projected annual General Fund revenues that exceed projected annual General Fund expenditures for the

2021–22 and 2022–23 fiscal years by an amount equal to or greater than the sum total of all General Fund appropriations for all programs subject to suspension on December 31, 2021, pursuant to this act and the bills providing for appropriations related to this act.

(3) It is the intent of the Legislature to consider alternative solutions to restore this program if the suspension takes effect.

SEC. 57. Item 5180-141-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

5180-141-0001—For local assistance, State Department of Social Services..... 940,562,000

Schedule:

- (1) 4270037-County Administration and Automation Projects..... 1,119,936,000
- (2) Reimbursements to 4270037-County Administration and Automation Projects..... -179,374,000

Provisions:

- 1. Notwithstanding Chapter 1 (commencing with Section 18000) of Part 6 of Division 9 of the Welfare and Institutions Code, a loan not to exceed \$140,000,000 shall be made available from the General Fund, from funds not otherwise appropriated, to cover the federal or reimbursable share, or both, of costs of a program or programs when the federal funds or reimbursements have not been received by this state prior to the usual time for transmitting state payments for the federal or reimbursable share of costs. This loan from the General Fund shall be repaid when the federal share of costs or the reimbursements for the program or programs become available.
- 2. In the event of declared disaster and upon county request, the State Department of Social Services may act in the place of any county and assume direct responsibility for the administration of eligibility and grant determination. The Department of Finance may authorize the transfer of funds from this item and Item 5180-

141-0890 to Items 5180-001-0001 and 5180-001-0890, for this purpose.

3. Provision 1 of Item 5180-101-0001 also applies to this item.
4. Pursuant to public assistance caseload estimates reflected in the annual Governor's Budget, the Department of Finance may approve expenditures in those amounts made necessary by a court action or changes in caseload that are in excess of amounts appropriated in this act. If the Department of Finance determines that the estimate of expenditures will exceed the expenditures authorized for this item, the department shall so report to the Legislature. At the time the report is made, the amount of the appropriation made by this item shall be increased by the amount of the excess unless and until otherwise provided by law.
5. Nonfederal funds appropriated in this item which have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) shall not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.
6. This item may be increased by order of the Department of Finance to address system changes necessary to implement the requirements of the federal Patient Protection and Affordable Care Act (P.L. 111-148). The Director of Finance shall provide notification in writing to the Joint Legislative Budget Committee of any expenditure approved under this provision not less than 30 days prior to the effective date of the approval.
7. The Department of Finance may increase expenditure authority in this item for the State Department of Social Services in order to fund the administrative costs to prepare for and respond to a declaration of a major disaster by the President of the United States and to maximize the amount of assistance requested and received through the federal Disaster Supplemental

Nutrition Assistance Program and other federally funded nutrition assistance programs.

- 8. The Department of Finance may increase expenditure authority in this item for the costs associated with an updated project schedule, clarified requirements, and negotiated vendor costs for the California Statewide Automated Welfare System project, upon notification from the Office of Systems Integration. Any such increase shall be authorized not less than 30 days following written notification to the Chairperson of the Joint Legislative Budget Committee, or a lesser period if requested by the department and approved by the chairperson or the chairperson’s designee.
- 9. The Department of Finance may increase expenditure authority in this item up to \$8,000,000 to comply with the federal Able-Bodied Adults Without Dependents rule.

SEC. 58. Item 5180-151-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

5180-151-0001—For local assistance, State Department of Social Services..... 517,894,000

Schedule:

- (1) 4275019-Children and Adult Services and Licensing..... 690,202,000
- (2) 4275028-Special Programs..... 156,005,000
- (3) Reimbursements to 4275019-Children and Adult Services and Licensing..... -318,313,000
- (4) Reimbursements to 4275028-Special Programs..... -10,000,000

Provisions:

- 1. Provision 1 of Item 5180-101-0001 also applies to this item.
- 2. Notwithstanding Chapter 1 (commencing with Section 18000) of Part 6 of Division 9 of the Welfare and Institutions Code and pursuant to Section 30029.8 of the Government Code, a loan not to exceed \$50,000,000 shall be made available from the General Fund, from

funds not otherwise appropriated, to cover the federal share or reimbursable share, or both, of costs of a program or programs when the federal funds or reimbursements have not been received by this state prior to the usual time for transmitting state payments for the federal or reimbursable share of costs. The loan from the General Fund shall be repaid when the federal or reimbursable share of costs for the program or programs becomes available.

3. The Department of Finance may authorize the establishment of positions and transfer of amounts from this item to Item 5180-001-0001, in order to allow the state to perform the facilities evaluation function of the Community Care Licensing Division in the event the counties fail to perform that function.
4. Nonfederal funds appropriated in this item that have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) shall not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.
5. The Department of Finance may authorize the establishment of positions and transfer of amounts from this item to Item 5180-001-0001 in order to allow the state to perform the adoptions function in the event that a county notifies the State Department of Social Services that it intends to cease performing that function.
6. Funds appropriated in this item for the Commercially Sexually Exploited Children Program required by Chapter 5.2 (commencing with Section 16524.6) of Part 4 of Division 9 of the Welfare and Institutions Code shall be appropriately reduced by the Department of Finance to the extent any activities for which funding is included are also required by the Preventing Sex Trafficking and Strengthening Families Act (P.L. 113-183).

8. Funds appropriated in this item for legal services to unaccompanied undocumented minors and for immigration services in accordance with Chapter 5.6 (commencing with Section 13300) of Part 3 of Division 9 of the Welfare and Institutions Code shall be available for liquidation until June 30, 2026.
9. Of the total amount appropriated in this item, up to \$4,000,000 shall be available for a county-optional block grant program, for allocation to local agencies to fund activities the Commission on State Mandates identified as reimbursable state mandates in the Inter-agency Child Abuse and Neglect Investigation Reports (CSM-00-TC-22) mandate. A local agency that receives funding according to this item shall not be eligible to submit claims to the Controller for reimbursement under Section 17560 of the Government Code for any costs related to the reimbursable state-mandated activities identified in CSM-00-TC-22 incurred in the same fiscal year during which the local agency received funding according to this item. The State Department of Social Services, in consultation with the California State Association of Counties, shall develop an allocation methodology for the purpose of distributing these funds to participating counties. Block grant funding apportioned according to this item is subject to annual financial and compliance audits.
11. (a) Of the funds appropriated in Schedule (1), \$30,640,000 is for the support of activities related to the Child Welfare Services-California Automated Response and Engagement System (CWS-CARES) project. Expenditure of these funds is contingent upon approval of project documents by the Department of Finance and the Department of Technology. This amount may be increased by the Department of Finance, up to a maximum of \$5,000,000 during the 2020–21 fiscal year, upon approval of revised project documents. Such an increase shall only be used to support an acceleration of planned project activities and shall not be used to increase total project costs. Any such

increase shall be authorized no less than 10 calendar days following written notification to the Chairperson of the Joint Legislative Budget Committee, or a lesser period if requested by the department and approved by the Chairperson of the Joint Legislative Budget Committee, or the chairperson's designee.

- (b) The Department of Finance may authorize the transfer of funds appropriated for the CWS-CARES project in Schedule (1) to Item 5180-001-0001, for project-related activities, including, but not limited to, necessary personal services expenditures, interagency agreements, and contracts.
- (c) The State Department of Social Services, in coordination with other state entities and counties involved in the CWS-CARES project efforts, shall (1) provide stakeholders, counties, and the Legislature with monthly project status reports, including newly executed contracts, their purpose, and cost and (2) convene a regularly scheduled quarterly forum to provide project updates to stakeholders and legislative staff. The forums shall include updates on the progress of project development and implementation, expenditures incurred to date, significant issues and risks overcome in the prior quarter and presently being addressed, and upcoming project milestones and significant events.
- (d) Of the amount appropriated in this item, \$100,000 is available to fund reimbursements to an Indian tribe, as defined in subdivision (a) of Section 224.1 of the Welfare and Institutions Code, or the tribe's designee, for costs associated with participating with the State Department of Social Services to guide the development of an automated system used for Child Welfare Services. Notwithstanding any other law, the amount and manner of reimbursements shall be determined by the State Department of Social Services in written directives.

12. The Department of Finance may authorize the transfer of funds appropriated in this item for activities related to implementation of the Resource Family Approval Program to Item 5180-001-0001 in order for the State Department of Social Services to perform these activities on behalf of counties. Funds shall only be transferred pursuant to this provision after consultation with the County Welfare Directors Association of California and consistent with written notification from the county or counties of the amount of funding to be transferred.
13. Of the amount appropriated in this item, \$7,000,000 shall be available for contracts under the authority of Chapter 5.6 (commencing with Section 13300) of Part 3 of Division 9 of the Welfare and Institutions Code with organizations qualified pursuant to that chapter, to provide legal services to persons on California State University campuses. These funds shall be available for encumbrance or expenditure until June 30, 2023, and liquidation until June 30, 2026. Use of these funds shall be reported in updates provided to the Legislature on the State Department of Social Services' immigration programs.
14. Of the amount appropriated in this item, \$10,000,000 shall be available for legal services pursuant to Chapter 5.6 (commencing with Section 13300) of Part 3 of Division 9 of the Welfare and Institutions Code, for, but not limited to, unaccompanied undocumented minors and other minors in removal proceedings, and current or past beneficiaries of federal temporary protected status, to be allocated at the discretion of the State Department of Social Services. These funds shall be available for encumbrance or expenditure until June 30, 2023, and liquidation until June 30, 2026. Use of these funds shall be reported in updates provided to the Legislature on the department's immigration programs.
15. (a) Of the amount appropriated in this item, the State Department of Social Services may allocate no more than \$50,000,000 to existing Emergency

Food Assistance Program (EFAP) providers under contract with the department, to nonprofit Feeding America members located in California or to a Feeding America partner state organization with the capacity to purchase and distribute food statewide in California. These funds are made available to mitigate any increases in food insecurity and administrative costs caused by the COVID-19 emergency and related economic recovery. These funds shall be allocated at the sole discretion of the department.

- (b) Notwithstanding any other law, the department's allocation of these funds shall be exempt from the requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code, and from the Public Contract Code and the State Contracting Manual, and shall not be subject to the approval of the Department of General Services.
 - (c) The department shall inform the Legislature of the final allocation of funding available pursuant to this provision no later than August 1, 2021.
 - (d) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the State Department of Social Services may implement and administer this provision without adopting regulations.
16. The Department of Finance may increase the expenditure authority in this item to support unanticipated costs related to the federal Family First Prevention Services Act, subject to documentation provided by the State Department of Social Services explaining the need for the resources.
17. Of the funds appropriated in Schedule (2), \$25,000,000 shall be available for the Housing and Disability Advocacy Program to increase participation among homeless persons with disabilities who may be eligible

for disability benefits programs pursuant to Section 18999.1 of the Welfare and Institutions Code.

- 18. (a) (1) Of the funds appropriated in Schedule (1), \$8,250,000 is to augment the Child Welfare Public Health Nursing Early Intervention Program.
- (2) Of the funds appropriated in Schedule (1), \$29,734,000 is to augment the Family Urgent Response System.

- 19. Of the funds appropriated in Schedule (1), \$2,979,000 shall be available to fund the administrative costs associated with continuing an extended foster care benefit assistance payment for any nonminor dependent who met eligibility requirements for the Extended Foster Care program, has lost their employment or has experienced a disruption in their education program resulting from COVID-19, and cannot otherwise meet any of the participation requirements, as described in All County Letter 20-45, and extend foster care eligibility for nonminor dependents who turn 21 years of age while in extended foster care on or after April 17, 2020, through June 30, 2021, beyond the maximum age limit of Sections 11400 and 11403 of the Welfare and Institutions Code and accompanying rules or regulations.

SEC. 59. Item 5180-161-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

5180-161-0001—For local assistance, State Department of Social Services (Proposition 98).....	15,000,000
Schedule:	
(1) 4275028-Special Programs.....	15,000,000
Provisions:	
1. The funding in this item shall be available for school districts under the authority of Chapter 5.4 (commencing with Section 13265) of Part 3 of Division 9 of the Welfare and Institutions Code to provide services for refugee, unaccompanied undocumented minors, and	

immigrant families. These funds shall be available for encumbrance or expenditure until June 30, 2023.

SEC. 60. Item 5225-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

5225-001-0001—For support of Department of Corrections and Rehabilitation..... 8,185,507,000

Schedule:

- (1) 4500-Corrections and Rehabilitation Administration..... 498,014,000
- (2) 4505-Peace Officer Selection and Employee Development..... 116,931,000
- (3) 4510-Department of Justice Legal Services..... 67,836,000
- (3.1) 4515-Juvenile Operations and Juvenile Offender Programs..... 182,097,000
- (3.2) 4520-Juvenile Academic and Vocational Education..... 4,220,000
- (3.3) 4525-Juvenile Health Care Services.... 24,800,000
- (4) 4530-Adult Corrections and Rehabilitation Operations—General Security..... 4,843,355,000
- (5) 4540-Adult Corrections and Rehabilitation Operations—Inmate Support..... 1,326,226,000
- (6) 4545-Adult Corrections and Rehabilitation Operations—Contracted Facilities..... 45,496,000
- (7) 4550-Adult Corrections and Rehabilitation Operations—Institution Administration..... 615,419,000
- (8) 4555-Parole Operations—Adult Supervision..... 399,369,000
- (9) 4560-Parole Operations—Adult Community Based Programs..... 85,475,000
- (10) 4565-Parole Operations—Adult Administration..... 84,079,000
- (11) 4570-Sex Offender Management Board and Saratso Review Committee..... 859,000

(11.1) 4575-Board of Parole Hearings—Adult Hearings.....	3,000
(12) Reimbursements to 4500-Corrections and Rehabilitation Administration.....	-4,812,000
(13) Reimbursements to 4505-Peace Officer Selection and Employee Development.....	-150,000
(13.1) Reimbursements to 4515-Juvenile Operations and Juvenile Offender Programs.....	-3,047,000
(13.2) Reimbursements to 4520-Juvenile Academic and Vocational Education.....	-1,850,000
(14) Reimbursements to 4530-Adult Corrections and Rehabilitation Operations—General Security.....	-45,269,000
(15) Reimbursements to 4540-Adult Corrections and Rehabilitation Operations—Inmate Support.....	-42,062,000
(16) Reimbursements to 4550-Adult Corrections and Rehabilitation Operations—Institution Administration.....	-10,417,000
(17) Reimbursements to 4555-Parole Operations—Adult Supervision.....	-515,000
(18) Reimbursements to 4560-Parole Operations—Adult Community Based Programs.....	-50,000
(19) Reimbursements to 4565-Parole Operations—Adult Administration.....	-500,000

Provisions:

1. Of the amount appropriated in this item, \$70,696,000 shall be used for roof replacement at High Desert State Prison; California State Prison, Solano; and California State Prison, Sacramento.
2. The Department of Corrections and Rehabilitation shall store all audio and video obtained through the video surveillance pilot program at the High Desert State Prison, Central California Women’s Facility, and California State Prison, Sacramento for a period of no less than 90 days from the date recorded. Addi-

tionally, the following events shall require the department to preserve the recorded data for a longer period as potential evidence in an investigation, or an administrative, civil, or criminal proceeding:

- (a) Any use of force incident.
- (b) Riots.
- (c) Suspected felonious criminal activity.
- (d) Any incident resulting in serious bodily injury, great bodily injury, or a suspicious death.
- (e) Sexual assault allegations.
- (f) Allegations of staff misconduct by an inmate, employee, visitor, or other person.
- (g) Incidents that may be potentially referred to the district attorney's office.
- (h) An employee report to a supervisor of injury. The following events shall require staff to preserve the recorded data for a longer period if filed or reported within 90 days of the event:
 - (1) Inmate claims with the California Victim Compensation Board.
 - (2) The Department of Corrections and Rehabilitation's Office of Internal Affairs may request to review audio and video recordings when conducting an inquiry as it relates to a submitted third-level appeal.

An audio or video recording that becomes evidence in a Department of Corrections and Rehabilitation's Office of Internal Affairs investigation shall be stored until resolution of any investigation and written release by the Office of Internal Affairs, Department of Corrections and Rehabilitation's Office of Legal Affairs, Office of the Attorney General, or the Employment Advocacy and Prosecution Team of the Office of Legal Affairs. An audio or video recording that the Department of Corrections and Rehabilitation has reason to believe may become evidence in an administrative, civil, or criminal proceeding shall be stored indefinitely unless other direction is given by the Office of Legal Affairs or, in the event of a criminal proceeding, the district attorney's office.

The Department of Corrections and Rehabilitation shall utilize video obtained through the pilot program during the review of staff complaints and other serious appeals and complaints.

- 3. It is the intent of the Legislature to discourage the introduction of drugs and contraband into state prisons. As such, the Department of Corrections and Rehabilitation shall consider utilizing passive alert canines at entrances and throughout the institutions. The department shall make efforts to schedule canine teams across all watches and all days of the week.

SEC. 61. Item 5225-002-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

5225-002-0001—For support of Department of Corrections and Rehabilitation..... 3,584,043,000

Schedule:

- (1) 4650-Medical Services—Adult..... 2,200,958,000
- (2) 4655-Dental Services—Adult..... 176,992,000
- (3) 4660-Mental Health Services—
Adult..... 474,272,000
- (4) 4661-Psychiatric Program—Adult..... 296,361,000
- (5) 4665-Ancillary Health Care Services—
Adult..... 441,687,000
- (6) 4670-Dental and Mental Health Services
Administration—Adult..... 50,439,000
- (7) Reimbursements to 4650-Medical Ser-
vices—Adult..... -56,466,000
- (8) Reimbursements to 4665-Ancillary
Health Care Services—Adult..... -200,000

Provisions:

- 1. On February 14, 2006, the United States District Court in the case of Plata v. Newsom (No. C01-1351-JST) suspended the exercise by the Secretary of the Department of Corrections and Rehabilitation of all powers related to the administration, control, management, operation, and financing of the California prison medical health care system. The court ordered that all

such powers vested in the Secretary of the Department of Corrections and Rehabilitation were to be performed by a Receiver appointed by the court commencing April 17, 2006, until further order of the court. The Director of the Division of Correctional Health Care Services of the Department of Corrections and Rehabilitation is to administer this item to the extent directed by the Receiver.

2. Notwithstanding any other law, the Department of Corrections and Rehabilitation is not required to competitively bid for health services contracts in cases in which contracting experience or history indicates that only one qualified bid will be received.
3. Notwithstanding Section 13324 of the Government Code or Section 32.00 of this act, a state employee shall not be held personally liable for any expenditure or the creation of any indebtedness in excess of the amounts appropriated therefor as a result of complying with the directions of the Receiver or orders of the United States District Court in *Plata v. Newsom*.
4. The amounts appropriated in Schedules (1) and (5) are available for expenditure by the Receiver appointed by the *Plata v. Newsom* court to carry out its mission to deliver constitutionally adequate medical care to inmates.
5. The amounts appropriated in Schedules (2), (3), (4), and (6) are available for expenditure by the Department of Corrections and Rehabilitation to provide mental health and dental services only.
6. Notwithstanding any other law, the Receiver, on behalf of the Department of Corrections and Rehabilitation, shall process and pay for all medical claims for medical parolees pursuant to Section 3550 of the Penal Code from funds available in Schedule (1).
7. On or before September 1, 2021, the Receiver shall report to the Department of Finance and the chairpersons of the appropriate subcommittees that consider the budget on the efficacy of the Educational Partnership Program with respect to its effect on hiring and retention of primary care providers.

- 8. Of the amount appropriated in Schedule (3), \$13,290,000 is available for psychiatry registry contract services. Upon request by the Department of Corrections and Rehabilitation, the Department of Finance may augment this item not sooner than 30 days after notification in writing is provided to the Joint Legislative Budget Committee. The augmentation shall only be provided to support psychiatry registry contract services.

SEC. 62. Item 5225-008-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

5225-008-0001—For support of Department of Corrections and Rehabilitation..... 522,351,000

Schedule:

- (1) 4560-Parole Operations—Adult Community Based Programs..... 143,579,000
- (2) 4585-Rehabilitative Programs—Adult Education..... 241,076,000
- (3) 4590-Rehabilitative Programs—Cognitive Behavioral Therapy and Reentry Services..... 162,704,000
- (4) 4600-Rehabilitative Programs—Adult Administration..... 25,053,000
- (5) Reimbursements to 4560-Parole Operations—Adult Community Based Programs -42,661,000
- (6) Reimbursements to 4585-Rehabilitative Programs—Adult Education..... -7,400,000

Provisions:

- 1. The funds appropriated in this item shall be used only to support inmate and parolee rehabilitation programs. Any unspent funds at the end of the 2020–21 fiscal year shall revert to the General Fund.
- 2. Of the amount appropriated in Schedule (3), \$5,000,000 shall be provided for the California Reentry and Enrichment Grant Program to provide grants to community-based organizations that provide rehabilitative services to incarcerated individuals.

SEC. 63. Item 5225-301-0001 is added to Section 2.00 of the Budget Act of 2020, to read:

5225-301-0001—For capital outlay, Department of Corrections and Rehabilitation.....	33,669,000
Schedule:	
(1) 0000397-Statewide: Budget Packages and Advanced Planning.....	250,000
(a) Study.....	250,000
(2) 0003310-California State Prison, Corcoran: Medication Distribution Improvements—Phase II.....	4,149,000
(a) Construction.....	4,149,000
(3) 0003311-California Health Care Facility, Stockton: Medication Distribution Improvements—Phase II.....	5,246,000
(a) Construction.....	5,246,000
(4) 0003312-California State Prison Los Angeles County, Lancaster: Medication Distribution Improvements—Phase II....	3,546,000
(a) Construction.....	3,546,000
(5) 0003314-Pelican Bay State Prison, Crescent City: Medication Distribution Improvements—Phase II.....	1,681,000
(a) Construction.....	1,681,000
(6) 0003315-Richard J. Donovan Correctional Facility, San Diego: Medication Distribution Improvements—Phase II.....	3,339,000
(a) Construction.....	3,339,000
(7) 0003316-California State Prison, Sacramento: Medication Distribution Improvements—Phase II.....	6,975,000
(a) Construction.....	6,975,000
(8) 0003317-Salinas Valley State Prison, Soledad: Medication Distribution Improvements—Phase II.....	1,848,000
(a) Construction.....	1,848,000

(9) 0003318-Central California Women’s Facility, Chowchilla: Medication Distribution Improvements— Phase II.....	753,000
(a) Construction.....	753,000
(10) 0003319-California Institution for Women, Corona: Medication Distribution Improvements—Phase II.....	804,000
(a) Construction.....	804,000
(11) 0003320-Correctional Training Facility, Soledad: Medication Distribution Improvements—Phase II.....	724,000
(a) Construction.....	724,000
(12) 0003321-Folsom State Prison, Folsom: Medication Distribution Improvements—Phase II.....	1,035,000
(a) Construction.....	1,035,000
(13) 0003322-Mule Creek State Prison, Ione: Medication Distribution Improvements—Phase II.....	726,000
(a) Construction.....	726,000
(14) 0003323-California State Prison Solano, Vacaville: Medication Distribution Improvements—Phase II.....	840,000
(a) Construction.....	840,000
(15) 0004989-Valley State Prison, Chowchilla: Arsenic Removal Water Treatment Plant.....	1,453,000
(a) Working drawings.....	1,453,000
(16) 0007318-California State Prison, Los Angeles County, Lancaster: Medication Preparation Room Unit D5.....	300,000
(a) Preliminary plans.....	300,000

Provisions:

1. The funds appropriated in Schedule (1) shall be allocated by the Department of Corrections and Rehabilitation, upon approval by the Department of Finance, to develop design and cost information for new projects for which funds have not been previously appropriated, but for which preliminary plan funds, working drawings funds, or working drawings and

construction funds are anticipated to be included in future budgets. These funds may be used for all of the following: budget package development, site studies, suitability reports, environmental services and studies, architectural programming, engineering assessments, schematic design, master planning, and preliminary plans. The amount appropriated in this item for these purposes shall not be construed as a commitment by the Legislature as to the amount of capital outlay funds it will appropriate in any future year. Before using these funds for preliminary plans, the Department of Corrections and Rehabilitation shall, at least 20 days before the funds are used, notify the Chairperson of the Joint Legislative Budget Committee, the chairpersons of the respective fiscal committees of each house of the Legislature, and the legislative members of the State Public Works Board of the scope, cost, and future implications of the use of funds for preliminary plans.

