

AMENDED IN ASSEMBLY AUGUST 31, 2009

AMENDED IN ASSEMBLY JULY 1, 2009

AMENDED IN SENATE MAY 20, 2009

AMENDED IN SENATE APRIL 23, 2009

AMENDED IN SENATE APRIL 13, 2009

**SENATE BILL**

**No. 407**

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**Introduced by Senator Padilla**

February 26, 2009

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An act to amend Section 1102.6 of, and to add Article 1.4 (commencing with Section 1101.1) to Chapter 2 of Title 4 of Part 4 of Division 2 of, the Civil Code, relating to water conservation.

LEGISLATIVE COUNSEL'S DIGEST

SB 407, as amended, Padilla. Property transfers: plumbing fixtures replacement.

(1) Existing law authorizes public entities that supply water, by the adoption of an ordinance or resolution pursuant to specified procedures, to adopt and enforce a water conservation program. Existing law requires certain disclosures to be made upon the transfer of real estate. Existing law requires that all water closets or urinals sold or installed in the state use no more than an average of 1.6 gallons or one gallon per flush, respectively.

This bill would establish requirements for residential and commercial real property built and available for use on or before January 1, 1994, for replacing plumbing fixtures that are not water conserving, as defined as noncompliant plumbing fixtures. On and after January 1, 2014, the bill would require, for all building alterations or improvements to

single-family residential real property, as defined, that water-conserving plumbing fixtures replace other noncompliant plumbing fixtures as a condition for issuance of a certificate of final completion and occupancy or final permit approval by the local building department. By creating a new duty to inspect for local officials, this bill would impose a state-mandated local program. The bill would require, on or before January 1, 2017, that all noncompliant plumbing fixtures in any single-family residential real property shall be replaced by the property owner with water-conserving plumbing fixtures.

The bill would require, on or before January 1, 2019, that all noncompliant plumbing fixtures in multifamily residential real property and commercial real property, as defined, be replaced with water-conserving plumbing fixtures. The bill would require, on and after January 1, 2014, for specified building alterations or improvements to multifamily residential real property and commercial real property, that water-conserving plumbing fixtures replace other noncompliant plumbing fixtures as a condition for issuance of a certificate of final completion and occupancy or final permit approval by the local building department. By creating a new duty to inspect for local officials, this bill would impose a state-mandated local program.

The bill would require, on and after January 1, 2011, that a seller or transferor of single-family residential real property, multifamily residential real property, or commercial real property disclose to a purchaser or transferee, in writing, specified requirements for replacing plumbing fixtures, and whether the real property includes noncompliant plumbing. The bill would provide that the application of its requirements may be postponed up to one year, as specified, with respect to a building for which a demolition permit has been issued. The bill would permit a city or county to enact a local ordinance or policy that promotes compliance with the bill's provisions or that will result in greater water savings than otherwise provided by the bill. The bill would provide that it does not preempt local ordinances requiring ~~from~~ retrofit of noncompliant plumbing fixtures adopted prior to July 1, 2009, that are at least as restrictive as its provisions.

(2) Existing law requires certain transferors of real property improved with 1 to 4 dwelling units to make specified disclosures to prospective transferees regarding the characteristics of the property and prescribes forms for the purpose of making these disclosures.

This bill would revise the disclosure form described above to include references to water-conserving plumbing fixtures.

~~(3) 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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

*(3) 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. Article 1.4 (commencing with Section 1101.1)  
2 is added to Chapter 2 of Title 4 of Part 4 of Division 2 of the Civil  
3 Code, to read:

4  
5 Article 1.4. Installation of Water Use Efficiency Improvements  
6

7 1101.1. The Legislature finds and declares all of the following:

8 (a) Adequate water supply reliability for all uses is essential to  
9 the future economic and environmental health of California.

10 (b) Environmentally sound strategies to meet future water supply  
11 and wastewater treatment needs are key to protecting and restoring  
12 aquatic resources in California.

