
SENATE COMMITTEE ON APPROPRIATIONS

Senator Ricardo Lara, Chair
2015 - 2016 Regular Session

AB 2873 (Thurmond) - Certified access specialists

Version: August 1, 2016

Policy Vote: JUD. 5 - 2

Urgency: No

Mandate: Yes

Hearing Date: August 11, 2016

Consultant: Jolie Onodera

***** ANALYSIS ADDENDUM – SUSPENSE FILE *****

The following information is revised to reflect amendments
adopted by the committee on August 11, 2016

Bill Summary: AB 2873 would impose the following requirements on local agencies:

- Commencing January 1, 2021, requires all building inspectors employed or retained by a local agency who conduct permitting and plan check services to review for compliance with state construction-related accessibility standards by a place of public accommodation with respect to new construction or renovation to be certified access specialists (CASps), as specified.
- Requires all new employees employed or retained by a local agency on or after January 1, 2018, who will conduct permitting and plan check services to review for compliance with state construction-related accessibility standards by a place of public accommodation to be CASps within 24 months of their initial date of employment.
- Commencing January 1, 2017, increases the existing \$1 fee attached to an application for a local business license to \$4, and extends the current sunset on the fee authority for one year to December 31, 2019. Reduces the proportion of fee revenue to the Division of the State Architect (DSA) from 30 percent to 10 percent of collections.
- From January 1, 2017, through December 31, 2019, in any city, county, or city and county that does not issue business licenses, requires any applicant for a building permit to pay an additional fee of \$4 for that permit, as specified.

Fiscal Impact:

- CASp mandate: Potential major increase in future ongoing local agency costs in the millions of dollars related to the imposition of CASp certification for all applicable building inspectors and new/retained employees within specified timeframes, potentially state-reimbursable if not fully covered by the short-term fee increase and the ongoing fee authority. To the extent the bill creates a higher level of service on local agencies due to mandating CASp-certification for all building inspectors and new/retained employees, local agencies could claim reimbursement for those increased costs not covered by fees. At an average cost of \$4,500 for CASp certification, certification costs for every 1,000 new CASps would cost \$4.5 million.

These costs do not reflect the larger impact associated with ongoing compensation for more highly trained personnel.

- State fee revenue: Short-term net increase in fee revenues of about \$200,000 (Special Fund*) to the DSA through 2019, due to the fee increase from \$1 to \$4 on business license applications which is partially offset by the reduced proportion (from 30 percent to 10 percent) of fee revenue to DSA. The amount of fee revenue generated by the new \$4 fee imposed on building permits in local jurisdictions that do not issue business licenses is unknown, but not anticipated to be significant.
- Local fee revenue: Short-term net increase in fee revenues (Local Funds) of \$6 million through 2019 due to the fee increase from \$1 to \$4 on business license applications and the increased share from 70 percent to 90 percent of total fees collected. Additional fee revenues due to the new \$4 fee imposed on building permits of an unknown, but potentially significant amount.
- DSA administrative costs: One-time costs ranging from \$750,000 to \$1 million (Special Fund**) to (1) upgrade its existing database system to accommodate the significant expansion of the program, and, (2) revise and transition the CASp exam to an electronic-based format. Additionally, ongoing resource costs of \$230,000 (Special Fund**) to manage administration of the examination and certification renewals for the larger program. The current fees for CASp examinations and renewals are estimated to maintain cost-neutrality for the ongoing costs of the program.

*Disability Access and Education Revolving Fund

Certified Access Specialist (CASp) Fund – **staff notes the CASp Fund has experienced a slowly growing reserve balance over the past three years, with a projected balance of \$1.7 million ending FY 2016-17, due to the CASp program operating on a largely cost-neutral basis. However, the potentially significant expansion of the program will likely necessitate budget authority to invest additional funds on a one-time basis to accommodate the changes needed to address the influx of applicants necessitated by the mandate for CASp certification.

Author Amendments:

- Remove the minimum criteria that specified familiarity with the applicability and content of various accessibility requirements, including but not limited to the federal requirements described in subdivision (c) of Section 4459 and the state standards established in Chapter 11A (commencing with line 21 Section 1101A) and Chapter 11B (commencing with Section line 22 11B-101) of Title 24 of the California Code of Regulations.
- Remove the sunset date on fee authority, effective January 1, 2020, and extends the \$1 fee on local business licenses, or \$1 fee on building permits in jurisdictions that do not issue business licenses, as specified, thereby authorizing the fees in perpetuity. Reverts the DSA and local entity share of fee revenues effective January 1, 2020, to 30 percent and 70 percent, respectively.

-- END --