SEC. 64. Item 5225-301-0660 is added to Section 2.00 of the Budget Act of 2020, to read:

5225-301-0660—For capital outlay, Department of Corrections and Rehabilitation, payable from the Public Buildings Construction Fund.....	101,903,000
Schedule:	
(1) 0001427-California Institution for Men, Chino: 50-Bed Mental Health Crisis Facility.....	91,032,000
(a) Construction.....	91,032,000
(2) 0000336-California Men’s Colony, San Luis Obispo: West Facility Central Kitchen Replacement.....	8,205,000
(a) Construction.....	8,205,000
(3) 0004995-Correctional Training Facility Soledad: Health Care Facility Improvement Program—Specialty Care Clinic....	2,666,000
(a) Construction.....	2,666,000

SEC. 65. Item 5225-491 of Section 2.00 of the Budget Act of 2020 is amended to read:

5225-491—Reappropriation, Department of Corrections and Rehabilitation. The balances of the appropriations provided, or the specified dollar amount, if provided, in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in those appropriations:

0001—General Fund

(1) \$7,052,000 for subdivision (a) of Section 28 of Chapter 7 of the Statutes of 2007, as reappropriated by Item 5225-491, Budget Act of 2009 (Ch. 1, 2009–10 3rd Ex. Sess., as revised by Ch. 1, 2009–10 4th Ex. Sess.), Budget Act of 2012 (Chs. 21 and 29, Stats. 2012), Budget Act of 2016 (Ch. 23, Stats. 2016), and Budget Act of 2019 (Chs. 23 and 55, Stats. 2019), and as partially reverted by Item 5225-496, Budget Act of 2009 (Ch. 1, 2009–10 3rd Ex. Sess., as revised by Ch. 1, 2009–10 4th Ex. Sess.), Item 5225-497, Budget Act of 2010 (Ch. 712, Stats. 2010), and Item 5225-495, Budget Act of 2011 (Ch. 33, Stats. 2011), for capital outlay to renovate, improve, or expand infrastructure capacity at existing prison facilities. The balance of this appropriation shall be available for encumbrance or expenditure until June 30, 2021.

(2) Up to \$1,631,000 of Item 5225-301-0001, Budget Act of 2017, as partially reappropriated by Item 5225-491, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018) and Budget Act of 2019 (Chs. 23 and 55, Stats. 2019)

(3) 0000729-Calipatria State Prison: Health Care Facility Improvement Project—Construction

0668—Public Buildings Construction Fund Subaccount

(1) Up to \$70,197,000 of Item 5225-301-0668, Budget Act of 2014 (Chs. 25 and 663, Stats. 2014), as reappropriated by Item 5225-491, Budget Act of 2015 (Chs. 10 and 11, Stats. 2015) and Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017)

- (1) 61.34.004-Ironwood State Prison, Blythe: Heating, Ventilation, and Air Conditioning System—Construction

SEC. 66. Item 5225-495 of Section 2.00 of the Budget Act of 2020 is amended to read:

5225-495—Reversion, Department of Corrections and Rehabilitation. As of June 30, 2020, the balances specified below of the appropriations provided in the following citations shall revert to the balances in the funds from which the appropriations were made.

0001—General Fund

- (1) Item 5225-301-0001, Budget Act of 2018, as partially reappropriated by Item 5225-491, Budget Act of 2019, and as partially reverted by Item 5225-495, Budget Act of 2019
- (5) \$2,063,000 appropriated in Project 0001370-Deuel Vocational Institution, Tracy: Brine Concentrator System Replacement
 - (a) Working drawings
- (18) \$136,000 appropriated in Project 0003313-Kern Valley State Prison, Delano: Medication Distribution Improvements—Phase II
 - (b) Preliminary plans

0668—Public Buildings Construction Fund Subaccount

- (1) The unexpended balance for subdivision (c) of Section 14 of Chapter 42 of the Statutes of 2012

SEC. 67. Item 5227-103-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

5227-103-0001—For local assistance, Board of State and Community Corrections..... 37,000,000

Schedule:

- (1) 4945-Corrections Planning and Grant Programs..... 37,000,000

Provisions:

- 1. Of the amount appropriated in this item, \$37,000,000 shall be awarded by the Board of State and Community

Corrections as competitive grants to community-based organizations to support offenders formerly incarcerated in state prison. Of the amount identified in this provision, up to 5 percent shall be available to the Board of State and Community Corrections for transfer to Schedule (1) of Item 5227-001-0001 for costs to administer the grant programs. Funds transferred pursuant to this provision are available for encumbrance or expenditure until June 30, 2023. Of this amount:

- (a) \$18,500,000 shall be available for rental assistance. Priority shall be given to individuals released to state parole.
 - (b) \$18,500,000 shall be available to support the warm handoff and reentry of offenders transitioning from state prison to communities. Priority shall be given to individuals released to state parole.
 - (c) The board shall form an executive steering committee with members from relevant state agencies and departments with expertise in public health, housing, workforce development, and effective rehabilitative treatment for adult offenders, including, but not limited to, the Department of Housing and Community Development, the Office of Health Equity, county probation departments, representatives of reentry-focused community-based organizations, criminal justice impacted individuals, and representatives of housing-focused community-based organizations to develop grant program criteria and make recommendations to the board regarding grant award decisions.
2. Funds appropriated in this item are available for encumbrance or expenditure until June 30, 2023.

SEC. 68. Item 5227-107-0001 of Section 2.00 of the Budget Act of 2020 is repealed.

SEC. 69. Item 6100-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

6100-001-0001—For support of State Department of Education..... 58,166,000

Schedule:

- (1) 5205010-Curriculum Services..... 61,020,000
- (2) 5210066-Special Program Support..... 11,275,000
- (3) 9900100-Administration..... 57,355,000
- (4) 9900200-Administration—Distribut-
ed..... -57,355,000
- (5) Reimbursements to 5205010-Curricu-
lum Services..... -10,516,000
- (6) Reimbursements to 5210066-Special
Program Support..... -3,613,000

Provisions:

1. Notwithstanding Section 33190 of the Education Code or any other law, the State Department of Education shall not expend funds to prepare a statewide summary of pupil performance on school district proficiency assessments or a compilation of information on private schools with five or fewer pupils.
2. Funds appropriated in this item may be expended or encumbered to make one or more payments under a personal services contract of a visiting educator pursuant to Section 19050.8 of the Government Code, a long-term special consultant services contract, or an employment contract between an entity that is not a state agency and a person who is under the direct or daily supervision of a state agency, only if all of the following conditions are met:
 - (a) The person providing service under the contract provides full financial disclosure to the Fair Political Practices Commission in accordance with the rules and regulations of the commission.
 - (b) The service provided under the contract does not result in the displacement of any represented civil service employee.
 - (c) The rate of compensation for salary and health benefits for the person providing service under the contract does not exceed by more than 10 percent the current rate of compensation for salary and health benefits determined by the Department

of Human Resources for civil service personnel in a comparable position. The payment of any other compensation or any reimbursement for travel or per diem expenses shall be in accordance with the State Administrative Manual and the rules and regulations of the California Victim Compensation Board.

3. The funds appropriated in this item shall not be expended for the development or dissemination of program advisories, including, but not limited to, program advisories on the subject areas of reading, writing, and mathematics, unless explicitly authorized by the State Board of Education.
4. Of the funds appropriated in this item, \$206,000 shall be available as matching funds for the Department of Rehabilitation to provide coordinated services to disabled pupils.
5. Of the funds appropriated in this item, no less than \$2,530,000 is available for support of childcare services, including state preschool.
6. By October 31 of each year, the State Department of Education (SDE) shall provide to the Department of Finance a file of all charter school average daily attendance (ADA) and state and local revenue associated with charter school general purpose entitlements as part of the P2 Local Control Funding Formula File. By March 1 of each year, the SDE shall provide to the Department of Finance a file of all charter school ADA and state and local revenue associated with charter school general purpose entitlements as part of the P1 Local Control Funding Formula File. It is the expectation that such reports will be provided annually.
7. On or before April 15 of each year, the State Department of Education (SDE) shall provide to the Department of Finance an electronic file that includes complete district- and county-level state appropriations limit information reported to the SDE. The SDE shall make every effort to ensure that all districts have submitted the necessary information requested on the relevant reporting forms.

8. The State Department of Education shall make information available to the Department of Finance, the Legislative Analyst's Office, and the budget committees of each house of the Legislature by October 31, March 31, and May 31 of each year regarding the amount of Proposition 98 savings estimated to be available for reversion by June 30 of that year.
9. Reimbursement expenditures pursuant to this item resulting from the imposition by the State Department of Education (SDE) of a commercial copyright fee shall not be expended sooner than 30 days after the SDE submits to the Department of Finance a legal opinion affirming the authority to impose such fees and the arguments supporting that position against any objections or legal challenges to the fee filed with the SDE. Any funds received pursuant to imposition of a commercial copyright fee may only be expended as necessary for outside counsel contingent on a certification of the Superintendent of Public Instruction that sufficient expertise is not available within departmental legal staff. The SDE shall not expend greater than \$300,000 for such purposes without first notifying the Department of Finance of the necessity therefor, and upon receiving approval in writing.
10. Of the funds appropriated in this item, up to \$1,011,000 is for dispute resolution services, including mediation and fair hearing services, provided through contract for special education programs.
11. Of the reimbursement funds appropriated in this item, at least \$612,000 is provided to the State Department of Education for the oversight of State Board of Education-authorized charter schools. The Department of Finance may administratively establish up to 2.0 positions for this purpose as workload materializes.
12. Of the funds appropriated in this item, at least \$109,000 shall be for 1.0 position within the State Department of Education to support activities associated with the Clean Energy Job Creation Fund.
13. Of the amount appropriated in this item, at least \$852,000 and 6.0 positions are provided to support

the Local Control Funding Formula administration pursuant to Chapter 47 of the Statutes of 2013. These funds and positions shall be used by the State Department of Education to support the apportionment of, and fiscal oversight of, funding pursuant to the Local Control Funding Formula.

14. Of the funds appropriated in this item, at least \$115,000 and 1.0 position shall be available for the State Department of Education to support activities associated with charter school appeals as required under subdivision (j) of Section 47605 of the Education Code.
15. Of the funds appropriated in this item, at least \$1,140,000 and 8.0 positions are provided to support the implementation of the Local Control Funding Formula accountability system pursuant to Chapter 47 of the Statutes of 2013.
16. Of the funds appropriated in this item, at least \$120,000 and 1.0 permanent position is provided to support implementation of the Local Control Funding Formula, such as providing unduplicated student counts, matching foster data received from the State Department of Social Services (SDSS), and meeting foster youth reporting requirements.
17. Of the funds appropriated in this item, \$271,000 and 2.0 positions are provided to continue the development and maintenance of the state and federal accountability systems.
18. Of the funds appropriated in this item, \$129,000 is provided to support 1.0 existing position for workload associated with school district reorganizations.
19. Of the funds appropriated in this item, \$108,000 is provided to support 1.0 existing position to assist local educational agencies applying for a universal meal service program, pursuant to Chapter 724 of the Statutes of 2017.
20. Of the funds appropriated in this item, \$128,000 is provided to support 1.0 existing position to complete additional education equity compliance reviews, pursuant to Chapter 493 of the Statutes of 2017.

21. Of the funds appropriated in Schedule (1), \$252,000 shall be used to support the development and maintenance of a computer-based English Language Proficiency Assessment for California and a computer-based alternative English Language Proficiency Assessment for California for students with disabilities.
22. Of the funds appropriated in this item, \$257,000 is provided to support 2.0 existing positions for the coordination of a centralized Uniform Complaint Procedures process and database to improve the administration and resolution of Uniform Complaint Procedures complaints and appeals received by SDE; to standardize Uniform Complaint Procedures policies, procedures, and templates departmentwide; and to provide a report by January 31 of each year with a summary of the number of days for completion of appeals by complaint type and program area, including the rationale for complaints that exceeded 60 days.
23. Of the funds appropriated in this item, \$117,000 is to support activities associated with data collection and reporting required under the Districts of Choice program.
24. Of the funds appropriated in this item, \$245,000 shall be available in the 2020–21 fiscal year, and \$136,000 in the 2021–22 and 2022–23 fiscal years, to support subsidized county childcare pilot programs.
25. Of the funds appropriated in this item, \$600,000 is provided to support 2.0 existing positions and workload related to school-based comprehensive sexual health education.
26. Of the funds appropriated in this item, \$105,000 and 1.0 position are to support increases in emergency average daily attendance waiver requests.
27. Of the funds appropriated in this item, \$53,000 is available for the State Department of Education to provide guidance to districts and county offices of education on effective school safety plans, pursuant to Chapter 80 of the Statutes of 2018.
28. Of the funds appropriated in this item, \$452,000 is provided for 3.0 positions to support compliance

workload within the State Department of Education's Special Education Division.

29. Of the funds appropriated in this item, at least \$275,000 and 2.0 positions are provided to support the Career Technical Education Incentive Grant Program and the K–12 component of the Strong Workforce Program. Availability of these funds is contingent upon the State Department of Education (SDE) fully supporting no fewer than 6.0 full-time regional program consultants in agricultural career technical education in the Agricultural Education Unit of the Career and College Transition Division using federal Perkins V Act funding. If the SDE is unable to support at least 6.0 full-time regional program consultants in agricultural career technical education with federal Perkins V Act funding, \$142,000 and 1.0 position provided in this item to support the Career Technical Education Incentive Grant Program and the K–12 component of the Strong Workforce Program shall be redirected for that purpose. As a condition of receiving this funding, the SDE shall make information available to the Department of Finance, the Legislative Analyst's Office, and the budget committees of each house of the Legislature by October 31 of each fiscal year regarding the split of the federal Perkins V Act funding between the SDE and the Chancellor's Office of the California Community Colleges. This information shall include, but is not limited to, the maximum set-asides allowable for state administration and state leadership activities, the minimum amount required for local program distribution, as well as a breakdown of how the SDE is utilizing the funds in each category.
30. Of the funds appropriated in this item, \$2,778,000 is available for 12.0 positions to support expanding workload related to new early education programs and policies within the State Department of Education's Early Learning and Care Division and 1.0 position to support the Fiscal and Administrative Services Division.

31. Of the funds appropriated in this item, \$142,000 is provided to support 1.0 position for the joint interagency resolution team and foster youth coordinated services pursuant to Chapter 815 of the Statutes of 2018.
32. Of the funds appropriated in this item, \$284,000 and 2.0 positions are provided until June 30, 2021, to support the oversight and monitoring of State Board of Education authorized charter schools.
33. Of the funds appropriated in this item, \$798,000 reimbursements is provided on a one-time basis to purchase information technology products and services for the State Special Schools.
34. Of the funds appropriated in this item, \$77,000 is provided to support 0.5 existing position to update existing, and develop new, resources and strategies, and in-service teacher training to support lesbian, gay, bisexual, transgender, queer, and questioning students, pursuant to Chapter 775 of the Statutes of 2019.
35. Of the funds appropriated in this item, \$77,000 is provided to support 1.0 position to provide appropriate language access in American Sign Language.
36. Of the funds appropriated in this item, \$696,000 and 3.0 positions are available for the department to collect data to track the implementation of the changes for charter school petitions and renewals, pursuant to Chapter 486 of the Statutes of 2019.
39. Of the amount provided in this item, \$192,000 reimbursements is provided on an ongoing basis to support the administration of the California High School Proficiency Examination.
40. 2.0 positions are provided to establish a state education disaster team to support activities related to disaster planning, preparedness, and response for schools as part of California's Disaster Preparedness, Response, and Recovery efforts.
42. Of the funds appropriated in this item, \$1,000,000 and 7.0 positions are available for the Early Learning and Care Division for the support of childcare services.
43. Of the funds appropriated in this item, \$422,000 and 3.0 positions are available in the 2020–21 fiscal year

for support of childcare collective bargaining pursuant to the 2020–21 Education Omnibus Trailer Bill.

- 44. Of the amount appropriated in this item, \$336,000 and 3.0 positions are available to support new ongoing workload for the School Fiscal Services Division related to deferrals and average daily attendance changes pursuant to the 2020 Education Omnibus trailer bill.
- 45. Of the amount appropriated in this item, \$100,000 shall be available on a one-time basis for the State Department of Education to develop a template for the learning continuity and attendance plan, in consultation with the executive director of the State Board of Education, pursuant to the 2020 Education Omnibus trailer bill. The template shall be made available to local educational agencies no later than August 1, 2020. In developing the template, the Superintendent of Public Instruction shall not require local educational agencies to provide any information in addition to the information required pursuant to the 2020 Education Omnibus trailer bill.

SEC. 70. Item 6100-004-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

6100-004-0001—For support of State Department of Education,

Instructional Quality Commission.....	335,000
Schedule:	
(1) 5205050-Instructional Quality Commission.....	335,000
Provisions:	
1. The funds appropriated in this item shall be available to support the 2020–21 fiscal year activities of the Instructional Quality Commission. These funds are available for encumbrance or expenditure until June 30, 2021.	
2. Of the funds appropriated in this item, \$50,000 shall be for the development of a curriculum framework for world languages pursuant to Chapter 643 of the Statutes of 2016.	

- 3. Of the funds appropriated in this item, \$50,000 shall be for the development of a curriculum framework for visual and performing arts pursuant to Chapter 647 of the Statutes of 2016.
- 4. Of the funds appropriated in this item, \$28,000 shall be available to support the development of an ethnic studies model curriculum pursuant to Chapter 327 of the Statutes of 2016.
- 5. Of the funds appropriated in this item, \$84,000 shall be available to support the revision of the mathematics curriculum framework.
- 6. The funds appropriated in this item shall not be used for indirect department costs, and shall be allocated in accordance with the above provisions unless a revision to the allocations contained herein has been approved by the Department of Finance. The Department of Finance shall not authorize any such revision sooner than 30 days after notification in writing of the necessity to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or the chairperson’s designee, may in each instance determine.

SEC. 71. Item 6100-149-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

6100-149-0001—For local assistance, State Department of Education (Proposition 98), for allocation by the Superintendent of Public Instruction to school districts, county offices of education, and other agencies for the purposes of the After School Education and Safety Program, pursuant to Article 22.5 (commencing with Section 8482) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code..... 100,000,000

Schedule:

(1) 5210048-After School Programs..... 100,000,000

Provisions:

1. The funds appropriated in this item shall be used for the After School Education and Safety Program as specified in Article 22.5 (commencing with Section 8482) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code.
2. This funding shall be used to increase the daily per-pupil rates and maximum grant amounts. The State Department of Education shall adjust the dollar amounts specified in Sections 8482.55, 8483.7, 8483.75, and 8483.76 of the Education Code in accordance with the amount provided for in the 2020–21 fiscal year.

SEC. 72. Item 6100-194-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

6100-194-0001—For local assistance, State Department of Education, for allocation by the Superintendent of Public Instruction to school districts, county offices of education, and other agencies for childcare and development programs included in this item, in lieu of the amount that otherwise would be appropriated pursuant to any other statute..... 1,798,708,000

Schedule:

- | | |
|---|-------------|
| (1) 5210026-General Child Development..... | 337,658,000 |
| (2) 5210027-State Preschool Non-Local Educational Agencies..... | 486,172,000 |
| (3) 5210028-Migrant Day Care..... | 39,446,000 |
| (4) 5210030-Alternative Payment..... | 170,131,000 |
| (5) 5210032-Resource and Referral..... | 20,333,000 |
| (6) 5210034-CalWORKs Stage 2..... | 462,083,000 |
| (7) 5210036-CalWORKs Stage 3..... | 274,823,000 |
| (8) 5210038-Accounts Payable..... | 4,000,000 |
| (9) 5210040-Child Care for Children with Severe Disabilities..... | 2,084,000 |
| (10) 5210042-California Child Care Initiative..... | 225,000 |
| (11) 5210044-Quality Improvement..... | 1,461,000 |

(12) 5210046-Local Planning Councils..... 292,000

Provisions:

1. Funds in Schedules (5), (10), (11), and (12) shall be allocated to meet federal requirements to improve the quality of childcare and shall be used in accordance with the approved California State Plan for the federal Child Care and Development Fund that is developed pursuant to the requirements under Section 8206.1 of the Education Code.
2. Nonfederal funds appropriated in this item which have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) shall not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.
3. Notwithstanding any other provision of law, funds in Schedule (8) are available for accounts payable for alternative payment programs for actual and allowable costs incurred for additional services, pursuant to Section 8222.1 of the Education Code. The State Department of Education shall give priority for the allocation of these funds for accounts payable.
5. (a) The maximum standard reimbursement rate shall not exceed \$49.54 per day for general childcare programs. Furthermore, the migrant childcare program shall adhere to the maximum standard reimbursement rates as prescribed for the general childcare programs. All other rates and adjustment factors shall conform.
(b) Notwithstanding any other law, the maximum standard reimbursement rate shall not exceed \$30.87 per day for part-day California state preschool programs. The maximum standard reimbursement rate shall not exceed \$49.85 for full-day California state preschool programs.
6. (a) Alternative payment childcare programs shall be subject to the rate ceilings established in the Regional Market Rate Survey of California childcare

- and development providers for provider payments. When approved pursuant to Section 8447 of the Education Code, any changes to the market rate limits, adjustment factors, or regions shall be utilized by the State Department of Education, the California Community Colleges, and the State Department of Social Services in various programs under the jurisdiction of these departments.
- (b) Notwithstanding any other provision of law, the funds appropriated in this item for the cost of licensed childcare services provided through alternative payment or voucher programs, including those provided under Article 3 (commencing with Section 8220) and Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, shall be used only to reimburse childcare costs up to the greater of either:
 - (1) The 75th percentile of rates based on the 2016 Regional Market Rate Survey.
 - (2) The regional market rate ceiling for that region as it existed on December 31, 2017.
 - (c) The funds appropriated in this item for the cost of license-exempt childcare services provided through alternative payment or voucher programs, including those provided under Article 3 (commencing with Section 8220) and Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, shall be used only to reimburse license-exempt childcare costs up to 70 percent of the regional reimbursement rate limits established for family childcare homes.
 - (d) The State Department of Education shall distribute funds for increases to the Regional Market Rate based on estimates of how contractors' reimbursements will increase due to the rate change.
7. (a) The State Department of Education (SDE) shall conduct monthly analyses of CalWORKs Stage 2 and Stage 3 caseloads and expenditures and

adjust agency contract maximum reimbursement amounts and allocations as necessary to ensure funds are distributed proportionally to need. SDE shall share monthly caseload analyses with the State Department of Social Services (DSS).