13 (c) There is a pressing need to address water supply reliability  
14 issues raised by growing urban areas.

15 (d) Economic analysis by urban water agencies has identified  
16 urban water conservation as a cost-effective approach to addressing  
17 water supply needs.

18 (e) There are many water conservation practices that produce  
19 significant energy and other resource savings that should be  
20 encouraged as a matter of state policy.

21 (f) Since the 1991 signing of the "Memorandum of  
22 Understanding Regarding Urban Water Conservation in

1 California,” many urban water and wastewater treatment agencies  
2 have gained valuable experience that can be applied to produce  
3 significant statewide savings of water, energy, and associated  
4 infrastructure costs. This experience indicates a need to regularly  
5 revise and update water conservation methodologies and practices.

6 (g) To address these concerns, it is the intent of the Legislature  
7 to require that residential and commercial real property built and  
8 available for use or occupancy on or before January 1, 1994, be  
9 equipped with water-conserving plumbing fixtures.

10 (h) It is further the intent of the Legislature that retail water  
11 suppliers are encouraged to provide incentives, financing  
12 mechanisms, and funding to assist property owners with these  
13 retrofit obligations.

14 1101.2. Except as provided in Section 1101.7, this article shall  
15 apply to residential and commercial real property built and  
16 available for use on or before January 1, 1994.

17 1101.3. For the purposes of this article:

18 (a) “Commercial real property” means any real property that is  
19 improved with, or consisting of, a building that is intended for  
20 commercial use, including hotels and motels, that is not a  
21 single-family residential real property or a multifamily residential  
22 real property.

23 (b) “Multifamily residential real property” means any real  
24 property that is improved with, or consisting of, a building  
25 containing more than one unit that is intended for human habitation,  
26 or any mixed residential-commercial buildings or portions thereof  
27 that are intended for human habitation. Multifamily residential  
28 real property includes residential hotels but does not include hotels  
29 and motels that are not residential hotels.

30 (c) “Noncompliant plumbing fixture” means any of the  
31 following:

32 (1) Any toilet manufactured to use more than 1.6 gallons of  
33 water per flush.

34 (2) Any urinal manufactured to use more than one gallon of  
35 water per flush.

36 (3) Any showerhead manufactured to have a flow capacity of  
37 more than 2.5 gallons of water per minute.

38 (4) Any interior faucet that emits more than 2.2 gallons of water  
39 per minute.

1 (d) “Single-family residential real property” means any real  
2 property that is improved with, or consisting of, a building  
3 containing not more than one unit that is intended for human  
4 habitation.

5 (e) “Water-conserving plumbing fixture” means any fixture that  
6 is in compliance with current building standards applicable to a  
7 newly constructed real property of the same type.

8 (f) “Sale or transfer” means the sale or transfer of an entire real  
9 property estate or the fee interest in that real property estate and  
10 does not include the sale or transfer of a partial interest, including  
11 a leasehold.

12 1101.4. (a) On and after January 1, 2014, for all building  
13 alterations or improvements to single-family residential real  
14 property, as a condition for issuance of a certificate of final  
15 completion and occupancy or final permit approval by the local  
16 building department, the permit applicant shall replace all  
17 noncompliant plumbing fixtures with water-conserving plumbing  
18 fixtures.

19 (b) On or before January 1, 2017, noncompliant plumbing  
20 fixtures in any single-family residential real property shall be  
21 replaced by the property owner with water-conserving plumbing  
22 fixtures.

23 (c) On and after January 1, 2011, a seller or transferor of  
24 single-family residential real property shall disclose in writing to  
25 the prospective purchaser or transferee, pursuant to Section 1102.6,  
26 the requirements of subdivision (b) and whether the real property  
27 includes any noncompliant plumbing fixtures.

