

ASSEMBLY BILL

No. 1099

Introduced by Assembly Member Fuller

February 27, 2009

An act to amend Section 17315 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1099, as introduced, Fuller. School facilities: construction.

Existing law, the Field Act, requires the Department of General Services under the police power of the state to supervise the design and construction of a school building or the reconstruction or alteration of, or addition to, a school building, if not exempted under specified law, to ensure that plans and specifications comply with adopted rules and regulations and building standards published in regulations, and to ensure that the work of construction is performed in accordance with the approved plans and specifications for the protection of life and property. When the construction is completed, notice of completion is filed, specified reports are submitted to the department, and all required fees are paid, the department is required to issue a certification that the school building complies with the requirements of the Field Act.

This bill would make technical, nonsubstantive changes to the above provision regarding certification of completion.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

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

1 SECTION 1. Section 17315 of the Education Code is amended
2 to read:

3 17315. (a) When a school building constructed in accordance
4 with plans and specifications approved by the Department of
5 General Services is completed, the notice of completion is filed,
6 and all final verified reports and all testing and inspection
7 documents, as required by this article or as required by the rules
8 and regulations adopted pursuant to this article, are submitted to,
9 and on file with, the Department of General Services, and all
10 required fees paid by the school district, the department shall issue
11 a certification that the school building complies with the
12 requirements of this article. ~~Nothing in this article shall~~ *This article*
13 *does not* prevent beneficial occupancy by a school district ~~prior to~~
14 ~~the issuance of~~ *before this certification is issued.*

15 (b) When a school building, constructed in accordance with
16 approved plans and specifications, is completed but final verified
17 reports, as are required under Section 39151, have not been
18 submitted to the Department of General Services due to the
19 incapacitating illness, death, or the default of ~~any~~ persons required
20 to file ~~such~~ *the* reports, the Department of General Services ~~shall~~,
21 upon written request of the school district, *shall* review all of the
22 project records and make ~~such~~ *the* examinations ~~as~~ it deems
23 necessary to enable it to certify that the school building otherwise
24 complies with the requirements of this article. The Department of
25 General Services may request the school district to have made,
26 reported, and verified any other tests and inspections ~~which~~ *that*
27 the department deems necessary to complete its examinations of
28 the construction.

29 (c) The costs incurred by the Department of General Services
30 in connection with this section shall be paid by the school district.
31 The actual costs to perform the examinations, tests, and inspections
32 shall be an appropriate cost of the project to be paid from the
33 building funds of the district. Certification of the project by the
34 Department of General Services shall be withheld until all the costs
35 have been paid by the school district.

36 (d) This section shall not relieve ~~any~~ *an* individual of his or her
37 responsibility to file verified reports, as required in Section 17309,
38 or ~~any~~ other documents required by the rules and regulations

1 adopted pursuant to this article. This section shall not abrogate the
2 provisions of Section 17312.

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