- (b) SDE shall provide quarterly information regarding the sufficiency of funding for Stage 2 and Stage 3 to DSS. SDE shall provide caseloads, expenditures, allocations, unit costs, family fees, and other key variables and assumptions used in determining the sufficiency of state allocations. Detailed backup by month and on a county-by-county basis shall be provided to DSS at least on a quarterly basis for comparisons with Stage 1 trends.
- (c) By September 30 and March 30 of each year, SDE shall ensure that detailed caseload and expenditure data, through the most recent period for Stage 2 and Stage 3 along with all relevant assumptions, is provided to DSS to facilitate budget development. The detailed data provided shall include actual and projected monthly caseload from Stage 2 scheduled to time off of their transitional child-care benefit from the last actual month reported by agencies through the next two fiscal years as well as local attrition experience. DSS shall utilize data provided by SDE, including key variables from the prior fiscal year and the first two months of the current fiscal year, to provide coordinated estimates in November of each year for each of the three stages of care for preparation of the Governor's Budget, and shall utilize data from at least the first two quarters of the current fiscal year, and any additional monthly data as they become available for preparation of the May Revision. DSS shall share its assumptions and methodology with SDE in the preparation of the Governor's Budget.
- (d) SDE shall coordinate with DSS to identify annual general subsidized childcare program expenditures

- for Temporary Assistance for Needy Families-eligible children. SDE shall modify existing reporting forms as necessary to capture this data.
- (e) SDE shall provide to DSS, upon request, access to the information and data elements necessary to comply with federal reporting requirements and any other information deemed necessary to improve estimation of childcare budgeting needs.
 - (f)
 - (1) On or before January 30 of each year, following consultation with DSS, SDE shall determine the adequacy of funding appropriated by the Legislature for CalWORKs Stage 2 and Stage 3.
 - (2) If SDE determines that the Stage 2 appropriation exceeds the current year caseload needs and the Stage 3 appropriation is not sufficient to fully fund its caseload need, then SDE shall submit a request to the Department of Finance to transfer the excess funds from Schedule (6), CalWORKs Stage 2 childcare to Schedule (7), CalWORKs Stage 3 childcare. Notwithstanding Section 26.00 or any other provision of law, the Department of Finance may, at its discretion, approve such a transfer.
 - (3) If SDE determines that the Stage 3 appropriation exceeds the current year caseload needs and the Stage 2 appropriation is not sufficient to fully fund its caseload need, SDE shall submit a request to the Department of Finance to transfer the excess funds from Schedule (7), CalWORKs Stage 3 childcare to Schedule (6), CalWORKs Stage 2 childcare. Notwithstanding Section 26.00 or any other provision of law, the Department of Finance may, at its discretion, approve such a transfer.
 - (g) Notwithstanding any other provision of law or any other sections of this act, the Department of Finance may augment the appropriation for Cal-

WORKS Stage 3 if the estimate of expenditures, as determined by SDE, following consultation with DSS, will exceed the expenditures authorized in Schedule (7). The Department of Finance shall report any augmentation pursuant to this paragraph to the Joint Legislative Budget Committee. At the time the report is made, the amount of the appropriation made in Schedule (7) shall be increased by the amount of the augmentation.

- (h) The Director of Finance may, pursuant to subdivisions (f) and (g), authorize the augmentation of the amount available for expenditure in Schedule (7) by making a transfer from Schedule (6). An augmentation may be authorized not sooner than 30 days after notification in writing of the necessity to exceed the limitations is provided to the Joint Legislative Budget Committee, or whatever lesser time the chairperson of the joint committee may determine. Any request made by SDE to augment the CalWORKS Stage 3 appropriation shall be approved only in order to cover increases in costs that are consistent with assumptions of this act. This provision shall not be construed to treat Stage 3 as an entitlement.
8. Notwithstanding any other provision of law, the funds in Schedule (7) are reserved exclusively for continuing childcare for the following: (a) former CalWORKS families who are working, have left cash aid, and have exhausted their two-year eligibility for transitional services in either Stage 1 or Stage 2 pursuant to subdivision (c) of Section 8351 or Section 8353 of the Education Code, respectively, but still meet eligibility requirements for receipt of subsidized childcare services, and (b) families who received lump-sum diversion payments or diversion services under Section 11266.5 of the Welfare and Institutions Code and have spent two years in Stage 2 off of cash aid, but still meet eligibility requirements for receipt of subsidized childcare services.

9. Notwithstanding any other provision of law, each local planning council receiving funds appropriated in Schedule (12) shall meet the requirements of Section 8499.5 of the Education Code to the extent feasible and to the extent data is readily accessible.
10. Notwithstanding any other provision of law, the implementation of Provision 12 is not subject to the appeal and resolution procedures for agencies that contract with the State Department of Education for the provision of childcare services or the due process requirements afforded to families that are denied services specified in Chapter 19 (commencing with Section 18000) of Division 1 of Title 5 of the California Code of Regulations.
11. Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), the State Department of Education may implement Provision 12 through management bulletins or similar instructions.
12. Notwithstanding any other provision of law, families shall be disenrolled from subsidized childcare services consistent with the priorities for services specified in subdivision (b) of Section 8263 of the Education Code. Families shall be disenrolled in the following order: (a) families with the highest income below 85 percent of the State Median Income (SMI) adjusted for family size, (b) of families with the same income level, those that have been receiving childcare services for the longest period of time, (c) of families with the same income level, those that have a child with exceptional needs, and (d) families with children who are receiving child protective services or are at risk of being neglected or abused, regardless of family income.
14. Funds in Schedule (2) shall be allocated to both the part-day and full-day California State Preschool Program for nonlocal educational agencies.

SEC. 73. Item 6100-194-0890 of Section 2.00 of the Budget Act of 2020 is amended to read:

6100-194-0890—For local assistance, State Department of Education, payable from the Federal Trust Fund..... 976,034,000

Schedule:

- (1) 5210026-General Child Development..... 133,846,000
- (2) 5210028-Migrant Day Care..... 5,411,000
- (3) 5210030-Alternative Payment..... 332,572,000
- (4) 5210034-CalWORKs Stage 2..... 80,636,000
- (5) 5210036-CalWORKs Stage 3..... 317,765,000
- (6) 5210044-Quality Improvement..... 102,485,000
- (7) 5210046-Local Planning Councils..... 3,319,000

Provisions:

- 1. Notwithstanding any other law, the funds appropriated in this item, to the extent permissible under federal law, are subject to Section 8262 of the Education Code.
- 2. Of the funds appropriated in this item, \$80,636,000 is from the transfer of funds, pursuant to Item 5180-402, from the federal Temporary Assistance for Needy Families (TANF) Block Grant administered by the State Department of Social Services to the federal Child Care and Development Block Grant for CalWORKs Stage 2 childcare.
- 3. Funds in Schedules (6) and (7) shall be allocated to meet federal requirements to improve the quality of childcare and shall be used in accordance with the approved California state plan for the federal Child Care and Development Fund that is developed pursuant to the requirements under Section 8206.1 of the Education Code.
- 4. Notwithstanding any other law, each local planning council receiving funds appropriated in Schedule (7) shall meet the requirements of Section 8499.5 of the Education Code to the extent feasible and to the extent data is readily accessible.
- 5. Funds appropriated in Schedule (6) of this item shall not be expended to develop or support new information technology projects, unless approved by the Director

- of Finance and not sooner than 30 days after notification in writing to the Chairperson of the Joint Legislative Budget Committee.
6. Of the amount appropriated in Schedule (6), \$1,100,000 is for programs that expand training for providers to gain skills necessary to manage an early learning and care business.
 7.
 - (a) Of the amount appropriated in Schedule (3), \$47,236,000 is available beginning July 1, 2020, to provide 5,600 Alternative Payment Program slots to provide continuity of care to families that received temporary vouchers pursuant to Chapter 2 of the Statutes of 2020.
 - (b) Alternative Payment Program agencies shall only use the funds described in subdivision (a) to enroll families who meet eligibility and need requirements specified in Sections 8263 and 8263.1 of the Education Code.
 - (c) Notwithstanding any other law, families that received temporary vouchers pursuant to Chapter 2 of the Statutes of 2020 shall receive first priority for enrollment.
 - (d) Families receiving first priority for enrollment pursuant to subdivision (c) shall be enrolled in the priority order specified in Section 8263 of the Education Code.
 - (e) Once all eligible families who received temporary voucher slots have been enrolled, Alternative Payment Program agencies shall enroll other children not previously served with temporary voucher slots using the normal enrollment process.
 - 8.5. Of the funds appropriated in Schedule (6), \$1,663,440 is available on a one-time basis to support grant activities for the federal Additional Supplemental Appropriations for Disaster Relief Act of 2019 (P.L. 116-20).
 9. Of the funds appropriated in Schedule (6), \$9,259,000 is available one time for a statewide data system for

early education, as part of the state’s Cradle-to-Career data system.

SEC. 74. Item 6100-196-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

6100-196-0001—For local assistance, State Department of Education (Proposition 98), for allocation by the Superintendent of Public Instruction to school districts, county offices of education, and other agencies for the purposes of part-day California state preschool programs pursuant to Article 7 (commencing with Section 8235) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code funded in this item, in lieu of the amount that otherwise would be appropriated pursuant to any other statute..... 833,466,000

Schedule:

- (1) 5210020-State Preschool—Local Educational Agencies..... 783,466,000
- (2) 5210010-Child Development, Quality Rating Improvement System Grants..... 50,000,000

Provisions:

- 1. Nonfederal funds appropriated in this item that have been budgeted to meet the state’s Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) shall not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.
- 3. Notwithstanding any other law, the maximum standard reimbursement rate shall not exceed \$30.87 per day for part-day California state preschool programs. The maximum standard reimbursement rate shall not exceed \$49.85 for full-day California state preschool programs.
- 4. Of the amount appropriated in Schedule (1), up to \$5,000,000 is available for the family literacy supplemental grant provided to California state preschool

programs pursuant to Section 8238.4 of the Education Code.

5. The amount appropriated in Schedule (2) is available for Quality Rating and Improvement System grants provided to California state preschool programs pursuant to Section 8203.1 of the Education Code.
6. Funds in Schedule (1) shall be allocated to both the part-day and full-day California State Preschool Program for local educational agencies.

SEC. 75. Item 6100-488 of Section 2.00 of the Budget Act of 2020 is amended to read:

6100-488—Reappropriation, State Department of Education.

Notwithstanding any other law, the balances from the following appropriations are available for reappropriation for the purposes specified in Provisions 2 to 8, inclusive:

0001—General Fund

- (2) \$5,035,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the After School Education and Safety Program in Schedule (1) of Item 6100-149-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017).
- (3) \$8,716,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the Adults in Correctional Facilities Program in Schedule (1) of Item 6100-158-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017).
- (4) \$1,018,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the Special Education Programs for Exceptional Children in Schedule (2) of Item 6100-161-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017).
- (5) \$1,349,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the Special Education Programs for Exceptional Children in Schedule (1) of Item 6100-161-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017).
- (6) \$7,073,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated

for the After School Education and Safety Program in the 2017–18 fiscal year pursuant to Section 8483.5 of the Education Code.

- (7) \$1,974,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the K–12 Mandated Programs Block Grant in Schedule (1) of Item 6100-296-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017).
- (8) \$7,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated pursuant to Section 17581.96 of the Government Code.
- (9) \$127,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the Educational Services for Foster Youth in Schedule (1) of Item 6100-119-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017).
- (10) \$901,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the Partnership Academies Program in Schedule (1) of Item 6100-166-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017).
- (11) \$231,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the Partnership Academies Program in Schedule (2) of Item 6100-166-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017).
- (12) \$408,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the Career Technical Education Initiative program in Schedule (1) of Item 6100-170-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017).
- (13) \$243,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the Career Technical Incentive Grant pursuant to subparagraph (B) of paragraph (2) of subdivision (a) of Section 41207.43 of the Education Code.
- (14) \$81,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the American Indian Early Childhood Education

- Program in Schedule (1) of Item 6100-150-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017).
- (15) \$9,266,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the Adults in Correctional Facilities Program in Schedule (1) of Item 6100-158-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018).
 - (16) \$1,200,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the Special Education Programs for Exceptional Children in Schedule (2) of Item 6100-161-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018).
 - (17) \$2,917,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the Special Education Programs for Exceptional Children in Schedule (1) of Item 6100-161-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018).
 - (18) \$1,080,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the Partnership Academies Program in Schedule (1) of Item 6100-166-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018).
 - (19) \$79,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the Career Technical Education Initiative program in Schedule (1) of Item 6100-170-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018).
 - (20) \$2,265,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the K–12 Mandated Programs Block Grant in Schedule (1) of Item 6100-296-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018).
 - (21) \$17,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for the American Indian Early Childhood Education Program in Schedule (1) of Item 6100-150-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018).
 - (22) \$2,455,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for California’s pupil testing program in Schedule (2)

of Item 6100-113-0001, Budget Act of 2019 (Chs. 23 and 55, Stats. 2019).

- (23) \$5,951,000 or whatever greater or lesser amount of the unexpended balance of the amount appropriated for California's pupil testing program in Schedule (3) of Item 6100-113-0001, Budget Act of 2019 (Chs. 23 and 55, Stats. 2019).

Provisions:

2. The sum of \$16,009,000 is hereby reappropriated to the Superintendent of Public Instruction for allocation to the Oakland Unified School District in accordance with Chapter 6.5 (commencing with Section 42160) of Part 24 of Division 3 of Title 2 of the Education Code. The disbursement of these funds is contingent on the Oakland Unified School District's completion of the following: (a) the required annual audit for the preceding year; and (b) affirmative board action to continue to update or develop short-term and long-term financial plans based on best practices and reasonable and accurate assumptions.
3. The sum of \$5,772,000 is hereby reappropriated to the Superintendent of Public Instruction for allocation to the Inglewood Unified School District in accordance with Chapter 6.5 (commencing with Section 42160) of Part 24 of Division 3 of Title 2 of the Education Code. The disbursement of these funds is contingent on the Inglewood Unified School District's completion of both of the following: (a) adoption and implementation of necessary budgetary solutions; and (b) adoption of a preliminary school and school district facility closure and consolidation plan and initiation of any regulatory approval process, including the California Environmental Quality Act and other state or local approval, related to the sale or lease of surplus property.
4. The sum of \$200,000 is hereby reappropriated to the State Department of Education to be used consistent with the provisions of Item 6100-209-0001 of the Budget Act of 2019 (Chs. 23 and 55, Stats. 2019) for payment of claims received pursuant to paragraph (1)

of subdivision (f) of Section 44944 of the Education Code.

5. The sum of \$2,995,000 is hereby reappropriated to the State Department of Education to be used consistent with the provisions of Item 6100-203-0001 of the Budget Act of 2018 (Chs. 29, 30, and 449, Stats. 2018) for child nutrition program reimbursement claims submitted by local educational agencies pursuant to subdivision (c) of Section 49505, and Section 49531, of the Education Code.
6. The sum of \$500,000 is hereby reappropriated to the State Department of Education to be used consistent with the provisions of Item 6100-488 of the Budget Act of 2018 (Chs. 29, 30, and 449, Stats. 2018) for allocation by the Superintendent of Public Instruction to a county office of education to support the development of additional History and Social Science curriculum framework resources related to Genocide Awareness education, including, but not limited to, the development of study guides and other resources.
7. The sum of \$7,717,000 is hereby reappropriated to the State Department of Education to be used consistent with the provisions of Item 6100-488 of the Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017) for allocation by the Superintendent of Public Instruction to a county office of education or consortium of county offices of education to support professional development and resources for the History Social Science curriculum framework and the Health curriculum.
8. The sum of \$10,795,000 is hereby appropriated to the Superintendent of Public Instruction for allocation to school districts and charter schools in the 2019–20 fiscal year pursuant to Section 42238.02 of the Education Code pursuant to the provisions provided in the 2020 Education Omnibus trailer bill for this purpose.
9. The sum of \$8,406,000 is hereby reappropriated to the State Department of Education for contract costs associated with administering the summative English language proficiency assessment at the beginning of the 2020–21 school year for purposes of reclassification.

SEC. 76. Item 6100-497 of Section 2.00 of the Budget Act of 2020 is amended to read:

6100-497—Reversion, Department of Education. As of June 30, 2020, and notwithstanding any other law, the following amounts shall revert to the fund from which the funds were appropriated:

0001—General Fund

- (1) \$22,100,000 of unexpended funds as appropriated by Section 84 of Chapter 51 of the Statutes of 2019 for the Educator Workforce Investment Grant.
- (2) \$250,000 of the 2019–20 unexpended balance of the amount appropriated for the California Computer Science Coordinator pursuant to Section 84 of Chapter 51 of the Statutes of 2019.
- (3) \$31,400,000 of the unexpended balance of the amount appropriated for preschool education in Schedule (2) of Item 6100-194-0001 of the Budget Act of 2019 (Chs. 23 and 55, Stats. 2019).
- (4) \$10,000,000 of the unexpended balance of the amount appropriated for CalWORKs Stage 2 in Schedule (6) of Item 6100-194-0001 of the Budget Act of 2019 (Chs. 23 and 55, Stats. 2019).
- (5) \$53,000,000 of the unexpended balance of the amount appropriated for General Child Development in Schedule (1) of Item 6100-194-0001 of the Budget Act of 2019 (Chs. 23 and 55, Stats. 2019).

SEC. 77. Item 6440-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

6440-001-0001—For support of University of California..... 3,168,925,000

Schedule:

- (1) 5440-Support..... 3,168,925,000

Provisions:

- 1. This appropriation is exempt from Sections 6.00 and 31.00.

2. (a) The Regents of the University of California shall implement measures to reduce the university's cost structure.
- (b) The Legislature finds and declares that many state employees hold positions with comparable scope of responsibilities, complexity, breadth of job functions, experience requirements, and other relevant factors to those employees designated to be in the Senior Management Group pursuant to existing Regents policy.
- (c) (1) Therefore, at a minimum, the Regents shall, when considering compensation for any employee designated to be in the Senior Management Group, use a market reference zone that includes state employees.
- (2) At a minimum, the Regents shall include in a market reference zone all comparable positions from the lists included in subdivision (I) of Section 8 of Article III of the California Constitution and Article 1 (commencing with Section 11550) of Chapter 6 of Part 1 of Division 3 of Title 2 of the Government Code.
- 2.1. Notwithstanding any other law, the Director of Finance may reduce funds appropriated in this item by an amount equal to the estimated Cal Grant and Middle Class Scholarship Program cost increases caused by a 2020–21 academic year increase in systemwide tuition. No reduction may be authorized pursuant to this provision sooner than 30 days after the Director of Finance provides notice of the intended reduction to the Chairperson of the Joint Legislative Budget Committee.
3. (a) The Controller shall transfer funds from this appropriation upon receipt of a report from the Department of Finance indicating the amount of debt service anticipated to become due and payable in the fiscal year associated with state general obligation bonds issued for university projects.

- (b) The Controller shall return funds to this appropriation upon receipt of a report from the Department of Finance.
- 4. Payments made by the state to the University of California for each month from July through April shall not exceed one-twelfth of the amount appropriated in this item, less the amount that is expected to be transferred pursuant to Provision 3. Transfers of funds pursuant to Provision 3 shall not be considered payments made by the state to the university.
- 5. (a) Of the funds appropriated in this item, \$15,000,000 shall be available to support meal donation programs, food pantries serving students, CalFresh enrollment, and other means of directly providing nutrition assistance to students. The funds shall also be used to assist homeless and housing-insecure students in securing stable housing.
- (b) The University of California shall report to the Department of Finance and relevant policy and fiscal committees of the Legislature by March 1 each year regarding the use of funds specified in this provision. The report shall include, but not necessarily be limited to, all of the following information:
 - (1) The amount of funds distributed to campuses, and identification of which campuses received funds.
 - (2) For each campus, a programmatic budget summarizing how the funds were spent. The budget shall include any other funding used to supplement the General Fund.
 - (3) A description of the types of programs in which each campus invested.
 - (4) A list of campuses that accept or plan to accept electronic benefit transfer.
 - (5) A list of campuses that participate or plan to participate in the CalFresh Restaurant Meals Program.

- (6) A list of campuses that offer or plan to offer emergency housing or assistance with long-term housing arrangements.
 - (7) A description of how campuses leveraged or coordinated with other state or local resources to address housing and food insecurity.
 - (8) An analysis describing how funds reduced food insecurity and homelessness among students, and, if feasible, how funds impacted student outcomes such as persistence or completion.
 - (9) Other findings and best practices implemented by campuses.
6. Of the funds appropriated in this item, \$5,300,000 shall be available to increase student mental health resources.
 7. (a) Of the funds appropriated in this item, \$3,500,000 shall be available to support rapid rehousing efforts assisting homeless and housing insecure students.
 - (b) Campuses shall establish ongoing partnerships with community organizations that have a tradition of helping populations experiencing homelessness to provide wraparound services and rental subsidies for students. Funds appropriated in the item may be used for, but authorized uses are not limited to, the following activities:
 - (1) Connecting students with community case managers who have knowledge and expertise in accessing safety net resources.
 - (2) Establishing ongoing emergency housing procedures, including on-campus and off-campus resources.
 - (3) Providing emergency grants that are necessary to secure housing or to prevent the imminent loss of housing.
 - (c) Funding shall be allocated to campuses based on demonstrated need.
 - (d) The terms “homeless” and “housing insecure” shall be defined as students who lack a fixed,

regular, and adequate nighttime residence. This includes students who are:

- (1) Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.
 - (2) Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations.
 - (3) Living in emergency or transitional shelters.
 - (4) Abandoned in hospitals.
 - (5) Living in a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
 - (6) Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
- (e) The University of California shall submit a report to the Director of Finance and, in conformity with Section 9795 of the Government Code, to the Legislature by July 15 each year regarding the use of these funds, including the number of coordinators hired, number of students served by campus, distribution of funds by campus, a description of the types of programs funded, and other relevant outcomes, such as the number of students that were able to secure permanent housing, and whether students receiving support remained enrolled at the institution or graduated.
8. Of the funds appropriated in this item, \$4,000,000 shall be used by the University of California to provide summer-term financial aid to any student who is eligible for state financial aid and is a California resident, including students receiving an exemption for nonresident tuition pursuant to Section 68130.5 of the Education Code. These funds shall be used to supplement and not supplant existing funds provided by the University of California for summer-term financial aid. The Legislature finds and declares that this provision

is a state law within the meaning of subdivision (d) of Section 1621 of Title 8 of the United States Code.