28 1101.5. (a) On or before January 1, 2019, all noncompliant  
29 plumbing fixtures in any multifamily residential real property and  
30 in any commercial real property shall be replaced with  
31 water-conserving plumbing fixtures.

32 (b) (1) On and after January 1, 2014, all noncompliant plumbing  
33 fixtures in any multifamily residential real property and any  
34 commercial residential real property shall be replaced with  
35 water-conserving plumbing fixtures in the following circumstances:

36 (A) For building additions in which the sum of concurrent  
37 building permits by the same permit applicant would increase the  
38 floor area of the space in a building by more than 10 percent, the  
39 building permit applicant shall replace all noncompliant plumbing  
40 fixtures in the building.

1 (B) For building alterations or improvements in which the total  
2 construction cost estimated in the building permit is greater than  
3 one hundred fifty thousand dollars (\$150,000), the building permit  
4 applicant shall replace all noncompliant plumbing fixtures that  
5 service the specific area of the improvement.

6 (C) Notwithstanding subparagraph (A) or (B), for any alterations  
7 or improvements to a room in a building that require a building  
8 permit and that room contains any noncompliant plumbing fixtures,  
9 the building permit applicant shall replace all noncompliant  
10 plumbing fixtures in that room.

11 (2) Replacement of all noncompliant plumbing fixtures with  
12 water-conserving plumbing fixtures, as described in paragraph (1),  
13 shall be a condition for issuance of a certificate of final completion  
14 and occupancy or final permit approval by the local building  
15 department.

16 (c) On and after January 1, 2011, a seller or transferor of  
17 multifamily residential real property or of commercial real property  
18 shall disclose to the prospective purchaser or transferee, in writing,  
19 the requirements of subdivision (a) and whether the property  
20 includes any noncompliant plumbing fixtures. This disclosure may  
21 be included in other transactional documents.

22 1101.6. The duty of an owner or building permit applicant to  
23 comply with the requirements of this article shall be postponed  
24 for one year from the date of issuance of a demolition permit for  
25 the building. If the building is demolished within the one-year  
26 postponement, the requirements of this article shall not apply. If  
27 the building is not demolished after the expiration of one year, the  
28 provisions of this article shall apply, subject to appeal to the local  
29 building department, even though the demolition permit is still in  
30 effect or a new demolition permit has been issued.

31 1101.7. This article shall not apply to any of the following:

32 (a) Registered historical sites.

33 (b) Real property for which a licensed plumber certifies that,  
34 due to the age or configuration of the property or its plumbing,  
35 installation of water-conserving plumbing fixtures is not technically  
36 feasible.

37 (c) A building for which water service is permanently  
38 disconnected.

39 1101.8. A city, county, or city and county may do either of the  
40 following:

1 (a) Enact local ordinances or establish policies that promote  
2 compliance with this article.

3 (b) Enact local ordinances that will result in a greater amount  
4 of water savings than those provided for in this article.

5 1101.9. This article does not preempt local ordinances requiring  
6 retrofit of noncompliant plumbing fixtures adopted prior to July  
7 1, 2009, by a city, county, or city and county that are at least as  
8 restrictive as the requirements of this article.

9 SEC. 2. Section 1102.6 of the Civil Code is amended to read:

10 1102.6. The disclosures required by this article pertaining to  
11 the property proposed to be transferred are set forth in, and shall  
12 be made on a copy of, the following disclosure form:

REAL ESTATE TRANSFER DISCLOSURE STATEMENT

THIS DISCLOSURE STATEMENT CONCERNS THE REAL PROPERTY SITUATED IN THE CITY OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_, STATE OF CALIFORNIA, DESCRIBED AS \_\_\_\_\_. THIS STATEMENT IS A DISCLOSURE OF THE CONDITION OF THE ABOVE DESCRIBED PROPERTY IN COMPLIANCE WITH SECTION 1102 OF THE CIVIL CODE AS OF \_\_\_\_\_, 20 \_\_\_\_\_. IT IS NOT A WARRANTY OF ANY KIND BY THE SELLER(S) OR ANY AGENT(S) REPRESENTING ANY PRINCIPAL(S) IN THIS TRANSACTION, AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PRINCIPAL(S) MAY WISH TO OBTAIN.

