

**Introduced by Senator Hueso  
(Coauthors: Senators Hill and Wolk)**

February 4, 2016

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An act to amend Section 32132.5 of the Health and Safety Code, relating to health care districts.

LEGISLATIVE COUNSEL'S DIGEST

SB 957, as introduced, Hueso. Health care districts: design-build process.

Existing law authorizes the Sonoma Valley Health Care District and, until January 1, 2025, the Marin Healthcare District, to use the design-build process when contracting for the construction of a building or improvements directly related to a hospital or health facility building at the Sonoma Valley Hospital or the Marin General Hospital. Existing law sets forth the procurement process for design-build projects, as specified, and requires specified information by submitted design-build entities to be verified under penalty of perjury.

This bill would instead authorize, until January 1, 2025, any health care district to use the design-build process when contracting for the construction of a hospital or health facility building. Because the bill would expand the application of the procurement process to additional design-build entities, the bill would expand the crime of perjury, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) Utilizing a design-build contract requires a clear  
4 understanding of the roles and responsibilities of each participant  
5 in the process.

6 (b) Cost benefits for health care districts are achieved by shifting  
7 liability and risk for cost containment and project completion to  
8 the design-build entity.

9 (c) It is the intent of the Legislature that the design-build process  
10 be used by health care districts solely for buildings associated with  
11 hospitals and health care facilities, including clinics and skilled  
12 nursing facilities, and not for other infrastructure, including, but  
13 not limited to, streets, highways, public rail transit, roads, bridges,  
14 other water resources facilities, and related infrastructure.

15 SEC. 2. Section 32132.5 of the Health and Safety Code, as  
16 amended by Section 4 of Chapter 931 of the Statutes of 2014, is  
17 amended to read:

18 32132.5. (a) Notwithstanding Section 32132 or any other law,  
19 upon approval by ~~the board of directors of the Sonoma Valley~~  
20 ~~Health Care District or the Marin Healthcare District, as applicable,~~  
21 *its board of directors, a health care district may use the*  
22 *design-build procedure described in Chapter 4 (commencing with*  
23 *Section 22160) of Part 3 of Division 2 of the Public Contract Code*  
24 ~~may be used~~ *to assign contracts for the construction of a building*  
25 *or improvements directly related to construction of a hospital or*  
26 *health facility building at the Sonoma Valley Hospital or the Marin*  
27 ~~General Hospital.~~ *building.*

28 (b) For purposes of this section, except where the context  
29 otherwise requires, all references in Chapter 4 (commencing with  
30 Section 22160) of Part 3 of Division 2 of the Public Contract Code  
31 to “local agency” shall mean ~~the Sonoma Valley Health Care~~  
32 ~~District and the Marin Healthcare District.~~ *health care district and*  
33 *its board of directors.*

34 (c) A hospital building project utilizing the design-build process  
35 authorized by subdivision (a) shall be reviewed and inspected in

1 accordance with the standards and requirements of the Alfred E.  
2 Alquist Hospital Facilities Seismic Safety Act of 1983 (Chapter 1  
3 (commencing with Section 129675) of Part 7 of Division 107).

4 *(d) Except as provided in this section, this section shall not be*  
5 *construed to affect the application of any other law.*

6 ~~(e)~~

7 *(e) This section shall remain in effect only until January 1, 2025,*  
8 *and as of that date is repealed.*

9 SEC. 3. No reimbursement is required by this act pursuant to  
10 Section 6 of Article XIII B of the California Constitution because  
11 the only costs that may be incurred by a local agency or school  
12 district will be incurred because this act creates a new crime or  
13 infraction, eliminates a crime or infraction, or changes the penalty  
14 for a crime or infraction, within the meaning of Section 17556 of  
15 the Government Code, or changes the definition of a crime within  
16 the meaning of Section 6 of Article XIII B of the California  
17 Constitution.