- 8.5. (a) The funding provided in Provision 8 shall be suspended on December 31, 2021, unless the condition in subdivision (b) applies.
- (b) The suspension shall not take effect if the estimates of General Fund revenues and expenditures for the 2021–22 and 2022–23 fiscal years, as determined pursuant to Section 12.5 of Article IV of the California Constitution, that accompany the May Revision required to be released by May 14, 2021, pursuant to Section 13308 of the Government Code, contain a determination by the Director of Finance that estimated annual General Fund revenues exceed estimated annual General Fund expenditures for the 2021–22 and 2022–23 fiscal years by an amount equal to or greater than the sum total of all General Fund appropriations for all programs subject to suspension.
- (c) It is the intent of the Legislature to consider alternative solutions to restore this program if the suspension takes effect.
9. Of the funds appropriated in this item, \$3,730,000 shall be allocated for a statewide grant program expanding the number of primary care and emergency medicine residency slots.
10. Of the funds appropriated in this item, \$25,000,000 shall be available to support expanded enrollment and operational costs for the University of California Riverside School of Medicine. These funds shall be in addition to the existing \$15,000,000 provided by the University of California for the University of California Riverside School of Medicine.
11. Of the funds appropriated in this item, \$15,000,000 shall be available to support operational costs and expanded services provided by the University of California San Francisco School of Medicine Fresno Branch Campus, in partnership with the University of California, Merced. These funds shall be used to supplement and not supplant existing funds provided by the Uni-

versity of California for the University of California San Francisco School of Medicine Fresno Branch Campus.

13. Of the funds appropriated in this item, \$1,000,000 shall be used for the Institute on Global Conflict and Cooperation.
15. If the funding restoration for this item reflected in Section 8.28 does not occur, it is the intent of the Legislature that the reduction in the University of California's ongoing support not have a disproportionate impact on low-income students, students from underrepresented minority groups, and other disadvantaged students. The University of California shall not implement associated budget adjustments in a manner than disproportionately impacts the enrollment of, and services provided to, those students. If the funding restoration for this item reflected in Section 8.28 does not occur, it is the further intent of the Legislature that by November 1, 2020, the Office of the President of the University of California shall submit to the budget committees and the relevant policy committees of both houses of the Legislature, the Legislative Analyst's Office, and the Department of Finance a report on university budget actions associated with reductions in ongoing General Fund support, including the level of reduction by campus. This report shall include a description of the stakeholder consultation process, an explanation of how those actions were decided, and a statement of reasons describing how the university's decisions minimize harm to the enrollment of and services provided to students eligible for Pell Grants, students from underrepresented minority groups, and other disadvantaged students.
16. The University of California is authorized to redirect at least \$21,618,000 of the funds provided in Provision 6 of Item 6440-001-0001 of the Budget Act of 2019 (Chs. 23 and 55, Stats. 2019) to support undergraduate instruction, undergraduate resident enrollment, student support services, and other core academic operations.

- 17. Notwithstanding any other law, the Director of Finance may augment this item by up to \$5,000,000 to develop a one-time demonstration grant program for animal shelters through the University of California Davis Koret Shelter Medicine Program if philanthropic resources in an amount that is sufficient to implement the one-time demonstration grant program have not been raised by April 1, 2021. If the Director of Finance augments this item pursuant to this provision, the following shall apply:
 - (a) It is the intent of the Legislature that these funds be directly allocated to the University of California Davis Koret Shelter Medicine Program.
 - (b) The funds shall be available for encumbrance or expenditure until June 30, 2025.
- 18. It is the intent of the Legislature that the University of California use its unrestricted reserves to mitigate the impacts of fiscal year-over-fiscal year ongoing General Fund reductions to this item.

SEC. 78. Item 6440-005-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

6440-005-0001—For support of University of California..... 297,028,000

Schedule:

(1) 5440-Support..... 297,028,000

Provisions:

- 1. It is the intent of the Legislature that providing state funding directly to the Office of the President of the University of California will provide more legislative oversight of the office.
- 2. Of the funds appropriated in this item:
 - (a) \$187,906,000 shall be for the Office of the President of the University of California.
 - (b) \$45,744,000 shall be for UCPath.
 - (c) \$63,378,000 shall be for the University of California, Division of Agriculture and Natural Resources. These funds shall be used to supplement and not supplant other existing funds provided to the division by the University of California.

- 3. The funds appropriated in this item may be encumbered only if the President of the University of California certifies, in writing, to the Director of Finance that there will be no campus assessment for support of that office for the 2020–21 fiscal year, except to supplement funds appropriated in subdivision (b) of Provision 2. This supplemental assessment shall not exceed \$46,800,000. If additional funds are required, the University of California may request this supplemental assessment be increased, contingent upon approval by the Director of Finance, who shall notify the Joint Legislative Budget Committee. The President of the University of California shall collaborate with campuses to maximize their use of noncore funds to support any supplemental assessment. The University of California campuses may only use state General Fund moneys to support the portion of the supplemental assessment that supports UCPATH costs associated with state-funded operations.
- 4. By November 1 each year, the University of California shall report key information regarding UCPATH to the Department of Finance and the Joint Legislative Budget Committee. At a minimum, the report shall include UCPATH’s staffing levels, funding by source, and spending by function. The funding source data shall summarize fund sources used by campuses to cover the supplemental assessment. The report shall include actual data for the prior fiscal year, budgeted data for the current fiscal year, and projected data for the coming fiscal year. The report shall include any cost savings resulting from the UCPATH project at the campus level.

SEC. 79. Item 6440-062-0890 is added to Section 2.00 of the Budget Act of 2020, to read:

6440-062-0890—For support of the University of California, payable from the Federal Trust Fund	6,000,000
Schedule:	
(1) 5440-Support.....	6,000,000

Provisions:

- 1. Funding appropriated in this item shall be available to support the mitigation of learning loss in mathematics, science, and English and language arts through existing California Subject Matter Projects.

SEC. 80. Item 6440-492 is added to Section 2.00 of the Budget Act of 2020, to read:

6440-492—Reappropriation, University of California.

Notwithstanding any other law, the period to liquidate encumbrances of the following citations is extended to June 30, 2021.

0007—Breast Cancer Research Account, Breast Cancer Fund

- (1) Item 6440-001-0007, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017)

0046—Public Transportation Account, State Transportation Fund

- (1) Item 6440-001-0046, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017)

0320—Oil Spill Prevention and Administration Fund

- (1) Item 6440-001-0320, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017)

1017—Umbilical Cord Blood Collection Program Fund

- (1) Item 6440-001-1017, Budget Act of 2015 (Chs. 10 and 11, Stats. 2015)

- (2) Item 6440-001-1017, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017)

3054—Health Care Benefits Fund

- (1) Item 6440-001-3054, Budget Act of 2015 (Chs. 10 and 11, Stats. 2015)

- (2) Item 6440-001-3054, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017)

SEC. 81. Item 6600-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

6600-001-0001—For support of Hastings College of the Law.... 14,688,000

Schedule:

(1) 5530-Support..... 14,688,000

Provisions:

- 1. This appropriation is exempt from Section 31.00.

- 3. It is the intent of the Legislature that the Hastings College of the Law use its unrestricted reserves to mitigate the impacts of fiscal year-over-fiscal year ongoing General Fund reductions to this item.

SEC. 82. Item 6610-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

6610-001-0001—For support of California State University.... 3,721,060,000

Schedule:

(1) 5560-Support..... 3,721,060,000

Provisions:

- 1. This appropriation is exempt from Sections 6.00 and 31.00.

- 1.1. Of the funds appropriated in this item, \$3,300,000 is provided to support Project Rebound. As a condition of receiving these funds, the California State University shall annually report to the Department of Finance and the relevant policy and fiscal committees of the Legislature regarding the California State University’s use of these funds, program enrollment, and student outcomes. The report shall include, but not be limited to, the following:
 - (a) An expenditure plan.
 - (b) The amount of other funds, including Graduation Initiative funding and philanthropic grants, each campus is using to support Project Rebound students in 2020–21.
 - (c) A description of educational and support services each Project Rebound campus provides to students and potential students.
 - (d) How Project Rebound programs coordinate with other campus student support services and statewide and local programs available to formerly incarcerated individuals.

- (e) Student enrollment in Project Rebound, disaggregated by race, ethnicity, gender, and age, as well as first-time freshmen, transfer students, undergraduate students, and graduate students.
 - (f) Outcomes associated with the program, including student retention, graduation, and recidivism rates.
 - (g) Any plans to expand Project Rebound to other California State University campuses.
- 1.2. (a) Of the funds appropriated in this item, \$6,500,000 shall be available to support rapid rehousing efforts assisting homeless and housing insecure students.
- (b) Campuses shall establish ongoing partnerships with community organizations that have a tradition of helping populations experiencing homelessness to provide wrap-around services and rental subsidies for homeless and housing insecure students. Funds appropriated in this item may be used for, but are not limited to, the following authorized activities:
- (1) Connecting students with community case managers who have knowledge and expertise in accessing safety net resources.
 - (2) Establishing ongoing emergency housing procedures, including on-campus and off-campus resources.
 - (3) Providing emergency grants that are necessary to secure housing or to prevent the imminent loss of housing.
- (c) Funding shall be allocated to campuses based on demonstrated need.
- (d) “Homeless” and “housing insecure” mean students who lack a fixed, regular, and adequate nighttime residence. This includes students who are:
- (1) Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.
 - (2) Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations.

- (3) Living in emergency or transitional shelters.
 - (4) Abandoned in hospitals.
 - (5) Living in a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
 - (6) Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
- (e) The California State University shall annually submit a report to the Director of Finance and, in conformity with Section 9795 of the Government Code, to the Legislature regarding the use of these funds, including the number of coordinators hired, the number of students served by campus, the distribution of funds by campus, a description of the types of programs funded, and other relevant outcomes, such as the number of students who were able to secure permanent housing, and whether students receiving support remained enrolled at the institution or graduated.
- 1.3. Of the funds appropriated in this item, \$6,000,000 shall be used by the California State University to provide summer-term financial aid to any student who is eligible for state financial aid and who is a California resident, including students who receive an exemption from nonresident tuition pursuant to Section 68130.5 of the Education Code. These funds shall be used to supplement and not supplant existing funds provided by the California State University for summer-term financial aid. The Legislature finds and declares that this provision is a state law within the meaning of subdivision (d) of Section 1621 of Title 8 of the United States Code.
- 1.35. (a) The funding provided in Provision 1.3 shall be suspended on December 31, 2021, unless the condition described in subdivision (b) of this provision occurs.
- (b) The suspension described in subdivision (a) of this provision shall not take effect if the estimates

of General Fund revenues and expenditures for the 2021–22 and 2022–23 fiscal years, as determined pursuant to Section 12.5 of Article IV of the California Constitution, that accompany the May Revision required to be released by May 14, 2021, pursuant to Section 13308 of the Government Code contain a determination by the Director of Finance that estimated annual General Fund revenues exceed estimated General Fund expenditures for the 2021–22 and 2022–23 fiscal years by an amount equal to or greater than the sum total of all General Fund appropriations for all programs subject to suspension.

- (c) It is the intent of the Legislature to consider alternative solutions to restore the program described in Provision 1.3 if the suspension described in subdivision (a) of this provision takes effect.
- 2. (a) The Controller shall transfer funds from this appropriation as follows:
 - (1) For base rental as and when provided for in the schedule submitted by the State Public Works Board. Notwithstanding the payment dates in any related Facility Lease or Indenture, the schedule may provide for an earlier transfer of funds to ensure debt requirements are met and pay base rental in full when due.
 - (2) For additional rental no later than 30 days after enactment of this budget, \$58,000 of the amount appropriated in this item to the Expense Account in the Public Buildings Construction Fund.
 - (3) For debt service anticipated to become due and payable in the fiscal year associated with state general obligation bonds issued for university projects upon receipt of any report from the Department of Finance.
- (b) The Controller shall return funds to this appropriation if directed pursuant to a report from the Department of Finance.

- 2.1. Notwithstanding any other law, the Director of Finance may reduce funds appropriated in this item by an amount equal to the estimated Cal Grant and Middle Class Scholarship program cost increases caused by a 2020–21 academic year increase in systemwide tuition. A reduction shall not be authorized pursuant to this provision sooner than 30 days after the Director of Finance provides notice of the intended reduction to the Chairperson of the Joint Legislative Budget Committee.
3. Payments made by the state to the California State University for each month from July through April shall not exceed one-twelfth of the amount appropriated in this item, less the amount that is expected to be transferred pursuant to Provision 2. Transfers of funds pursuant to Provision 2 shall not be considered payments made by the state to the university.
4. Should the funding restoration for this item reflected in Section 8.28 not occur, it is the intent of the Legislature that the reduction in the California State University's ongoing support not have a disproportionate impact on low-income students, students from underrepresented minority groups, and other disadvantaged students. The California State University shall not implement associated budget adjustments in a manner that disproportionately impacts the enrollment of, and services provided to, such students. If the funding restoration for this item reflected in Section 8.28 does not occur, it is the further intent of the Legislature that by November 1, 2020, the Office of the Chancellor of the California State University shall submit to the budget committees and the relevant policy committees of both houses of the Legislature, the Legislative Analyst's Office, and the Department of Finance a report on university budget actions associated with reductions in ongoing General Fund support, including the level of reduction by campus. This report shall include a description of the stakeholder consultation process, an explanation of how those actions were decided, and a statement of reasons describing how the university's

decisions minimize harm to the enrollment of and services provided to students eligible for Pell Grants, students from underrepresented minority groups, and other disadvantaged students.

- 5. The California State University may redirect at least \$146,000,000 of the funds provided in subdivision (a) of Provision 1.5 of Item 6610-001-0001 of the Budget Act of 2019 (Chs. 23 and 55, Stats. 2019) to support undergraduate instruction, student support services, undergraduate enrollment, and other core academic operations.
- 6. It is the intent of the Legislature that the California State University use its unrestricted reserves to mitigate the impacts of fiscal year-over-fiscal year ongoing General Fund reductions to this item.

SEC. 83. Item 6870-101-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

6870-101-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98)..... 2,669,811,000

Schedule:

(1) 5670015-Apportionments.....	1,243,174,000
(2) 5670019-Apprenticeship.....	43,649,000
(3) 5670023-Apprenticeship Training and Instruction.....	35,694,000
(4) 5675040-Student Equity and Achievement Program.....	475,220,000
(5) 5675019-Student Financial Aid Administration.....	75,618,000
(6) 5675027-Disabled Students.....	124,288,000
(7) 5675031-Student Services for Cal-WORKs Recipients.....	46,941,000
(8) 5675035-Foster Care Education Program.....	5,654,000
(9) 5675045-Legal Services.....	10,000,000
(10) 5675061-Academic Senate for the Community Colleges.....	1,685,000

(11) 5675069-Equal Employment Opportunity.....	2,767,000
(12) 5675073-Part-Time Faculty Health Insurance.....	490,000
(13) 5675077-Part-Time Faculty Compensation.....	24,907,000
(14) 5675081-Part-Time Faculty Office Hours.....	12,172,000
(15) 5670035-Expand the Delivery of Courses through Technology.....	23,000,000
(16) 5675119-Economic Development.....	270,929,000
(17) 5675123-Transfer Education and Articulation.....	779,000
(18) 5675023-Extended Opportunity Programs and Services.....	132,691,000
(19) 5675115-Fund for Student Success.....	53,740,000
(20) 5675150-Campus Childcare Tax Bailout.....	3,645,000
(21) 5675156-Nursing Program Support.....	13,378,000
(24) 5675109-Institutional Effectiveness	27,500,000
(25) 5675098-Integrated Technology	41,890,000

Provisions:

1. The funds appropriated in this item are for transfer by the Controller during the 2020–21 fiscal year to Section B of the State School Fund.

- 1.5 (a) The funds appropriated in Schedule (1) reflect a deferral of \$662,119,000 to the 2021–22 fiscal year.
- (b) The funds appropriated in Schedule (1) also reflect a deferral of \$791,124,000 to the 2021–22 fiscal year. Pursuant to Section 8.28, if federal legislation is enacted to provide additional funding to the state for the 2020–21 fiscal year, the Director of Finance shall determine whether the federal legislation will make available additional federal funds to offset the deferral described in this subdivision.
- (c) (1) To implement the monthly deferral schedule for community college districts pursuant to

- subdivision (a) of Section 84321.62 of the Education Code, the Chancellor's Office may transfer appropriations from schedules within this item that provide categorical program funding and that are being deferred to Schedule (1) of this item.
- (2) If exercising the authority described in paragraph (1), the Chancellor's Office shall first defer appropriations from apportionments in Schedule (1) before transferring appropriations from schedules within this item that provide categorical program funding.
 - (d) The transfers authorized by this provision shall be implemented through notification to appropriate staff at the State Controller's Office and Department of Finance.
2. (a) The funds appropriated in Schedule (1) shall be allocated using the budget formula established pursuant to Section 84750.4 of the Education Code. The budget formula shall be adjusted to reflect the following:
- (1) Of the funds appropriated in Schedule (1), \$0 shall be used to increase statewide growth of full-time equivalent students (FTES).
 - (2) Of the funds appropriated in Schedule (1), \$0 shall be used to reflect a cost-of-living adjustment of 0 percent.
 - (3) Notwithstanding paragraph (1), the Chancellor's Office may allocate unused growth funding to backfill any unanticipated shortfalls in the total amount of funding appropriated and support the budget formula established pursuant to Section 84750.4 of the Education Code.
- (b) Funds allocated to a community college district from funds included in Schedule (1) shall directly offset any mandated costs claimed for the Minimum Conditions for State Aid (02-TC-25 and 02-TC-31) program or any costs of complying with Section 84754.5 of the Education Code.

- (c) Of the funds appropriated in Schedule (1):
 - (1) \$100,000 is for a maintenance allowance, pursuant to Section 54200 of Title 5 of the California Code of Regulations.
 - (2) Up to \$500,000 is to reimburse colleges for the costs of federal aid repayments related to assessed fees for fee waiver recipients. This reimbursement only applies to students who completely withdraw from college before the census date pursuant to Section 58508 of Title 5 of the California Code of Regulations.
 - (d) Of the funds appropriated in Schedule (1), \$81,372,000 shall be allocated to support the California College Promise pursuant to Article 3 (commencing with Section 76396) of Chapter 2 of Part 47 of Division 2 of Title 3 of the Education Code.
 - (e) Of the funds appropriated in Schedule (1), \$50,000,000 shall be used to hire new full-time faculty for community college districts to increase their percentage of full-time faculty, toward meeting the 75 percent full-time faculty target. The Chancellor's Office of the California Community Colleges shall consult with representatives from the Department of Finance, the Legislature, and the Legislative Analyst's Office before distributing these funds to community college districts.
3. (a) The funds appropriated in Schedule (2) shall be available pursuant to Article 3 (commencing with Section 79140) of Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code.
- (b) Pursuant to Section 79149.3 of the Education Code, the reimbursement rate shall be \$6.44 per hour.
 - (c) Of the funds appropriated in Schedule (2), \$15,000,000 shall be used for the California Apprenticeship Initiative pursuant to Section 79148.1 of the Education Code. Funds appropriated pur-

- suant to this subdivision shall be available for encumbrance or expenditure until June 30, 2026.
4. (a) The funds appropriated in Schedule (3) shall be available pursuant to Article 8 (commencing with Section 8150) of Chapter 1 of Part 6 of Division 1 of Title 1 of the Education Code.
 - (b) Pursuant to Section 8152 of the Education Code, the reimbursement rate shall be \$6.44 per hour.
 5. The funds appropriated in Schedule (4) shall be apportioned to community college districts pursuant to Section 78222 of the Education Code.
 6. (a) Of the funds appropriated in Schedule (5):
 - (1) Not less than \$14,977,000 is available to provide \$0.91 per unit reimbursement to community college districts for the provision of California College Promise Grants pursuant to paragraph (2) of subdivision (m) of Section 76300 of the Education Code.
 - (2) Not less than \$15,141,000 is available for the Board Financial Assistance Program to provide reimbursement of 2 percent of total waiver value to community college districts for the provision of California College Promise Grants pursuant to paragraph (2) of subdivision (m) of Section 76300 of the Education Code.
 - (3) Not more than \$35,200,000 shall be for direct contact with potential and current financial aid applicants. Each California Community College campus shall receive a minimum allocation of \$50,000. The remainder of the funding shall be allocated to campuses based upon a formula reflecting FTES weighted by a measure of low-income populations demonstrated by the California College Promise Grant program participation within a district.
 - (4) Funds allocated to a community college district pursuant to paragraphs (1) and (2) shall supplement, not supplant, the level of funds

- allocated for the administration of student financial aid programs during the 2001–02 or 2006–07 fiscal year, whichever is greater.
- (5) Funding allocated to a community college district pursuant to paragraphs (1) and (2) shall directly offset any costs claimed by that district for any of the following mandates: Enrollment Fee Collection (99-TC-13), Enrollment Fee Waivers (00-TC-15), Cal Grants (02-TC-28), and Tuition Fee Waivers (02-TC-21).
 - (6) Notwithstanding subdivision (m) of Section 76300 of the Education Code or any other provision of law, the amount of funds appropriated for the purpose of administering fee waivers for the 2020–21 fiscal year shall be determined in this act.
 - (7) Not more than \$5,000,000 shall be for ongoing maintenance, subscription, and training costs for financial aid technology advancements and innovations that streamline the financial aid verification process and enable colleges to more efficiently process state and federal financial aid grants. It is the intent of the Legislature that system improvements supported by this funding have the effect of reducing the manual processing of financial aid applications, thereby enabling financial aid program staff to provide additional technical assistance and guidance to students seeking financial aid. The Chancellor’s Office shall determine the methodology for allocating these funds to community college districts.
 - (8) (A) \$5,300,000 shall be allocated to a community college district to conduct a statewide media campaign to promote the following message: (i) the California Community Colleges are affordable, (ii) financial aid is available to cover fees

and help with books and other costs, and (iii) an interested student should contact the student's local community college financial aid office. The campaign should target efforts to reach low-income and disadvantaged students who must overcome barriers in accessing postsecondary education. The community college district awarded the contract shall consult regularly with the Chancellor of the California Community Colleges and the Student Aid Commission.

- (B) Of the amount identified in subparagraph (A), \$2,500,000 shall be allocated to expand: (i) outreach for students from non-English speaking households and bilingual households, (ii) marketing and outreach aimed at baccalaureate degree pilot programs, and (iii) marketing and outreach aimed at increasing current and future student awareness of the California College Promise Grant. Bilingual efforts shall target areas of the state that meet at least one of the following conditions: (i) have concentrations of non-English speaking and bilingual households, or (ii) have underserved populations, a history of declining community college attendance, or both.
7. (a) The funds appropriated in Schedule (6) shall be used to assist districts in funding the excess direct instructional cost of providing special support services or instruction, or both, to disabled students enrolled at community colleges and for state hospital programs, as mandated by federal law.
- (b) Of the amount appropriated in Schedule (6):
 - (1) At least \$3,945,000 shall be used to address deficiencies identified by the United States Department of Education Office for Civil Rights.

- (2) At least \$943,000 shall be used to support the High Tech Centers for activities including, but not limited to, training of district employees, staff, and students in the use of specialized computer equipment for the disabled.
 - (3) At least \$9,600,000 shall be allocated to community college districts for sign language interpreter services, real-time captioning equipment, or other communication accommodations for hearing-impaired students. A community college district is required to spend \$1 from local or other resources for every \$4 received pursuant to this paragraph.
 - (4) \$642,000 shall be allocated for state hospital adult education programs at the hospitals served by the Coast and Kern Community College Districts.
8.
 - (a) The funds appropriated in Schedule (7) shall be allocated pursuant to Article 5 (commencing with Section 79200) of Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code.
 - (b) Of the amount appropriated in Schedule (7):
 - (1) \$9,488,000 is for childcare, except that a community college district may request that the chancellor approve the use of funds for other purposes.
 - (2) No less than \$5,060,000 shall be used to provide direct workstudy wage reimbursement for students served under this program, and \$633,000 is available for campus job development and placement services.
9. The funds appropriated in Schedule (8) shall be allocated to community college districts to provide foster and relative or kinship care education and training pursuant to Article 8 (commencing with Section 79420) of Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code. A community college district shall ensure that education and training required pursuant to paragraphs (12) and (13) of subdivision (g)

- of Section 16519.5 of the Welfare and Institutions Code receive priority.
10. The funds appropriated in Schedule (9) shall be allocated to a community college district to contract with the State Department of Social Services in order to contract with organizations qualified pursuant to Chapter 5.6 (commencing with Section 13300) of Part 3 of Division 9 of the Welfare and Institutions Code to provide services pursuant to that chapter to persons on California community college campuses. Use of these funds shall be included in updates provided to the Legislature on the State Department of Social Services' immigration programs.
 11. Of the amount appropriated in Schedule (10), \$685,000 is available to support the Academic Senate of the California Community Colleges course identification numbering system efforts and shall be subject to the requirements of subparagraph (B) of paragraph (5) of subdivision (b) of Section 70901 of the Education Code.
 12. The funds in Schedule (13) shall be allocated to increase compensation for part-time faculty. Funds shall be allocated to districts based on the total actual number of FTES in the previous fiscal year, with an adjustment to the allocations provided to small districts. These funds shall be used to assist districts in making part-time faculty salaries more comparable to full-time salaries for similar work, as determined through collective bargaining in each community college district. If a community college district achieves parity between compensation for full-time faculty and part-time faculty, funds received pursuant to this provision may be used for any other educational purpose.
 14. Of the funds appropriated in Schedule (15):
 - (a) By September 1 of each fiscal year, up to \$3,000,000 shall be disbursed by the Office of the Chancellor of the California Community Colleges to one or more community college districts to provide textbooks or digital course content to inmates under the jurisdiction of the Department of

Corrections and Rehabilitation who are enrolled in one or more California Community College courses. The provision of this material is expected to enable community college districts to provide instruction to incarcerated adults.

- (1) To the extent possible, community college districts providing textbooks or digital course content pursuant to this subdivision are encouraged to first use open educational resources.
 - (2) Notwithstanding any other law, a contract between the Office of the Chancellor of the California Community Colleges and a community college district for purposes of this subdivision is not subject to any competitive bidding requirements of Section 10340 of the Public Contract Code.
- (c) \$20,000,000 shall be allocated to the Chancellor of the California Community Colleges to increase the number of courses available through the use of technology, provide alternative methods for students to earn college credit, and support the California Virtual Campus Distance Education Program. These funds may be used to pay for a consistent learning management system to help implement this program. The chancellor shall ensure, to the extent possible, that the following conditions are satisfied:
- (1) These courses can be articulated across all community college districts.
 - (2) These courses are made available to students systemwide, regardless of the campus at which a student is enrolled.
 - (3) Students who complete these courses are granted degree-applicable credit across community colleges.
 - (4) These funds shall be used for those courses that have the highest demand, fill quickly, and are prerequisites for many different degrees.

15. Of the funds appropriated in Schedule (16):
 - (a) \$22,929,000 is available for the following purposes:
 - (1) Funds shall be allocated for programs that target investments in priority and emergent sectors, including statewide and/or regional centers, hubs, collaborative communities, advisory bodies, and short-term grants. Short-term grants may include industry-driven regional education and training, Responsive Incumbent Worker Training, and Job Development Incentive Training. Funds allocated pursuant to this provision may be used to provide substantially similar services in support of the Strong Workforce Program.
 - (2) Funds applied to performance-based training shall be matched by a minimum of \$1 contributed by private businesses or industry for each \$1 of state funds. The chancellor shall consider the level of involvement and financial commitments of business and industry in making awards for performance-based training.
 - (3) Up to 10 percent may be allocated for state-level technical assistance, including statewide network leadership, organizational development, coordination, and information and support services.
 - (b) \$248,000,000 shall be available to support the Strong Workforce Program pursuant to Part 54.5 (commencing with Section 88820) of Division 7 of Title 3 of the Education Code.
16. (a) \$81,000 of the funds appropriated in Schedule (17) shall be used to support the Historically Black Colleges and Universities (HBCU) Transfer Pathway program, which helps develop transfer guarantee agreements that help facilitate a smooth transition for students from the California Community Colleges to partnered HBCU institutions.

- (b) (1) \$698,000 of the funds appropriated in Schedule (17) shall be used to support transfer and articulation projects and common course numbering projects.
 - (2) Funding provided to community college districts shall directly offset any costs claimed by community college districts to be mandates pursuant to Chapter 737 of the Statutes of 2004.
17. (a) Of the funds appropriated in Schedule (18):
- (1) \$115,867,000 shall be used pursuant to Article 8 (commencing with Section 69640) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code. Funds provided in this item for Extended Opportunity Programs and Services shall be available to students on all campuses within the California Community Colleges system.
 - (2) \$16,824,000 shall be used for funding, at all colleges, the Cooperative Agencies Resources for Education program in accordance with Article 4 (commencing with Section 79150) of Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code. The chancellor shall allocate these funds to local programs on the basis of need for student services.
- (b) Of the amount allocated pursuant to subdivision (a), no less than \$4,972,000 shall be available to support additional textbook assistance grants to community college students.
18. The funds appropriated in Schedule (19) shall be used for the following purposes:
- (a) \$1,984,000 shall be used for the Puente Project to support up to 75 colleges. These funds are available if matched by \$200,000 of private funds and if the participating community colleges and University of California campuses maintain their 1995–96 fiscal year support level for the Puente Project. All funding shall be allocated directly to

- participating districts in accordance with their participation agreement.
- (b) Up to \$2,539,000 is for the Mathematics, Engineering, Science Achievement (MESA) program. A community college district is required to spend \$1 from local or other resources for every \$1 received pursuant to this subdivision.
 - (c) No less than \$1,836,000 is for the Middle College High School Program. With the exception of special part-time students at the community colleges pursuant to Sections 48802 and 76001 of the Education Code, student workload based on participation in the Middle College High School Program shall not be eligible for community college state apportionment.
 - (d) No less than \$2,581,000 is for the Umoja program.
 - (e) Consistent with the intent of Chapter 771 of the Statutes of 2014 and Chapter 772 of the Statutes of 2017, the chancellor shall enter into agreements with 20 community college districts to provide additional services in support of postsecondary education for foster youth. Up to \$20,000,000 of the funds appropriated in this item shall be prioritized for services pursuant to Chapter 771 of the Statutes of 2014 and Chapter 772 of the Statutes of 2017. Further, the chancellor shall ensure that the list of eligible expenditures developed pursuant to subdivision (d) of Section 78221 of the Education Code includes expenditures that are consistent with the intent of Chapter 771 of the Statutes of 2014 and Chapter 772 of the Statutes of 2017.
 - (f) \$10,000,000 of the funds shall be for support of Veteran Resource Centers. To the extent funding is provided in the annual Budget Act, the chancellor shall only allocate funding to community colleges that commit to either meeting or making progress towards meeting the minimum standards developed by the Office of the Chancellor of the California Community Colleges.

- (g) (1) Colleges shall establish ongoing partnerships with community organizations that have a tradition of helping populations experiencing homelessness to provide wraparound services and rental subsidies for homeless and housing insecure students. \$9,000,000 of the funds appropriated in Schedule (19) may be used for, but are not limited to, the following authorized activities:
 - (A) Connecting students with community case managers who have knowledge and expertise in accessing safety net resources.
 - (B) Establishing ongoing emergency housing procedures, including on-campus and off-campus resources.
 - (C) Providing emergency grants that are necessary to secure housing or to prevent the imminent loss of housing.
- (2) Funding shall be allocated to campuses based on demonstrated need.
- (3) “Homeless” and “housing insecure” mean students who lack a fixed, regular, and adequate nighttime residence. This includes students who are:
 - (A) Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.
 - (B) Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations.
 - (C) Living in emergency or transitional shelters.
 - (D) Abandoned in hospitals.
 - (E) Living in a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.

- (F) Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
- (4) By July 15 of each year, the Office of the Chancellor of the California Community Colleges shall submit a report to the Director of Finance and, in conformity with Section 9795 of the Government Code, to the Legislature regarding the prior year use of these funds, including the number of coordinators hired, the number of students served by campus, the distribution of funds by campus, a description of the types of programs funded, and other relevant outcomes, such as the number of students who were able to secure permanent housing, and whether students receiving support remained enrolled at the institution or graduated.
 - (i) \$5,800,000 shall be allocated by the Chancellor's Office to community colleges to support Dreamer Resource Liaisons and student support services, including those related to career pathways and economic mobility, for immigrant students, pursuant to Section 66021.8 of the Education Code.
- 19. The funds appropriated in Schedule (20) shall be allocated by the chancellor to community college districts that levied childcare permissive override taxes in the 1977–78 fiscal year pursuant to Sections 8329 and 8330 of the Education Code in an amount proportional to the property tax revenues, tax relief subventions, and state aid required to be made available by the district to its childcare and development program for the 1979–80 fiscal year pursuant to Section 30 of Chapter 1035 of the Statutes of 1979, increased or decreased by any cost-of-living adjustment granted in subsequent fiscal years. These funds shall be used only for the purpose of community college childcare and development programs.
- 20. Of the funds appropriated in Schedule (21):

- (a) \$8,475,000 shall be used to provide support for nursing programs.
 - (b) \$4,903,000 shall be used for diagnostic and support services, preentry coursework, alternative program delivery model development, and other services to reduce the incidence of student attrition in nursing programs.
21. The Office of the Chancellor of the California Community Colleges shall annually report by December 1 of each year through 2021, on the racial or ethnic and gender composition of faculty, and efforts to assist campuses in providing equal employment opportunity in faculty recruitment and hiring practices as well as systemwide training, monitoring, and compliance activities.
24. (a) Of the amount appropriated in Schedule (24):
- (1) (A) \$7,500,000 may be used by the Chancellor of the California Community Colleges to provide technical assistance to community college districts that demonstrate low performance in any area of operations. It is the intent of the Legislature that technical assistance providers be contracted in a cost-effective manner, that they primarily consist of experts who are current and former employees of the California Community Colleges, and that they provide technical assistance consistent with the vision for the California Community Colleges.
 - (B) Technical assistance funded pursuant to this paragraph that is initiated by the chancellor may be provided at no cost to the community college district. If a community college district requests technical assistance, the district is required to spend at least \$1 from local or other resources for every \$2 received, as determined by the chancellor.

- (2) (A) \$20,000,000 may be used by the chancellor to provide regional and online workshops and trainings to community college personnel to promote statewide priorities, including, but not limited to, strategies to improve student achievement; strategies to improve community college operations; and system leadership training to better coordinate planning and implementation of statewide initiatives in alignment with the Board of Governors of the California Community Colleges' Vision for Success. To the extent possible, the chancellor shall partner with existing statewide initiatives with proven results of improving student success and institutional effectiveness. Each fiscal year, the chancellor shall submit a report on the use of funds appropriated pursuant to this provision in the prior year to the Department of Finance and the Joint Legislative Budget Committee no later than December 31 of each year. This report shall include information regarding California Community Colleges' participation in the activities funded pursuant to this provision.
- (B) Funding available pursuant to this paragraph may be used by the chancellor to coordinate with community college districts to conduct policy research, and develop and disseminate effective practices through the establishment of an online clearinghouse of information. The development of effective practices shall include, but not be limited to, statewide priorities such as the development of educational programs or courses for the incarcerated adults in prisons and jails, and the formerly incarcerated, education-

al programs or courses for California Conservation Corps members, and other effective practices. The online clearinghouse of information shall also reflect effective practices, guidance, policies, curriculum, courses, and programs developed by local community colleges in support of the Strong Workforce Program established pursuant to Part 54.5 (commencing with Section 88820) of Division 7 of Title 3 of the Education Code.

(C) It is the intent of the Legislature to encourage the chancellor to facilitate the development of local community college courses for the California Conservation Corps and the incarcerated adults in prisons and jails, and the formerly incarcerated. The Department of Corrections and Rehabilitation and the California Conservation Corps are encouraged to partner with the chancellor's office in the development and dissemination of local community college courses and effective practices pursuant to this subparagraph and subparagraph (B).

25. (a) The funds appropriated in Schedule (25) shall be allocated by the Chancellor of the California Community Colleges for the following purposes:
- (1) Procurement, development, evaluation, and upgrading of high priority systemwide technology tools and infrastructure including, but not limited to, e-transcript, e-planning, and other tools to assist colleges to implement multiple measures of assessment pursuant to Chapter 745 of the Statutes of 2017, and technologies that facilitate portability of education credentials.

- (2) Provision of access to statewide multimedia hosting and delivery services for colleges and districts.
 - (3) Provision of systemwide internet, audio bridging, data security, and telephony.
 - (4) Services related to technology use, including accessibility guidance and information security.
 - (5) Technology product development and program management, technical assistance and planning, and cooperative purchase agreements.
 - (6) Ongoing faculty and staff development related to technology use and adoption.
 - (7) Ongoing support of the California Partnership for Achieving Student Success (Cal-PASS) program.
 - (8) Ongoing support for programs designed to use technology in assisting accreditation and the alignment of curricula across K–20 segments in California, as well as to support integration and interoperability toward an improved student experience.
 - (9) Support for technology pilots and ongoing technology programs and applications that serve to maximize the utility and economy of scale of the technology investments of the community college system toward improving learning outcomes.
 - (10) Up to 5 percent of the funds may be allocated by the chancellor to a community college district for statewide activities, not limited to statewide technical assistance to evaluate, plan, and continuously improve the system's data and technology roadmap and deployment.
- (b) Any funds not allocated pursuant to subdivision (a) shall be available for allocations to districts to maintain technology capabilities.

SEC. 84. Item 6870-105-0001 is added to Section 2.00 of the Budget Act of 2020, to read:

6870-105-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98) 15,000,000
 Schedule:
 (1) 5675100-California Statewide Community College..... 15,000,000
 Provisions:
 1. The funds appropriated in Schedule (1) shall be available pursuant to Part 46.5 (commencing with Section 75000) of Division 7 of Title 3 of the Education Code.

SEC. 85. Item 6870-162-8505 is added to Section 2.00 of the Budget Act of 2020, to read:

6870-162-8505—For local assistance, Board of Governors of the California Community Colleges, payable from the Coronavirus Relief Fund..... 53,975,000
 Schedule:
 (1) 5670015-Apportionments..... 53,975,000
 Provisions:
 1. The funds appropriated in this item shall be available on a one-time basis to allocate to community college districts for use on activities that directly support student learning and mitigate learning loss related to COVID-19.
 2. (a) The Chancellor’s Office of the California Community Colleges shall allocate funds to community college districts on the basis of actual reported full-time equivalent students.
 (b) It is the intent of the Legislature that community college districts use these funds to prioritize services for underrepresented students.
 3. The funds appropriated in this item may be expended for any of the following purposes:
 (a) Reengagement strategies for students who received an incomplete or failing grade in the Spring 2020 term due to COVID-19.

- (b) Grants to faculty to develop online, accelerated learning modules that allow students who received an incomplete or failing grade in the Spring 2020 term due to COVID-19 to continue to make progress towards their degree rather than retaking courses in the Fall 2020 term.
 - (c) Professional development opportunities for faculty and student services professionals needed to continue educational instruction due to COVID-19, including supporting students impacted by learning loss related to COVID-19 and preparing and supporting faculty to develop online instructional capabilities in response to COVID-19.
 - (d) Investments to close the digital divide, including investments in information technology infrastructure, facilitating student access to technology to be able to access online coursework, and technology, software, or other electronic instruments and materials for faculty to support courses that are difficult to teach online.
 - (e) Supports to address other barriers to learning as a result of disruption caused by COVID-19, such as access to basic needs and mental health services needed to support students impacted by COVID-19.
 - (f) Cleaning supplies and personal protective equipment.
4. As a condition of receipt of the funds pursuant to this section, each community college district shall maintain a file of all receipts and records of expenditures made pursuant to this section for a period of no less than three years, or, where an audit has been requested, until the audit is resolved, whichever is longer. Receipts and records that are required to be retained by each community college district shall be made available to the Chancellor of the California Community Colleges, upon request.
 5. Unless otherwise specified by federal law, funds allocated to community colleges pursuant to this item shall be expended on or before December 30, 2020.

6. The Chancellor's Office shall submit a report on the use of funds by March 1, 2021, to the Legislature and the Department of Finance that includes the amount of funds provided for each college, a description of how funds were used for each of the purposes reflected in Provision 3, a statement of reasons describing how the funds prioritized services for underrepresented students, and an explanation of the effectiveness of services or supports provided by these funds.

SEC. 86. Item 6870-488 of Section 2.00 of the Budget Act of 2020 is amended to read:

6870-488—Reappropriation, Board of Governors of the California Community Colleges. Notwithstanding any other law, the balances of the following items are available for reappropriation for the purposes specified in Provisions 1 to 2, inclusive:

0001—General Fund

- (1) \$500,000 of whatever greater or lesser amount of the unexpended balance of the amount appropriated for the K-12 Strong Workforce Program in Item 6870-203-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018).
- (2) \$398,000 of whatever greater or lesser amount of the unexpended balance of the amount appropriated for the Community College Mandated Programs Block Grant in Item 6870-296-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018).
- (3) \$378,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for the Fund for Student Success in Schedule (19) of Item 6870-101-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018), as amended by Chapter 53 of the Statutes of 2019.
- (4) \$209,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for Economic Development in Schedule (16) of Item 6870-101-0001, Budget Act of 2018 (Chs. 29 and 30,

- Stats. 2018), as amended by Chapter 53 of the Statutes of 2019.
- (5) \$22,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for the community college lease-purchase payments in Item 6870-103-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018).
 - (6) \$13,000 of whatever greater or lesser amount of the unexpended balance of the amount appropriated for reimbursement of state mandates in Item 6870-295-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018), as amended by Chapter 449 of the Statutes of 2018.
 - (7) \$1,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for the Student Success and Support Program in Schedule (9) of Item 6870-101-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018), as amended by Chapter 53 of the Statutes of 2019.
 - (8) \$7,303,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for apportionments in Schedule (1) of Item 6870-101-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018), as amended by Chapter 53 of the Statutes of 2019.
 - (9) \$4,349,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for the reimbursement rate for related and supplemental instruction for apprenticeships in Schedule (2) of Item 6870-101-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018), as amended by Chapter 53 of the Statutes of 2019.
 - (10) \$1,925,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for the Basic Skills Partnership Pilot Program in Section 19 of Chapter 22 of the Statutes of 2015.
 - (11) \$36,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for the Baccalaureate Degree Pilot Program in Section 39 of Chapter 22 of the Statutes of 2015.

- (12) \$5,559,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for Career Technical Education Pathways in Section 36 of Chapter 22 of the Statutes of 2015.
- (13) \$8,852,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for the Student Success and Support Program in Schedule (9) of Item 6870-101-0001, Budget Act of 2015 (Chs. 10 and 11, Stats. 2015), as amended by Chapter 24 of the Statutes of 2016.
- (14) \$786,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated to expand the delivery of courses through technology in Schedule (22) of Item 6870-101-0001, Budget Act of 2016 (Ch. 23, Stats. 2016), as amended by Chapter 53 of the Statutes of 2017.
- (15) \$2,337,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for apportionments in Schedule (1) of Item 6870-101-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017), as amended by Chapter 33 of the Statutes of 2018.
- (16) \$216,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for the Student Success for Basic Skills Students program in Schedule (4) of Item 6870-101-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017), as amended by Chapter 33 of the Statutes of 2018.
- (17) \$84,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for the student financial aid administration in Schedule (5) of Item 6870-101-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017), as amended by Chapter 33 of the Statutes of 2018.
- (18) \$258,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for the Disabled Students program in Schedule (6) of Item 6870-101-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017), as amended by Chapter 33 of the Statutes of 2018.

- (19) \$257,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for student services for CalWORKs recipients in Schedule (7) of Item 6870-101-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017), as amended by Chapter 33 of the Statutes of 2018.
- (20) \$87,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for the Foster Care Education Program in Schedule (8) of Item 6870-101-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017), as amended by Chapter 33 of the Statutes of 2018.
- (21) \$3,494,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for the Student Success and Support Program in Schedule (9) of Item 6870-101-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017), as amended by Chapter 33 of the Statutes of 2018.
- (22) \$15,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for Telecommunications and Technology Infrastructure in Schedule (15) of Item 6870-101-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017), as amended by Chapter 33 of the Statutes of 2018.
- (23) \$6,945,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for Economic Development in Schedule (16) of Item 6870-681-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017), as amended by Chapter 33 of the Statutes of 2018.
- (24) \$894,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for Extended Opportunity Programs and Services in Schedule (18) of Item 6870-101-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017), as amended by Chapter 33 of the Statutes of 2018.
- (25) \$690,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for the Fund for Student Success in Schedule (19) of Item 6870-101-0001, Budget Act of 2017 (Chs. 14, 22, and

- 54, Stats. 2017), as amended by Chapter 33 of the Statutes of 2018.
- (26) \$501,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for Nursing Program Support in Schedule (21) of Item 6870-101-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017), as amended by Chapter 33 of the Statutes of 2018.
- (27) \$2,395,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated to Expand the Delivery of Courses through Technology in Schedule (22) of Item 6870-101-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017), as amended by Chapter 33 of the Statutes of 2018.
- (28) \$36,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for the Full-Time Student Success Grant in Item 6870-102-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017).
- (29) \$616,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for the Community College Completion Grant in Item 6870-104-0001, Budget Act of 2017 (Chs. 14, 22, and 54, Stats. 2017).
- (30) \$20,000,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for Calbright College in Schedule (1) of Item 6870-105-0001, Budget Act of 2018 (Chs. 29 and 30, Stats. 2018).
- (31) \$20,000,000 of whatever greater or lesser amount of the unexpended balance of the amounts appropriated for Calbright College in Schedule (1) of Item 6870-105-0001, Budget Act of 2019 (Chs. 23 and 55, Stats. 2019).

Provisions:

1. The sum of \$49,156,000 is hereby reappropriated to the Board of Governors of the California Community Colleges for transfer by the Controller to Section B of the State School Fund for expenditure for the same purposes as funds appropriated in Schedule (1) of Item

6870-101-0001 of the Budget Act of 2019 (Chs. 23 and 55, Stats. 2019).

- 2. The sum of \$40,000,000 is hereby reappropriated to the Board of Governors of the California Community Colleges for transfer by the Controller to Section B of the State School Fund for expenditure for the same purposes as funds appropriated in Schedule (1) of Item 6870-101-0001 of this act.

SEC. 87. Item 6980-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

6980-001-0001—For support of Student Aid Commission..... 22,488,000

Schedule:

(1) 5755-Financial Aid Grants Program..... 23,121,000

(4) Reimbursements to 5755-Financial Aid Grants Program..... -633,000

Provisions:

1. Of the funds appropriated in this item, \$250,000 shall be available on a one-time basis to support the convening of a student loan working group.

(a) Of the funds allocated pursuant to this provision, \$250,000 shall be available for the California Student Aid Commission, in consultation with the Department of Finance, to establish and support the California Student Loan and Debt Service Review Workgroup.

- (b) The workgroup shall research implementable strategies and concepts that are focused on better ensuring that prospective, current, and former student loan borrowers are able to access the most financially beneficial loan programs, most affordable repayment plans, and any available debt service forgiveness programs.
- (c) The Executive Director of the California Student Aid Commission shall designate a representative to lead the workgroup's efforts. The workgroup shall consist of the workgroup's designated lead, three members of the public, and one member from each of the following: the California Student Aid Commission, the Department of Finance, and the Scholarshare Investment Board (through the Treasurer's Office). The three members of the public shall have expertise in private, state, and public loan programs and shall be determined by the California Student Aid Commission.
- (d) The workgroup shall submit a report describing its findings to the Department of Finance and the Legislature no later than September 1, 2021. The report submitted to the Legislature pursuant to this subdivision shall be submitted in compliance with Section 9795 of the Government Code.

SEC. 88. Item 6980-490 is added to Section 2.00 of the Budget Act of 2020, to read:

6980-490—Reappropriation, Student Aid Commission. The amount specified in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2021.

0001—General Fund

- (1) \$7,500,000 in Item 6980-101-0001, Budget Act of 2019 (Chs. 23 and 55, Stats. 2019), for purposes of Article 5.5 (commencing with Section 69438) of Chapter 1.7 of Part 42 of Division 5 of Title 3 of the Education Code

SEC. 89. Item 6980-495 is added to Section 2.00 of the Budget Act of 2020, to read:

6980-495—Reversion, Student Aid Commission. As of June 30, 2020, the balances specified below of the appropriations provided in the following citations shall revert to the balances in the funds from which the appropriations were made.

0001—General Fund

- (1) Item 6980-101-0001, Budget Act of 2019 (Chs. 23 and 55, Stats. 2019). \$88,404,000 appropriated to the Golden State Teacher Grant Program
- (2) Item 6980-103-0001, Budget Act of 2019 (Chs. 23 and 55, Stats. 2019). \$15,000,000 appropriated to the Child Savings Account Grant Program

SEC. 90. Item 7502-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

7502-001-0001—For support of Department of Technology..... 7,100,000

Schedule:

- (1) 6230-Department of Technology..... 7,100,000

Provisions:

- 1. Of the amount appropriated in Schedule (1), up to \$1,268,000 shall be used for the California Cybersecurity Integration Center.
- 2. Information sharing by the California Cybersecurity Integration Center shall be conducted in a manner that protects the privacy and civil liberties of individuals, safeguards sensitive information, preserves business confidentiality, and enables public officials to detect, investigate, respond to, and prevent cyberattacks that threaten public health and safety, economic stability, and national security.

SEC. 91. Item 7730-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

7730-001-0001—For support of Franchise Tax Board..... 851,086,000

Schedule:

(1) 6280-Tax Programs.....	848,009,000
(2) 6285-Political Reform Audit (2,112,000).....	0
(3) 6300-Legal Services Program.....	3,077,000
(4) 6305-Contract Work.....	12,997,000
(5) 9900100-Administration.....	36,090,000
(6) 9900200-Administration—Distribut- ed.....	-36,090,000
(7) Reimbursements to 6305-Contract Work.....	-12,997,000

Provisions:

1. It is the intent of the Legislature that all funds appropriated to the Franchise Tax Board for processing tax returns, auditing, and collecting owed tax amounts shall be used in a manner consistent with both the board’s authorized budget and the documents that were presented to the Legislature for its review in support of that budget. The Franchise Tax Board shall not reduce expenditures or redirect funding or personnel resources away from direct auditing or collection activities without prior approval of the Director of Finance. The director shall not approve any such reduction or redirection sooner than 30 days after providing notification to the Joint Legislative Budget Committee. Such a position shall not be transferred from the organizational unit to which it was assigned in the 2020–21 Governor’s Budget and the Salaries and Wages Supplement as revised by legislative actions without the approval of the Director of Finance. The board shall expeditiously fill budgeted positions consistent with the funding provided in this act.
2. It is the intent of the Legislature that the Franchise Tax Board resolve tax controversies, without litigation, on a basis that is fair to both the state and the taxpayer and in a manner that will enhance voluntary compliance and public confidence in the integrity and efficiency of the board.
3. During the 2020–21 fiscal year, the collection cost recovery fee for purposes of subparagraph (A) of

paragraph (1) of subdivision (a) of Section 19254 of the Revenue and Taxation Code shall be \$316, and the filing enforcement cost recovery fee for purposes of subparagraph (A) of paragraph (2) of that subdivision shall be \$97.

4. During the 2020–21 fiscal year, the collection cost recovery fee for purposes of subparagraph (B) of paragraph (1) of subdivision (a) of Section 19254 of the Revenue and Taxation Code shall be \$322, and the filing enforcement cost recovery fee for purposes of subparagraph (B) of paragraph (2) of that subdivision shall be \$83.
5. Of the amount appropriated in Schedule (1) of this item, \$16,321,000 is for implementation of the Earned Income Tax Credit, which, pursuant to Section 17052 of the Revenue and Taxation Code, shall have an adjustment factor at a rate of 85 percent for the 2020 tax year. Implementation of the Earned Income Tax Credit includes processing returns, auditing, and necessary system changes to support this program. To effectively administer this program, the Franchise Tax Board may pay the Social Security Administration for relevant data and related development work prior to receipt of data pursuant to Section 12425 of the Government Code.
6. Of the amount appropriated in this item, \$11,592,000 is for implementation of the individual health care mandate and the associated subsidy and penalty provisions.
7. In order to maximize participation and claiming of the California Earned Income Tax Credit, \$5,000,000 of the amount appropriated in Schedule (1) of this item shall be allocated in a manner that emphasizes nonprofit and community-based organization that provide increased awareness of the California Earned Income Tax Credit.
8. Of the amount appropriated in this item, \$1 shall be for administration of subdivision (f) of Section 17935 of the Revenue and Taxation Code.

- 9. Of the amount appropriated in this item, \$1 shall be for administration of subdivision (g) of Section 17941 of the Revenue and Taxation Code.
- 10. Of the amount appropriated in this item, \$1 shall be for administration of subdivision (e) of Section 17948 of the Revenue and Taxation Code.

SEC. 92. Item 8860-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

8860-001-0001—For support of Department of Finance..... 53,344,000

Schedule:

- (1) 6770-State Budget..... 38,092,000
- (2) 6775-Financial Information System for California (FI\$Cal) Project Support..... 2,932,000
- (3) 6780-State Audits and Evaluations..... 19,385,000
- (4) 6785-Statewide Accounting Policies, Consulting and Training..... 7,372,000
- (5) 9900100-Administration..... 11,229,000
- (6) 9900200-Administration—Distribut-ed..... -11,229,000
- (7) Reimbursements to 6770-State Bud-get..... -2,600,000
- (8) Reimbursements to 6775-Financial In-formation System for California (FI\$Cal) Project Support..... -2,932,000
- (9) Reimbursements to 6780-State Audits and Evaluations..... -8,542,000
- (10) Reimbursements to 6785-Statewide Accounting Policies, Consulting and Training..... -363,000

Provisions:

- 1. The funds appropriated in this item for the California State Accounting and Reporting System (CALSTARS) shall be transferred by the Controller, upon order of the Director of Finance, or made available by the Department of Finance as a reimbursement, to other items and departments for CALSTARS-related activities by the Department of Finance.

2. The funds appropriated in this act for purposes of data-processing costs related to the California State Accounting and Reporting System (CALSTARS) may be transferred between any items in this act by the Controller upon order of the Director of Finance. Any funds so transferred shall be used only for support of CALSTARS-related data-processing costs incurred.
3. Notwithstanding any other law, the Director of Finance may authorize a loan from the General Fund to the Department of Finance for the purpose of meeting operational cashflow obligations for the 2020–21 fiscal year. The loan shall not exceed the estimated amount of uncollected reimbursements for the final quarter of the fiscal year.
4. For the purpose of evaluating and continuing development and enhancement of the Governor’s Budget Presentation System (GBPS), the following provision applies:
 - (a) Notwithstanding any other law, the Department of Finance may amend its existing contract with the internet web development firm to augment and continue consulting services until June 30 of each year, for the purpose of providing continuity of services.
5. Notwithstanding any other law, the Director of Finance is authorized to select private firms or individuals for implementing the requirements of Chapter 496 of the Statutes of 2011. The resulting contracts for services shall not require the review, consent, or approval of the Department of General Services or any other state department or agency as they need not comply with requirements under the Public Contract Code or any other law that otherwise would apply. Such contracts for services may include those terms and conditions that the Director of Finance finds to be in the state’s best interest.
6. Notwithstanding any other law, the Director of Finance is authorized to contract with auditors, lawyers, and other types of advisors and consultants to assist, advise, and represent the director and the Department of

Finance in any matter arising out of or contemplated by Parts 1.8 (commencing with Section 34161) and 1.85 (commencing with Section 34170) of Division 24 of the Health and Safety Code. The resulting contracts for services shall not require the review, consent, or approval of the Department of General Services or any other state department or agency as they need not comply with requirements under the Public Contract Code or any other law that otherwise would apply. Such contracts for services may include those terms and conditions that the Director of Finance finds to be in the state's best interest.

7. Notwithstanding any other law, the Director of Finance is authorized to contract with auditors, lawyers, and other types of advisors and consultants to assist, advise, and represent the director and the Department of Finance in any issue related to public utility liability, the Pacific Gas and Electric bankruptcy, and alternatives for the safe, affordable provision of utilities. The resulting contracts for services shall not require the review, consent, or approval of the Department of General Services or any other state department or agency as they need not comply with requirements under the State Contracting Manual, the Public Contract Code, the personal services contracting requirements of Article 4 (commencing with Section 19130) of Chapter 5 of Part 2 of Division 5 of Title 2 of the Government Code, or any other law that otherwise would apply. Those contracts for services may include those terms and conditions that the Director of Finance finds to be in the state's best interest.
8. (a) Notwithstanding any other law, the Director of Finance may augment this item by up to \$50,000,000 for the purpose of making a loan to Golden State Energy for activities including, but not limited to, those related to its formation, governance, and ability to purchase the property, including any franchise rights and stock, of Pacific Gas & Electric Corporation, if: (1) the corporation fails to emerge timely from its current voluntary

case filed pursuant to Chapter 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Northern District of California, San Francisco Division, in regards to Pacific Gas & Electric Corporation and Pacific Gas & Electric Company, Case No. 19-30088; or (2) the company initiates a sale process for its assets or stock within that Chapter 11 proceeding. This loan shall be unavailable once Pacific Gas & Electric Corporation exits bankruptcy.

- (b) The loan made available to Golden State Energy shall be authorized not sooner than either 72 hours after notification in writing by the Department of Finance to the Chairperson of the Joint Legislative Budget Committee, or whatever lesser time the chairperson or the chairperson's designee may determine, consistent with Golden State Energy's formation and only upon the occurrence of any one of the following material bankruptcy events: termination of the associated "Tort Claimants Committee Restructuring Support Agreement," "Noteholder Restructuring Support Agreement," or the plan proposal's exclusivity period for any party other than the debtor; the denial of confirmation of the associated "Debtors' and Shareholder Proponents' Joint Chapter 11 Plan of Reorganization Dated March 16, 2020"; failure to confirm on or before June 30, 2020, a plan for Pacific Gas & Electric Company to exit bankruptcy; failure of the confirmed plan for Pacific Gas & Electric Company to exit bankruptcy to become effective on or before September 30, 2020; the filing of a plan for Pacific Gas & Electric Company to exit bankruptcy by any party other than the debtors; or the appointment of a trustee, conversion to a case under Chapter 7 of the United States Bankruptcy Code, or dismissal of the bankruptcy cases.
- (c) If the loan described in subdivision (a) is made to Golden State Energy, Golden State Energy shall

report to the Department of Finance on a quarterly basis regarding the details of both planned and executed expenditures of loan funds. No less than 12 months after the loan is made, the Director of Finance shall report to the Joint Legislative Budget Committee on the details of the loan, including the planned and executed expenditures of loan funds report by Golden State Energy.

SEC. 93. Item 8940-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

8940-001-0001—For support of Military Department..... 107,619,000

Schedule:

- (1) 6911-National Guard..... 97,898,000
- (2) 6912-Youth & Community Programs.... 17,229,000
- (3) Reimbursements to 6911-National Guard..... -7,398,000
- (4) Reimbursements to 6912-Youth & Community Programs..... -110,000

Provisions:

- 1. Expenditures shall not be made from the funds appropriated in this item as a substitution for personnel, equipment, facilities, or other assistance, or for any portion thereof, that, in the absence of the expenditure, or of this appropriation, would be available to the Adjutant General, the California State Military, or the State Military Reserve from the federal government.
- 2. Of the funds appropriated in Schedule (1), \$1,003,000 shall be for military retirements, in accordance with Sections 228 and 256 of the Military and Veterans Code.
- 3. Of the funds appropriated in this item, \$891,000 shall be used to provide mandatory employee compensation increases for state active duty employees. The funds provided in this provision shall be expended pursuant to Sections 320 and 321 of the Military and Veterans Code, which require state active duty employees to receive the same compensation increases as their counterparts on federal active duty. Any unspent funds

pursuant to this provision shall revert to the General Fund.

- 4. Beginning on March 1, 2021, and annually thereafter, the Military Department shall submit a report to the fiscal committees of each house of the Legislature for the Job ChalleNGe Program with the following: (a) the program completion rate; (b) the rate of job placement in the field of study; and (c) the rate of continued employment 12 months after completion of the program based on responses from program graduates.
- 5. Of the amount appropriated in Schedule (1), \$37,000,000 is available for payments made in advance of offsets from Federal Trust Fund recoveries. The Military Department shall separate this amount from its operating budget in its accounting system and provide quarterly reports to the Department of Finance that reflect the updated appropriation authority for operations.
- 6. Of the amount appropriated in Schedule (1), up to \$1,231,000 shall be used for the California Cybersecurity Integration Center.
- 7. Information sharing by the California Cybersecurity Integration Center shall be conducted in a manner that protects the privacy and civil liberties of individuals, safeguards sensitive information, preserves business confidentiality, and enables public officials to detect, investigate, respond to, and prevent cyberattacks that threaten public health and safety, economic stability, and national security.

SEC. 94. Item 8955-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

8955-001-0001—For support of Department of Veterans Affairs.....	416,179,000
Schedule:	
(1) 6995010-Claims Representation.....	13,001,000
(2) 6995028-Cemetery Operations.....	1,609,000
(3) 7000010-Headquarters.....	46,160,000

(4) 7000019-Veterans Home of California at Yountville.....	113,298,000
(5) 7000028-Veterans Home of California at Barstow.....	27,805,000
(6) 7000037-Veterans Home of California at Chula Vista.....	41,489,000
(7) 7000046-Veterans Home of California- Greater Los Angeles Ventura County— GLAVC.....	88,677,000
(8) 7000055-Veterans Home of California at Redding.....	32,122,000
(9) 7000064-Veterans Home of California at Fresno.....	52,730,000
(10) 9900100-Administration.....	52,589,000
(11) 9900200-Administration—Distribut- ed.....	-52,589,000
(12) Reimbursements to 6995010- Claims Representation.....	-704,000
(13) Reimbursements to 6995028-Cemetery Operations.....	-8,000

Provisions:

1. Of the funds appropriated in this item, \$892,000 shall be expended only for the replacement of equipment and furnishings directly related to the care of the members at Veterans’ Home of California.
2. Of the funds appropriated in Schedule (4), \$500,000 is available for special projects that provide a direct benefit to the members of the Veterans’ Home of California at Yountville, including the maintenance of facilities used by members and the public. The Veterans’ Home Allied Council may submit special project requests to the administration for consideration. After consultation with the Veterans’ Home Allied Council, a budget for expenditure of these funds shall be approved by the administrator and the Secretary of Veterans Affairs.
3. Notwithstanding any other law, the Department of Veterans Affairs is not required to comply with Chapter 615 of the Statutes of 2006 during the 2020–21 fiscal year because no appropriation has been

provided to support the activities required by Chapter 615 of the Statutes of 2006.

4. The Department of Veterans Affairs shall conduct at least three stakeholder meetings regarding its proposed plan for the Barstow Veterans Home during the 2020–21 fiscal year.
5. The Department of Veterans Affairs shall provide a report to the Legislature by February 1, 2021, on its proposed plan for the Barstow Veterans Home. The plan shall include the following:
 - (a) A list of the deferred maintenance needs and associated costs for the home.
 - (b) A description of prior actions taken to attempt to increase occupancy of the home.
 - (c) A transition plan of the home that is in alignment with the vision of the 2020 Master Plan that includes:
 - (1) A detailed transition plan that ensures that no residents of the home are involuntarily discharged without being provided alternate placement options as part of any transition efforts, and includes changes in staffing.
 - (2) An estimate of the cost and programmatic impacts of the plan for the home on the department’s Veterans Homes system and the methods for measuring savings and revenue losses.
 - (3) Options for expansion of the home’s skilled nursing facility as recommended in the 2020 Master Plan.
 - (4) Options for conversion of the home’s intermediate care facility into a residential care facility for the elderly as recommended in the 2020 Master Plan.
 - (5) An option for full closure of the home.
 - (6) A description of the precautions the department will take to maintain the safety of residents during the public health crisis and how

the plan and timeline will be modified if the public health crisis worsens.

- (d) A summary of the options discussed, and feedback received, at the stakeholder meetings required in Provision 4.

SEC. 95. Item 9210-110-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

9210-110-0001—For local assistance, Local Government Financing, to be allocated by the Controller..... 750,181,000

Schedule:

(1) 7540-Aid to Local Government..... 750,181,000

Provisions:

1. Of the amount appropriated in this item, \$181,000 is to reimburse the County of Alpine for shortfalls incurred in the 2018–19 fiscal year related to the Sales and Use Tax Countywide Adjustment Amount authorized by Section 97.68 of the Revenue and Taxation Code, and the Vehicle License Fee Adjustment Amount authorized by Section 97.70 of the Revenue and Taxation Code.
2. To receive the amount described in Provision 1, the County of Alpine shall, no later than October 1, 2020, submit to the Department of Finance a countywide claim detailing the shortfall incurred in the 2018–19 fiscal year by the county in relation to each of the specified Revenue and Taxation Code sections. The Department of Finance shall review the claim for accuracy and, upon determining the claim is accurate and complete, shall forward it to the Controller for payment.
3. (a) Of the amount appropriated in this item, \$750,000,000 is to provide support for counties experiencing revenue losses for realigned programs. In utilizing these funds, counties shall prioritize support for health and human services, entitlement programs, and programs that serve vulnerable populations.

- (b) Pursuant to Control Section 8.28, the amount described in subdivision (a) may be augmented by \$250,000,000.
- (c) The Department of Finance, in consultation with the California State Association of Counties, shall develop a countywide allocation schedule to distribute the funding described in subdivisions (a) and (b).
- (d) The Director of Finance shall provide the countywide allocation schedule to the State Controller’s Office for distribution of the county allocations pursuant to subdivisions (a) and (b) not sooner than 10 days after notification in writing to the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or the chairperson’s designee, may determine.
- (e) Funding to a county pursuant to subdivisions (a) and (b) is contingent on the county’s adherence to federal guidance, the state’s stay-at-home requirements and other health requirements as directed in gubernatorial Executive Order N-33-20, any subsequent executive orders or statutes, and all California Department of Public Health orders, directives, and guidance issued in response to the COVID-19 public health emergency. Counties shall certify compliance to the Department of Finance. The State Controller shall allocate funding to a county upon order of the Director of Finance.

SEC. 96. Item 9800-001-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

9800-001-0001—For Augmentation for Employee Compensation.....	280,665,000
Schedule:	
(1) 7800-Employee Compensation Program.....	274,665,000
(2) 7801-Affordable Care Act Penalty Assessment.....	6,000,000

Provisions:

1. The amount appropriated in this item shall not be construed to control or influence collective bargaining between the state employer and employee representatives.
2. The funds appropriated in this item are for compensation increases and increases in benefits related thereto of employees whose compensation, or portion thereof, is chargeable to the General Fund, to be allocated by budget executive order by the Director of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations or allocations, in accordance with approved memoranda of understanding or, for employees excluded from collective bargaining, in accordance with salary and benefit schedules established by the Department of Human Resources.
3. It is the intent of the Legislature that all proposed augmentations for increased employee compensation costs, including, but not limited to, base salary increases, pay increases to bring one group of employees into a pay equity position with another group of public employees, and recruitment and retention differentials, be budgeted and considered on a comprehensive, statewide basis. Therefore, the Legislature declares its intent to reject any proposed augmentations that are not included in Items 9800-001-0001, 9800-001-0494, and 9800-001-0988, given that these are the items where the funds to implement comprehensive statewide compensation policies, including those adopted pursuant to collective bargaining, are considered. This provision shall not apply to augmentations for increased employee compensation costs resulting from mandatory judicial orders to raise pay for any group of employees or augmentations for increased compensation costs, or approvals for departments to provide increased employee compensation levels, that are included in bills separate from the Budget Act.
4. This item contains funds estimated to be necessary to implement side letters, appendices, or other addenda

to a memorandum of understanding (collectively referred to as “pending agreements”) that have been determined by the Joint Legislative Budget Committee to require legislative approval prior to their implementation, but which may not have been approved in separate legislation as of the date of the passage of this act. In the event that the Legislature does not approve separate legislation to authorize implementation of any of the pending agreements, the Director of Finance shall not allocate any funds related to those pending agreements pursuant to Provision 2, and the expenditure of funds for those pending agreements shall not be deemed to have been approved by the Legislature.

5. As of July 31, 2021, the unencumbered balances of the funds appropriated in this item shall revert to the General Fund.
6. The Director of Finance may adjust this item of appropriation to reflect the health benefit premiums approved by the Board of Administration of the Public Employees’ Retirement System or dental benefit premiums approved by the Department of Human Resources for the 2021 calendar year. Within 30 days of making any adjustment pursuant to this provision, the Director of Finance shall report the adjustment in writing to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees in each house of the Legislature that consider appropriations.
7. Notwithstanding Sections 3517.6 and 3517.63 of the Government Code, the Department of Finance shall provide written notification to the Joint Legislative Budget Committee regarding any expenditure of funds resulting from any side letter, appendix, or other addendum to a properly ratified memorandum of understanding.
8. Notice provided pursuant to Provision 7 shall include a copy of the side letter, appendix, or other addendum (collectively addendum) and a fiscal summary of any expenditure of funds resulting from the agreement in the 2020–21 fiscal year and future fiscal years. The

notice shall indicate whether the Department of Finance determines that an agreement does or does not require legislative action to ratify the addendum before implementation, pursuant to subdivision (a), (b), or (c) of this provision.

- (a) An addendum to a properly ratified memorandum of understanding may be implemented without legislative action not less than 30 calendar days after notice has been provided to the Joint Legislative Budget Committee, or not sooner than whatever lesser time after that notification the Chairperson of the Joint Legislative Budget Committee, or the chairperson's designee, may in each instance determine, if all of the following apply:
 - (1) The agreement results in total net costs of less than \$1,000,000 (all funds) during the 2020–21 fiscal year.
 - (2) Any cost resulting from the agreement can be absorbed within the 2020–21 fiscal year appropriation authority of impacted departments.
 - (3) The addendum does not present substantial additions that are reasonably outside the parameters of the original memorandum of understanding.
- (b) An addendum to a properly ratified memorandum of understanding that results in any expenditure of funds may be implemented not less than 30 calendar days after notice has been provided to the Joint Legislative Budget Committee, or not sooner than whatever lesser time after that notification the Chairperson of the Joint Legislative Budget Committee, or the chairperson's designee, may in each instance determine, if, during the legislative consideration of the 2020–21 Governor's Budget, the Department of Finance identified to the Legislature both of the following:
 - (1) The administration anticipated that the addendum would be signed during the 2020–21 fiscal year.

- (2) Any costs resulting from the addendum are included in the 2020–21 Governor’s Budget or another piece of legislation.
 - (c) An addendum to a properly ratified memorandum of understanding that results in any expenditure of funds requires legislative action before implementation if any of the following apply:
 - (1) The agreement results in total net costs greater than \$1,000,000 (all funds) during the 2020–21 fiscal year.
 - (2) The agreement results in costs that cannot be absorbed within the 2020–21 fiscal year appropriation authority of impacted departments.
 - (3) The addendum presents substantial additions that are not reasonably within the parameters of the original memorandum of understanding.
9. Notwithstanding Sections 3517.6 and 3517.63 of the Government Code, any addendum to a properly ratified memorandum of understanding that is implemented in the 2020–21 fiscal year, pursuant to subdivision (a) of Provision 8 and requires the expenditure of funds beyond the 2020–21 fiscal year that was not approved as part of the Budget Act of 2020, shall be approved by the Legislature as part of the Budget Act of 2021 or through another piece of legislation.
10. The Department of Human Resources shall promptly post on its public internet website all signed addenda. Each addendum shall be posted in its entirety, including any attachments or schedules that are part of the agreement, along with the fiscal summary documents of the agreement.
11. The amount appropriated in Schedule (2) of this item shall be available for penalties the state may be assessed under the federal Patient Protection and Affordable Care Act (P.L. 111-148) or by another government entity where an individual health care mandate has been enacted and the state has a reporting obligation.

- (a) The Director of Finance shall identify the specific amounts to be advanced and paid from the General Fund to the Internal Revenue Service, or another government entity, for payment of those penalties and notify the Controller of these amounts. Upon notification, the Controller shall make penalty assessment payments from this item.
 - (b) Notwithstanding any other law, the Department of Finance may transfer amounts in any appropriation item, or in any category thereof, funds necessary to reimburse this item for costs directly related to each state agency, department, or board's portion of employer reporting penalties that are attributable to those departments, as identified by the Controller. Furthermore, notwithstanding Section 22150 of the Government Code and Section 66606.2 of the Education Code, this provision shall also apply to the California State University. The Department of Finance shall provide the Controller a schedule of the timing and amounts to be transferred for purposes of this provision.
 - (c) Within 30 days after making any adjustment pursuant to this provision, the Director of Finance shall report the penalties assessed to the state in writing to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees in each house of the Legislature that consider appropriations.
12. Upon written notification to the Joint Legislative Budget Committee, the Director of Finance may adjust this item in the amount necessary to fund any expenditure of funds resulting from any memorandum of understanding, side letter, appendix, or other addendum reached no later than June 30, 2020, if the memorandum of understanding, side letter, appendix, or other addendum includes savings measures that contribute to meeting the budgeted reductions in Section 3.90.

SEC. 97. Item 9800-001-0494 of Section 2.00 of the Budget Act of 2020 is amended to read:

9800-001-0494—For Augmentation for Employee Compensation, payable from other unallocated special funds..... 229,722,000

Schedule:

(1) 7800-Employee Compensation Program..... 229,722,000

Provisions:

1. The amount appropriated in this item shall not be construed to control or influence collective bargaining between the state employer and employee representatives.
2. The funds appropriated in this item are for compensation increases and increases in benefits related thereto of employees whose compensation, or portion thereof, is chargeable to special funds, to be allocated by budget executive order by the Director of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations or allocations, in accordance with approved memoranda of understanding or, for employees excluded from collective bargaining, in accordance with salary and benefit schedules established by the Department of Human Resources.
3. Notwithstanding any other law, upon approval of the Director of Finance, expenditure authority may be transferred between this item and Item 9800-001-0988 as necessary to fund costs for approved memoranda of understanding or, for employees excluded from collective bargaining, in accordance with salary and benefit schedules established by the Department of Human Resources.
4. It is the intent of the Legislature that all proposed augmentations for increased employee compensation costs, including, but not limited to, base salary increases, pay increases to bring one group of employees into a pay equity position with another group of public employees, and recruitment and retention differentials, be budgeted and considered on a comprehensive,

statewide basis. Therefore, the Legislature declares its intent to reject any proposed augmentations that are not included in Items 9800-001-0001, 9800-001-0494, and 9800-001-0988, given that these are the items where the funds to implement comprehensive statewide compensation policies, including those adopted pursuant to collective bargaining, are considered. This provision does not apply to augmentations for increased employee compensation costs resulting from mandatory judicial orders to raise pay for any group of employees or augmentations for increased compensation costs, or approvals for departments to provide increased employee compensation levels, that are included in bills separate from the Budget Act.

5. This item contains funds estimated to be necessary to implement side letters, appendices, or other addenda to a memorandum of understanding (collectively referred to as “pending agreements”) that have been determined by the Joint Legislative Budget Committee to require legislative approval prior to their implementation, but which may not have been approved in separate legislation as of the date of the passage of this act. In the event that the Legislature does not approve separate legislation to authorize implementation of any of the pending agreements, the Director of Finance shall not allocate any funds related to those pending agreements pursuant to Provision 2, and the expenditure of funds for those pending agreements shall not be deemed to have been approved by the Legislature.
6. As of July 31, 2021, the unencumbered balances of the above appropriation shall no longer be available for expenditure.
7. The Director of Finance may adjust this item of appropriation to reflect the health benefit premiums approved by the Board of Administration of the Public Employees’ Retirement System or dental benefit premiums approved by the Department of Human Resources for the 2021 calendar year. Within 30 days of making any adjustment pursuant to this provision, the Director of Finance shall report the adjustment in

writing to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees in each house of the Legislature that consider appropriations.

8. Notwithstanding Sections 3517.6 and 3517.63 of the Government Code, the Department of Finance shall provide written notification to the Joint Legislative Budget Committee regarding any expenditure of funds resulting from any side letter, appendix, or other addendum to a properly ratified memorandum of understanding.
9. Notice provided pursuant to Provision 8 shall include a copy of the side letter, appendix, or other addendum (collectively addendum) and a fiscal summary of any expenditure of funds resulting from the agreement in the 2020–21 fiscal year and future fiscal years. The notice shall indicate whether the Department of Finance determines that an agreement does or does not require legislative action to ratify the addendum before implementation, pursuant to subdivision (a), (b), or (c) of this provision.
 - (a) An addendum to a properly ratified memorandum of understanding may be implemented without legislative action not less than 30 calendar days after notice has been provided to the Joint Legislative Budget Committee, or not sooner than whatever lesser time after that notification the Chairperson of the Joint Legislative Budget Committee, or the chairperson’s designee, may in each instance determine, if all of the following apply:
 - (1) The agreement results in total net costs of less than \$1,000,000 (all funds) during the 2020–21 fiscal year.
 - (2) Any cost resulting from the agreement can be absorbed within the 2020–21 fiscal year appropriation authority of impacted departments.
 - (3) The addendum does not present substantial additions that are reasonably outside the pa-

- parameters of the original memorandum of understanding.
- (b) An addendum to a properly ratified memorandum of understanding that results in any expenditure of funds may be implemented not less than 30 calendar days after notice has been provided to the Joint Legislative Budget Committee, or not sooner than whatever lesser time after that notification the Chairperson of the Joint Legislative Budget Committee, or the chairperson's designee, may in each instance determine, if, during the legislative consideration of the 2020–21 Governor's Budget, the Department of Finance identified to the Legislature both of the following:
 - (1) The administration anticipated that the addendum would be signed during the 2020–21 fiscal year.
 - (2) Any costs resulting from the addendum are included in the 2020–21 Governor's Budget or another piece of legislation.
 - (c) An addendum to a properly ratified memorandum of understanding that results in any expenditure of funds requires legislative action before implementation if any of the following apply:
 - (1) The agreement results in total net costs greater than \$1,000,000 (all funds) during the 2020–21 fiscal year.
 - (2) The agreement results in costs that cannot be absorbed within the 2020–21 fiscal year appropriation authority of impacted departments.
 - (3) The addendum presents substantial additions that are not reasonably within the parameters of the original memorandum of understanding.
10. Notwithstanding Sections 3517.6 and 3517.63 of the Government Code, any addendum to a properly ratified memorandum of understanding that is implemented in the 2020–21 fiscal year, pursuant to subdivision (a) of Provision 9 and requires the expenditure of funds

beyond the 2020–21 fiscal year that was not approved as part of the Budget Act of 2020, shall be approved by the Legislature as part of the Budget Act of 2021 or through another piece of legislation.

- 11. The Department of Human Resources shall promptly post on its public internet website all signed addenda. Each addendum shall be posted in its entirety, including any attachments or schedules that are part of the agreement, along with the fiscal summary documents of the agreement.
- 12. Upon written notification to the Joint Legislative Budget Committee, the Director of Finance may adjust this item in the amount necessary to fund any expenditure of funds resulting from any memorandum of understanding, side letter, appendix, or other addendum reached no later than June 30, 2020, if the memorandum of understanding, side letter, appendix, or other addendum includes savings measures that contribute to meeting the budgeted reductions in Section 3.90.

SEC. 98. Item 9800-001-0988 of Section 2.00 of the Budget Act of 2020 is amended to read:

9800-001-0988—For Augmentation for Employee Compensation, payable from other unallocated nongovernmental cost funds.....	113,146,000
Schedule:	
(1) 7800-Employee Compensation Program.....	113,146,000
Provisions:	
1. The amount appropriated in this item shall not be construed to control or influence collective bargaining between the state employer and employee representatives.	
2. The funds appropriated in this item are for employee compensation increases, and increases in benefits related thereto, whose compensation or portion thereof is chargeable to nongovernmental cost funds, to be allocated by budget executive order by the Director of Finance to the several state offices, departments,	

boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations or allocations, in accordance with approved memoranda of understanding or, for employees excluded from collective bargaining, in accordance with salary and benefit schedules established by the Department of Human Resources.

3. Notwithstanding any other law, upon approval of the Director of Finance, expenditure authority may be transferred between Item 9800-001-0494 and this item as necessary to fund costs for approved memoranda of understanding or, for employees excluded from collective bargaining, in accordance with salary and benefit schedules established by the Department of Human Resources.
4. It is the intent of the Legislature that all proposed augmentations for increased employee compensation costs, including, but not limited to, base salary increases, pay increases to bring one group of employees into a pay equity position with another group of public employees, and recruitment and retention differentials, be budgeted and considered on a comprehensive, statewide basis. Therefore, the Legislature declares its intent to reject any proposed augmentations that are not included in Items 9800-001-0001, 9800-001-0494, and 9800-001-0988, given that these are the items where the funds to implement comprehensive statewide compensation policies, including those adopted pursuant to collective bargaining, are considered. This provision shall not apply to augmentations for increased employee compensation costs resulting from mandatory judicial orders to raise pay for any group of employees or augmentations for increased compensation costs, or approvals for departments to provide increased employee compensation levels, that are included in bills separate from the Budget Act.
5. This item contains funds estimated to be necessary to implement side letters, appendices, or other addenda to a memorandum of understanding (collectively referred to as “pending agreements”) that have been

determined by the Joint Legislative Budget Committee to require legislative approval prior to their implementation, but which may not have been approved in separate legislation as of the date of the passage of this act. In the event that the Legislature does not approve separate legislation to authorize implementation of any of the pending agreements, the Director of Finance shall not allocate any funds related to those pending agreements pursuant to Provision 2, and the expenditure of funds for those pending agreements shall not be deemed to have been approved by the Legislature.

6. As of July 31, 2021, the unencumbered balances of the above appropriation shall no longer be available for expenditure.
7. The Director of Finance may adjust this item of appropriation to reflect the health benefit premiums approved by the Board of Administration of the Public Employees' Retirement System or dental benefit premiums approved by the Department of Human Resources for the 2021 calendar year. Within 30 days of making any adjustment pursuant to this provision, the Director of Finance shall report the adjustment in writing to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees in each house of the Legislature that consider appropriations.
8. Notwithstanding Sections 3517.6 and 3517.63 of the Government Code, the Department of Finance shall provide written notification to the Joint Legislative Budget Committee regarding any expenditure of funds resulting from any side letter, appendix, or other addendum to a properly ratified memorandum of understanding.
9. Notice provided pursuant to Provision 8 shall include a copy of the side letter, appendix, or other addendum (collectively addendum) and a fiscal summary of any expenditure of funds resulting from the agreement in the 2020–21 fiscal year and future fiscal years. The notice shall indicate whether the Department of Finance determines that an agreement does or does not

require legislative action to ratify the addendum before implementation, pursuant to subdivision (a), (b), or (c) of this provision.

- (a) An addendum to a properly ratified memorandum of understanding may be implemented without legislative action not less than 30 calendar days after notice has been provided to the Joint Legislative Budget Committee, or not sooner than whatever lesser time after that notification the Chairperson of the Joint Legislative Budget Committee, or the chairperson's designee, may in each instance determine, if all of the following apply:
 - (1) The agreement results in total net costs of less than \$1,000,000 (all funds) during the 2020–21 fiscal year.
 - (2) Any cost resulting from the agreement can be absorbed within the 2020–21 fiscal year appropriation authority of impacted departments.
 - (3) The addendum does not present substantial additions that are reasonably outside the parameters of the original memorandum of understanding.
- (b) An addendum to a properly ratified memorandum of understanding that results in any expenditure of funds may be implemented not less than 30 calendar days after notice has been provided to the Joint Legislative Budget Committee, or not sooner than whatever lesser time after that notification the Chairperson of the Joint Legislative Budget Committee, or the chairperson's designee, may in each instance determine, if, during the legislative consideration of the 2020–21 Governor's Budget, the Department of Finance identified to the Legislature both of the following:
 - (1) The administration anticipated that the addendum would be signed during the 2020–21 fiscal year.

- (2) Any costs resulting from the addendum are included in the 2020–21 Governor’s Budget or another piece of legislation.
 - (c) An addendum to a properly ratified memorandum of understanding that results in any expenditure of funds requires legislative action before implementation if any of the following apply:
 - (1) The agreement results in total net costs greater than \$1,000,000 (all funds) during the 2020–21 fiscal year.
 - (2) The agreement results in costs that cannot be absorbed within the 2020–21 fiscal year appropriation authority of impacted departments.
 - (3) The addendum presents substantial additions that are not reasonably within the parameters of the original memorandum of understanding.
10. Notwithstanding Sections 3517.6 and 3517.63 of the Government Code, any addendum to a properly ratified memorandum of understanding that is implemented in the 2020–21 fiscal year, pursuant to subdivision (a) of Provision 9, and requires the expenditure of funds beyond the 2020–21 fiscal year that was not approved as part of the Budget Act of 2020, shall be approved by the Legislature as part of the Budget Act of 2021 or through another piece of legislation.
11. The Department of Human Resources shall promptly post on its public internet website all addenda. Each addendum shall be posted in its entirety, including any attachments or schedules that are part of the agreement, along with the fiscal summary documents of the agreement.
12. Upon written notification to the Joint Legislative Budget Committee, the Director of Finance may adjust this item in the amount necessary to fund any expenditure of funds resulting from any memorandum of understanding, side letter, appendix, or other addendum reached no later than June 30, 2020, if the memorandum of understanding, side letter, appendix, or other

addendum includes savings measures that contribute to meeting the budgeted reductions in Section 3.90.

SEC. 99. Section 3.90 of the Budget Act of 2020 is amended to read:

3. 90.(a) Notwithstanding any other provision of law, each item of appropriation, with the exception of those items for the California State University, the University of California, Hastings College of the Law, the Legislature, the Legislative Counsel Bureau, the Bureau of State Audits, and the Judicial Branch, shall be reduced, as appropriate, to reflect reductions in employee compensation in the total amounts of \$1,447,542,000 from General Fund items and \$1,396,860,000 from items relating to other funds. These reductions shall be achieved through any combination of the following: (1) memoranda of understanding or addenda reached pursuant to Section 3517.5 of the Government Code, (2) furloughs, and (3) other reductions for nonrepresented employees achieved with existing administration and statutory authority. The Director of Finance shall allocate the necessary reductions to each applicable item of appropriation authorized by state law, including Budget Act and non-Budget Act appropriations, to accomplish the employee compensation reductions required by this section.

(b) Between June 11, 2020, and June 19, 2020, the following memorandum of understanding or addenda were reached pursuant to Section 3517.5 of the Government Code for the following state bargaining units: State Bargaining Units 1, 3, 4, 6, 9, 11, 14, 15, 17, 20, and 21. These addenda reflect negotiated changes to existing provisions of the current memoranda of understanding or extend the current memoranda of understanding with the state bargaining unit, or both. The estimated savings associated with these memoranda of understanding and addenda are included in this section.

(c) Employees represented by bargaining units with ratified addenda pursuant to subdivision (b) or any other law shall not be subject to furloughs pursuant to subdivision (a) of this section or subdivision (b) of Section 19849 of the Government Code.

SEC. 100. Section 3.91 is added to the Budget Act of 2020, to read:

SEC. 3.91. (a) Absent additional federal funds, and due to the significant economic impacts of the COVID-19 recession,

augmentations for employee compensation increases and increases in benefits related thereto in this act are only effective if funding is specifically appropriated in Items 9800-001-0001, 9800-001-0494, and 9800-001-0988 of Section 2.00.

(b) Notwithstanding any other law and in accordance with Sections 3517.6, 3517.61, and 19827 of the Government Code, the economic provisions of existing memoranda of understanding (MOUs) for represented employees and employees excluded or exempt from collective bargaining that require expenditure of funds for increased salaries and wages, such as general salary increases, general wage increases, special salary adjustments, and pay differentials, that were to become effective at any point during the 2020–21 fiscal year and that are not specifically identified in Items 9800-001-0001, 9800-001-0494, or 9800-001-0988 of Section 2.00, or identified in an agreement reached pursuant to subdivision (b) or (c) of Section 3.90, are hereby suspended.

(c) The terms of an MOU not described in subdivision (b), including economic terms of the agreement not specifically related to the pay items described in subdivision (b), such as the amount necessary for the payment of compensation and employee benefits that were in effect prior to the 2020–21 fiscal year, shall continue in full effect, subject to the reductions in employee compensation required by Section 3.90.

SEC. 101. Section 4.05 of the Budget Act of 2020 is amended to read:

SEC. 4.05. Notwithstanding any other provision of law, each item of appropriation provided in this act or other spending authority provided outside of this act, with the exception of those for the California State University, the University of California, Hastings College of the Law, the Legislature, the Legislative Counsel Bureau, and the Judicial Branch, shall be adjusted, as appropriate, to reflect the net savings achieved through operational efficiencies and other cost-reduction measures, including, but not limited to, reorganizations, eliminations of boards and commissions, rate changes, contract reductions, elimination of excess positions, and the cancellation or postponement of information technology projects. The Director of Finance shall allocate the necessary adjustment to each item of appropriation or other spending authority to reflect savings achieved. The Director of Finance may authorize an augmentation to any item of

appropriation provided in this act or outside this act to reflect the costs related to reorganizations, consolidations, or eliminations of agencies, departments, boards, commissions, or programs. The Department of Finance shall make the final determination of the budgetary and accounting transactions to ensure proper implementation of reorganizations and eliminations.

SEC. 102. Section 8.28 of the Budget Act of 2020 is amended to read:

SEC. 8.28. (a) If federal legislation is enacted to provide additional funding to the state for the 2019–20 or 2020–21 fiscal years, the Director of Finance shall determine whether the federal legislation will make available, by October 15, 2020, additional federal funds of not less than \$14,000,000,000, which are eligible for the purposes identified in subdivision (b).

(b) If the Director of Finance determines that sufficient federal funds have been made available as described in subdivision (a), the director shall notify the Joint Legislative Budget Committee, in writing, of this determination, and that the following appropriations and actions are authorized:

(1) \$23,064,000 in augmentation of Item 0250-001-0001 of Section 2.00.

(2) \$1,317,000 in augmentation of Item 0250-101-0001 of Section 2.00.

(3) \$117,831,000 in augmentation of Item 0250-111-0001 of Section 2.00.

(4) \$7,788,000 in augmentation of Item 0250-112-0001 of Section 2.00.

(5) \$45,000,000 in augmentation of non-Budget Act Item 2240-601-0001 to provide moderate-income housing.

(6) \$203,000,000 to offset the reversion proposed in Item 2240-495 of Section 2.00.

(7) \$38,106,000 in augmentation of Item 5175-101-0001 of Section 2.00.

(8) \$8,300,000 in augmentation of Item 5175-001-0001 of Section 2.00.

(9) \$5,763,072,000 shall be deposited into the State School Fund for distribution through the principal apportionment. The amount deposited pursuant to this section shall reduce the General Fund amount scheduled to be deferred to the 2021–22 fiscal year pursuant to Section 14041.6 of the Education Code. For purposes

of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by this paragraph shall not be deemed to be “General Fund revenues appropriated for school districts,” as defined in subdivision (c) of Section 41202 of the Education Code, for the fiscal year in which the payments are disbursed, or included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the fiscal year in which the payments are disbursed.

(10) \$791,124,000 in augmentation of Item 6870-101-0890 of Section 2.00 to reduce Proposition 98 General Fund scheduled to be deferred to the 2021-22 fiscal year pursuant to Section 84321.62 of the Education Code. For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations made by this paragraph shall not be deemed to be “General Fund revenues appropriated for community college districts,” as defined in subdivision (d) of Section 41202 of the Education Code, for the fiscal year in which the payments are disbursed, or included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the fiscal year in which the payments are disbursed.

(11) \$428,396,000 in augmentation of Item 6440-001-0001 of Section 2.00.

(12) \$43,221,000 in augmentation of Item 6440-005-0001 of Section 2.00. Of this amount, \$27,343,000 shall be for the purposes of subdivision (a) of Provision 2 of Item 6440-005-0001 of Section 2.00, \$6,656,000 shall be for the purposes of subdivision (b) of Provision 2 of Item 6440-005-0001 of Section 2.00, and \$9,222,000 shall be for the purposes of subdivision (c) of Provision 2 of Item 6440-005-0001 of Section 2.00.

(13) \$1,935,000 in augmentation of Item 6600-001-0001 of Section 2.00.

(14) \$498,086,000 in augmentation of Item 6610-001-0001 of Section 2.00.

(15) \$88,400,000 to offset the reversion proposed in Schedule (1) of Item 6980-495 of Section 2.00.

(16) \$250,000,000 in augmentation of Provision 3 of Item 9210-111-0001 of Section 2.00.

(17) \$1,892,428,000 shall be deposited into the Employee Compensation Reduction Offset Fund, hereby created in the State Treasury, to be used to offset the reductions to employee compensation pursuant to Sections 3.90 and 3.91.

(18) Any loan made pursuant to Section 3.92 of Section 2.00 of this act, not to exceed \$936,000,000, shall be repaid and Section 3.92 shall become inoperative with respect to those loans.

(c) If the Director of Finance determines that federal funds have been made available in an amount greater than \$2,000,000,000, but less than \$14,000,000,000, the amount above \$2,000,000,000 shall be proportionally allocated to the individual items of appropriation contained in paragraphs (1) to (18), inclusive, of subdivision (b) in proportion to the sum total of all appropriations specified in paragraphs (1) to (18), inclusive, of subdivision (b).

SEC. 103. Section 11.90 of the Budget Act of 2020 is amended to read:

SEC. 11.90. (a) It is the intent of the Legislature in enacting this section to provide flexibility for administrative approval of augmentations for the expenditure of \$9,525,564,744 in federal funds allocated from the Coronavirus Relief Fund in the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) that address urgent need in support of the state's response to the COVID-19 public health emergency, subject to the requirements of this section. Except as provided in this section, proposals for expenditure of these funds shall be considered in the annual State Budget or other state legislation. Section 28.00 does not apply to the funds described in this section.

(b) The Director of Finance may allocate the federal funds described in subdivision (a) to support activities and expenses that promote public health and safety in response to the COVID-19 public health emergency, including, but not limited to, any of the following:

(1) State and local public safety, including implementation of social distancing guidelines in public facilities.

(2) State and local public health, including testing and contact tracing.

(3) Services for vulnerable populations, including increased caseload.

(4) K-12 learning loss mitigation.

(5) County public health, behavioral health, and health and human services.

(6) Other items permitted pursuant to guidance provided by the United States Treasury Department, including answers to Frequently Asked Questions, as allowable expenditures that support the state's COVID-19 response.

(c) Funds may be allocated to offset or reduce General Fund appropriations in the 2019–20 and 2020–21 fiscal years that were made to support the COVID-19 response between March 1, 2020, and December 30, 2020. If no item for a department currently exists to allow for adjustments for the allocation, then an item may be created for this purpose.

(d) Notwithstanding subdivisions (b) and (c), of the funds described in subdivision (a), the Director of Finance shall allocate \$2,339,065,000 for the following purposes:

(1) (A) \$550,000,000 through the Department of Housing and Community Development to support housing for individuals and families who are experiencing homelessness or who are at risk of homelessness due to the COVID-19 pandemic.

(2) \$500,000,000 directly to cities, to be used toward homelessness, public health, public safety, and other services to combat the COVID-19 pandemic. These funds shall be allocated in the following manner:

(A) \$225,000,000 directly to cities with a population of 300,000 or greater that did not receive a direct allocation from the federal CARES Act (P.L. 116-136). These funds shall be allocated based on the share of each city's population relative to the total population of the cities described in this subparagraph.

(B) \$275,000,000 to cities with a population of less than 300,000. These funds shall be allocated based on the share of each city's population relative to the total population of the cities described in this subparagraph. A city receiving funding pursuant to this subparagraph shall not receive less than \$50,000.

(3) \$1,289,065,000 to counties, to be used toward homelessness, public health, public safety, and other services to combat the COVID-19 pandemic. These funds shall be allocated based on the share of each county's population relative to the total population of the state, taking into account prior direct allocation of funding from the federal CARES Act (P.L. 116-136).

(e) If funds described in subdivision (a) are not spent by September 1, 2020, the Director of Finance may reallocate those funds to any item of appropriation for other allowable activities. Changes to these allocations may be authorized not sooner than 10 days after notification in writing to the Joint Legislative Budget Committee of the changes to the planned expenditures. The Chairperson of the Joint Legislative Budget Committee, or the chairperson's designee, may shorten the 10-day period by written notification to the director.

(f) Funding to local governments pursuant to this section is contingent on the local jurisdiction's adherence to federal guidance and the state's stay-at-home requirements and other health requirements as directed in gubernatorial Executive Order N-33-20, subsequent executive orders or statutes, and all State Department of Public Health orders, directives, and guidance issued in response to the COVID-19 public health emergency. Local governments shall certify compliance to the Department of Finance. The State Controller shall allocate funding to a local government upon the order of the Director of Finance.

(g) The Director of Finance may authorize the augmentation of the funds available in subdivision (a) for expenditure for any program, project, or function in the schedule of any item of appropriation in this act or any additional program, project, or function equal to the amount of funds the Director of Finance estimates will be received from the federal government between March 1, 2020, and December 30, 2020, provided that the augmentation meets all of the following requirements:

(1) The funds will be expended to address an urgent need in support of the state's response to the COVID-19 public health emergency.

(2) The funds will be expended for a purpose that is consistent with this section and state law.

(3) The funds are made available to the state under conditions permitting the use of the funds only for COVID-19-related response, and the additional expenditure proposed under this section would apply to that specified funding purpose.

(4) Acceptance of the funds does not impose on the state any requirement to commit or expend new state funds for any program or purpose.

(5) The need exists to expend the additional funding before December 30, 2020.

(h) The Director of Finance may reduce any program, project or function in the schedule of any item of appropriation in this act whenever the director determines that funds to be received will be less than the amount taken into consideration in the schedule.

(i) Funds appropriated pursuant to this section shall not be expended prior to 10 days after the Director of Finance notifies the Joint Legislative Budget Committee in writing of the purposes of the planned expenditure and the justification for the amount proposed for expenditure. The Chairperson of the Joint Legislative Budget Committee, or the chairperson's designee, may shorten or waive that 10 day period by written notification to the Director of Finance.

SEC. 104. Section 11.95 is added to the Budget Act of 2020, to read:

SEC. 11.95. (a) Federal legislation enacted between March 6, 2020, and April 24, 2020, is providing funding to the state to support testing and contact tracing in response to the COVID-19 public health emergency. The Department of Finance may allocate these funds to support testing and contact tracing as directed by the State Department of Public Health, provided that funds are not used by any state or local entity for applications that collect information related to an individual's location and movement. This subdivision does not preclude a contact tracer from using a program to store, organize, or analyze any data otherwise affirmatively provided to the contact tracer by an individual. All testing and contact tracing must be conducted in compliance with applicable federal and state privacy laws.

(b) Funds described in subdivision (a) may be allocated to offset or reduce appropriations in the 2019–20 and 2020–21 fiscal years that support the COVID-19 response between March 1, 2020 and June 30, 2021. If no item for a department currently exists to allow for adjustments for the additional federal funds allocation or additional reimbursements to be allocated, then an item may be created for this purpose.

(c) The Department of Finance may adjust any item in Section 2.00 to account for additional federal funding or any additional reimbursements to support testing and contact tracing. If no item for a department currently exists in Section 2.00 of this Act to

allow for adjustments for the additional federal funds allocation or additional reimbursements to be allocated, then an item may be created for this purpose.

(d) Changes to any item in Section 2.00 may be authorized not sooner than 10 days after written notification to the Joint Legislative Budget Committee of the changes to the planned expenditures to support testing and contact tracing. The chairperson of the Joint Legislative Budget Committee or the chairperson's designee may shorten the 10 days by written notification.

SEC. 105. Section 12.32 of the Budget Act of 2020 is amended to read:

SEC. 12.32. (a) It is the intent of the Legislature that appropriations that are subject to Section 8 of Article XVI of the California Constitution be designated with the wording "Proposition 98." In the event these appropriations are not so designated, they may be designated as such by the Department of Finance, where that designation is consistent with legislative intent, not less than 30 days after notification in writing of the proposed designation to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, or not less than a shorter period after notification that the chairperson of the joint committee, or the chairperson's designee, determines.

(b) Pursuant to the Proposition 98 funding requirements established in Chapter 2 (commencing with Section 41200) of Part 24 of Division 3 of Title 2 of the Education Code, the total appropriations for Proposition 98 for the 2020–21 fiscal year are \$45,065,821,000, or 38 percent of total General Fund revenues, Education Protection Account revenues, and transfers subject to the state appropriations limit. General Fund and Education Protection Account revenues appropriated for school districts are \$39,900,480,000, or 33.6 percent of total General Fund revenues, Education Protection Account revenues, and transfers subject to the state appropriations limit. General Fund and Education Protection Account revenues appropriated to school districts and community college districts for adult education and K–12 Career Technical Education Strong Workforce Program are \$707,064,000 or 0.6 percent of total General Fund revenues, Education Protection Account revenues, and transfers subject to the state appropriations limit. General Fund and Education Protection Account revenues

appropriated for community college districts are 4,352,586,000, or 3.7 percent of total General Fund revenues, Education Protection Account revenues, and transfers subject to the state appropriations limit. General Fund and Education Protection Account revenues appropriated for other state agencies that provide direct elementary and secondary level education, as defined in Section 41302.5 of the Education Code, are \$105,691,000 or 0.1 percent of total General Fund revenues, Education Protection Account revenues, and transfers subject to the state appropriations limit.

(c) Notwithstanding any preexisting budgetary or accounting requirements to the contrary, the Department of Finance shall make the final determination of the proper budgeting and accounting of the revenues received by, and disbursements from, the Education Protection Account.

SEC. 106. Section 12.45 of the Budget Act of 2020 is repealed.

SEC. 107. Section 31.00 of the Budget Act of 2020 is amended to read:

SEC. 31.00. (a) The appropriations made by this act shall be subject, unless otherwise provided by law, to Section 13320 and Article 2.5 (commencing with Section 13332) of Chapter 3 of Part 3 of Division 3 of Title 2 of the Government Code, requiring expenditures to be made in accordance with the allotments and other provisions of departmental budgets approved by the Department of Finance.

(b) The departmental budgets shall authorize, in the manner that the Department of Finance shall prescribe, all established positions whose continuance for the year is approved. Authorization by the Department of Finance is required for (1) the reclassification of any position to or from a monthly maximum salary of \$11,258 or above, regardless of range, (which is equivalent to the monthly maximum salary of the Information Technology Manager II classification as of July 1, 2020) and (2) the establishment of any new position not (A) specifically identified in the Governor's Budget and approved by the Legislature or (B) approved by the Legislature and specifically documented in the Final Change Book or enacted legislation. Additionally, authorization by the Department of Finance is required for (1) the reclassification of any non-Career Executive Assignment classification to a Career Executive Assignment classification or (2) the administrative establishment of any Career Executive Assignment classification.

(c) The Department of Finance shall, for a period of not less than two years, keep and preserve documentation concerning position changes approved as specified in subdivision (b). The Department of Finance may use electronic means to keep and preserve this documentation.

(d) It is the intent of the Legislature that all positions administratively established pursuant to this section that are intended by the administration to be ongoing be submitted to the Legislature for approval through the regular budget process as soon as possible. All positions administratively established pursuant to this section during the 2020–21 fiscal year shall terminate on June 30, 2021, except for those positions that have been (1) approved by the Legislature as part of the regular budget process for the 2021–22 fiscal year as new positions or (2) approved by the Department of Finance after the 2021–22 Governor’s Budget submission to the Legislature and subsequently reported to the Legislature prior to July 1, 2021. The positions identified in (2) above may be reestablished by the Department of Finance during the 2021–22 fiscal year, provided that these positions are shown in the Governor’s Budget for the 2022–23 fiscal year as submitted to the Legislature, and provided that these positions do not result in the reestablishment of positions deleted by the Legislature through the budget process for the 2021–22 fiscal year. The Department of Finance shall provide written notification to the Chairperson of the Joint Legislative Budget Committee within 30 days of the reestablishment of positions approved in the 2021–22 fiscal year pursuant to (2) above.

(e) Moneys appropriated in the 2020–21 fiscal year may be expended for increases in salary ranges or any other employee compensation action only if appropriated for that purpose, or if the Department of Finance certifies to the salary and other compensation-setting authority, prior to the adoption of the action, that funds are available to pay the increased salary or employee compensation resulting from the action. Prior to certification, the Department of Finance shall determine whether the increase in salary range or employee compensation action will require supplemental funding in the 2021–22 fiscal year. If the Department of Finance determines that supplemental funding will be required, the department may certify only if it notifies in writing, at least 30 days before, the chairpersons of the committees in each house of

the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, or a lesser time which the chairperson of the joint committee, or the chairperson's designee, determines.

(f) A certification on a payroll claim that expenditures therein are in accordance with current budgetary provisions as approved by the Department of Finance shall be sufficient evidence to the Controller that these expenditures comply with this section.

(g) Requests to continue administratively established positions as ongoing positions pursuant to subdivision (d) shall include information on the date the positions were administratively established. This information shall be included in the administration's budget change proposals and finance letters. If the administration requests to establish new positions in the 2021–22 fiscal year, and subsequently decides to administratively establish the positions in the 2020–21 fiscal year, the Department of Finance shall provide written notification to the Chairperson of the Joint Legislative Budget Committee within 30 days of the administrative establishment of the positions.

(h) This section applies to all state agencies, departments, boards, bureaus, and commissions.

SEC. 108. Section 35.50 of the Budget Act of 2020 is amended to read:

SEC. 35.50. (a) For purposes of paragraph (1) of subdivision (f) of Section 10, and subdivision (g) of Section 12, of Article IV of the California Constitution, "General Fund revenues" means the total resources available to the General Fund for a fiscal year before any transfer to or withdrawal from the Budget Stabilization Account.

(b) For purposes of subdivision (g) of Section 12 of Article IV of the California Constitution, the estimate of General Fund revenues for the 2020–21 fiscal year pursuant to this act, as passed by the Legislature, is \$129,885,000,000.

(c) For purposes of paragraph (2) of subdivision (a) of Section 20 of Article XVI of the California Constitution, "General Fund revenues" shall be defined as revenues and transfers before any transfer to or withdrawal from the Budget Stabilization Account.

(d) Pursuant to subdivision (h) of Section 20 of Article XVI of the California Constitution, the following estimates are provided:

(1) For purposes of paragraph (2) of subdivision (a) of Section 20 of Article XVI of the California Constitution, the sum equal to 1.5 percent of General Fund revenues for the 2020–21 fiscal year is \$1,919,000,000.

(2) For purposes of clause (ii) of subparagraph (B) of paragraph (1) of subdivision (b) of Section 20 of Article XVI of the California Constitution, capital gain revenues that exceed 8 percent of General Fund proceeds of taxes for the 2020–21 fiscal year is \$454,000,000.

(3) For purposes of subparagraph (F) of paragraph (1) of subdivision (b) of Section 20 of Article XVI of the California Constitution, the amount of transfer to the Budget Stabilization Account in the 2020–21 fiscal year is \$1,101,000,000.

(4) Notwithstanding paragraph (3) of subdivision (d) of this section, pursuant to paragraph (1) of subdivision (a) of Section 22 of Article XVI of the California Constitution, the transfer to the Budget Stabilization Account for the 2020–21 fiscal year in the amount of \$1,101,000,000 is suspended.

(5) For purposes of clause (ii) of subparagraph (B) of paragraph (2) of subdivision (b) of Section 20 of Article XVI of the California Constitution, the updated estimate of capital gain revenues that exceeds 8 percent of General Fund proceeds of taxes for the 2019–20 fiscal year is \$3,381,000,000.

(6) For purposes of subparagraph (G) of paragraph (2) of subdivision (b) of Section 20 of Article XVI of the California Constitution, the first true up of the transfer to the Budget Stabilization Account for the 2019–20 fiscal year is a reduction of \$38,000,000.

(7) For purposes of clause (ii) of subparagraph (B) of paragraph (2) of subdivision (b) of Section 20 of Article XVI of the California Constitution, the updated capital gain revenues that exceed 8 percent of General Fund proceeds of taxes for the 2018–19 fiscal year is \$3,809,000,000.

(8) For purposes of subparagraph (G) of paragraph (2) of subdivision (b) of Section 20 of Article XVI of the California Constitution, the second true up of the transfer to the Budget Stabilization Account for the 2018–19 fiscal year is a reduction of \$362,000,000.

(9) Pursuant to subparagraph (A) of paragraph (2) of subdivision (a) of Section 22 of Article XVI of the California Constitution, \$7,806,000,000 is hereby transferred from the Budget Stabilization

Account to the General Fund for the 2020–21 fiscal year effective July 1, 2020.

SEC. 109. Section 39.00 of the Budget Act of 2020 is amended to read:

SEC. 39.00. The Legislature hereby finds and declares that the following bills are other bills providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution: AB 75, AB 76, AB 77, AB 78, AB 79, AB 80, AB 81, AB 82, AB 83, AB 84, AB 85, AB 86, AB 87, AB 88, AB 89, AB 90, AB 92, AB 93, AB 94, AB 100, AB 102, AB 103, AB 104, AB 105, AB 106, AB 107, AB 108, AB 109, SB 88, SB 97, SB 98, SB 100, SB 101, SB 102, SB 107, SB 108, SB 110, SB 111, SB 114, SB 115, SB 116, SB 118, SB 119, SB 121, SB 122, SB 123, SB 124, SB 126, SB 809, SB 810, SB 811, SB 812, SB 813, SB 814, SB 815, SB 816, and SB 817.

SEC. 110. Section 99.00 of the Budget Act of 2020 is amended to read:

INDEX BY BUDGET TITLE

SEC. 99.00. The following provides an index to the appropriations and related provisions of this act, by organization in alphabetical order, with the code number of the affected organization. The organization code is the first four numbers of any item number in this act. For ease of reference, the appropriation items in this act are organized in numerical order, and all of the appropriation items for any one organization are adjacent to one another.

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Department	Organization Code
State. See subject (e.g., Controller, Treasurer, etc.)	
State and Community Corrections, Board of.....	5227
State Hospitals, State Department of.....	4440
State Mandates, Commission on.....	8885
Statewide Health Planning and Development, Office of	4140
Status of Women and Girls, Commission on the.....	8820
Student Aid Commission.....	6980
Summer School for the Arts, California State.....	6255

“T”

Tahoe Conservancy, California.....	3125
Tax and Fee Administration, California Department of	7600
Tax Appeals, Office of.....	0870
Tax Credit Allocation Committee, California.....	0968
Tax Relief.....	9100
Teacher Credentialing, Commission on.....	6360
Teachers’ Retirement System, State.....	7920
Technology, Department of.....	7502
Toxic Substances Control, Department of.....	3960
Transportation, Department of.....	2660
Transportation, Secretary of.....	0521
Transportation Commission, California.....	2600
Treasurer.....	0950
Trial Court Security—Court Construction.....	9285
Trial Court Security—Judgeships.....	9286

“U”

University, California State.....	6610
University, California State, Health Benefits for An- nuitants.....	6645
University of California.....	6440

Department

Organization Code

“V”

Veterans Affairs, Department of.....	8955
Victim Compensation Board, California.....	7870

“W”

Water Resources, Department of.....	3860
Water Resources Control Board, State.....	3940
Wildlife Conservation Board.....	3640
Workforce Development Board, California.....	7120

SEC. 111. Section 99.50 of the Budget Act of 2020 is amended to read:

INDEX FOR CONTROL SECTIONS

SEC. 99.50. The following is an index to the general sections of this act. These sections serve to define terms and identify restrictions concerning the appropriations contained in this act.

- 1.00 Budget Act Citation
- 1.50 Intent and Format
- 1.51 Citations to Prior Budget Acts
- 1.80 Availability of Appropriations
- 2.00 Items of Appropriation
- 3.00 Defines Purposes of Appropriations
- 3.10 Subschedule Transfers for Capital Projects
- 3.50 Benefit Charges Against Salaries and Wages
- 3.60 Contribution to Public Employees' Retirement Benefits
- 3.61 Contribution to Prefund Other Postemployment Benefits
- 3.90 Reduction of Employee Compensation
- 3.92 Borrowing From Special Funds Related to Employee Compensation Savings
- 4.05 Budget Adjustment Authority
- 4.11 Establishing New Positions
- 4.13 AB 85 Repayments to Counties
- 4.20 Contribution to Public Employees' Contingency Reserve Fund
- 4.30 Lease-Revenue Payment Adjustments
- 4.72 Electric Vehicle Charging Infrastructure
- 4.75 Statewide Surcharge
- 4.80 State Public Works Board Interim Financing
- 4.90 Architectural Revolving Fund Transfer
- 4.95 Inmate and Ward Construction Revolving Account Transfer
- 5.25 Attorney's Fees
- 6.00 Project Alterations Limits
- 8.00 Antiterrorism Federal Reimbursements
- 8.28 Restoration Trigger Related to Federal Funds
- 8.50 Federal Funds Receipts
- 8.51 Federal Funds Accounts
- 8.52 Federal Reimbursements
- 8.53 Notice of Federal Audits
- 8.54 Enforce Recovery of Federal Funds for Statewide Indirect Costs
- 9.30 Federal Levy of State Funds
- 9.50 Minor Capital Outlay Projects

- 11.00 Information Technology Reporting Requirements
- 11.10 Reporting of Statewide Software License Agreements
- 11.11 Privacy of Information in Pay Stubs
- 11.90 Coronavirus Relief
- 11.95 COVID Federal Funds
- 12.00 State Appropriations Limit (SAL)
- 12.30 Special Fund for Economic Uncertainties
- 12.32 Proposition 98-Funding Guarantee
- 12.35 Financial Aid Policy Change Requirements

- 13.00 Legislative Counsel Bureau
- 14.00 Special Fund Loans Between Boards of the Department of Consumer Affairs

- 15.25 Data Center Rate Adjustment
- 15.45 Trial Court Funding Offsets
- 24.00 State School Fund Allocations
- 24.03 Reading Control
- 24.30 Transfer School Building Rental Income to the General Fund
- 24.60 Report of Lottery Funds Received
- 24.70 Local Educational Agency Fiscal Accountability
- 25.40 Contracted Fiscal Services Costs
- 25.50 SCO Apportionment Payment System Assessments
- 26.00 Intraschedule Transfers
- 28.00 Program Change Notification
- 28.50 Agency Reimbursement Payments
- 29.00 Position Estimates of Governor’s Budget, May Revision, and Final Change Book

- 30.00 Continuous Appropriations
- 31.00 Budget Act Administrative Procedures for Salaries and Wages
- 32.00 Prohibits Excess Expenditures
- 33.00 Item Veto Severability
- 34.00 Constitutional Severability
- 35.21 Application of Net Final Payment Accrual Methodology
- 35.35 FI\$Cal—Short-Term Cash Loans
- 35.50 Estimated General Fund Revenues and Various Estimates Related to the Budget Stabilization Account

- 38.00 Provides That This Bill Is a Budget Bill
- 39.00 Identification of Bills Related to the Budget Bill
- 99.00 Alphabetical Organization Index
- 99.50 Numerical Control Section Index

SEC. 112. This act is a Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution and shall take effect immediately.

Approved _____, 2020

Governor