I

COORDINATION WITH OTHER DISCLOSURE FORMS

This Real Estate Transfer Disclosure Statement is made pursuant to Section 1102 of the Civil Code. Other statutes require disclosures, depending upon the details of the particular real estate transaction (for example: special study zone and purchase-money liens on residential property).

Substituted Disclosures: The following disclosures and other disclosures required by law, including the Natural Hazard Disclosure Report/Statement that may include airport annoyances, earthquake, fire, flood, or special assessment information, have or will be made in connection with this real estate transfer, and are intended to satisfy the disclosure obligations on this form, where the subject matter is the same:

- Inspection reports completed pursuant to the contract of sale or receipt for deposit.
- Additional inspection reports or disclosures:

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II

SELLER'S INFORMATION

The Seller discloses the following information with the knowledge that even though this is not a warranty, prospective Buyers may rely on this information in deciding whether and on what terms to purchase the subject property. Seller hereby authorizes any agent(s) representing any principal(s) in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

THE FOLLOWING ARE REPRESENTATIONS MADE BY THE SELLER(S) AND ARE NOT THE REPRESENTATIONS OF THE AGENT(S), IF ANY. THIS INFORMATION IS A DISCLOSURE AND IS NOT INTENDED TO BE PART OF ANY CONTRACT BETWEEN THE BUYER AND SELLER:

Seller \_\_\_is \_\_\_is not occupying the property.

A. The subject property has the items checked below (read across):

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Range                   | <input type="checkbox"/> Oven                  | <input type="checkbox"/> Microwave            |
| <input type="checkbox"/> Dishwasher              | <input type="checkbox"/> Trash Compactor       | <input type="checkbox"/> Garbage Disposal     |
| <input type="checkbox"/> Washer/Dryer Hookups    |  | <input type="checkbox"/> Rain Gutters         |
| <input type="checkbox"/> Burglar Alarms          | <input type="checkbox"/> Smoke Detector(s)     | <input type="checkbox"/> Fire Alarm           |
| <input type="checkbox"/> TV Antenna              | <input type="checkbox"/> Satellite Dish        | <input type="checkbox"/> Intercom             |
| <input type="checkbox"/> Central Heating         | <input type="checkbox"/> Central Air Cndtng.   | <input type="checkbox"/> Evaporator Cooler(s) |
| <input type="checkbox"/> Wall/Window Air Cndtng. | <input type="checkbox"/> Sprinklers            | <input type="checkbox"/> Public Sewer System  |
| <input type="checkbox"/> Septic Tank             | <input type="checkbox"/> Sump Pump             | <input type="checkbox"/> Water Softener       |
| <input type="checkbox"/> Patio/Decking           | <input type="checkbox"/> Built-in Barbecue     | <input type="checkbox"/> Gazebo               |
| <input type="checkbox"/> Sauna                   |  |   |
| <input type="checkbox"/> Hot Tub ___Locking      | <input type="checkbox"/> Pool ___Child         | <input type="checkbox"/> Spa ___Locking       |
| <input type="checkbox"/> Safety Cover *          | <input type="checkbox"/> Resistant Barrier *   | <input type="checkbox"/> Safety Cover *       |
| <input type="checkbox"/> Security Gate(s)        | <input type="checkbox"/> Automatic Garage      | <input type="checkbox"/> Number Remote        |
|  | <input type="checkbox"/> Door Opener(s) *      | <input type="checkbox"/> Controls             |
| Garage: ___Attached                              | <input type="checkbox"/> Not Attached          | <input type="checkbox"/> Carport              |
| Pool/Spa Heater: ___Gas                          | <input type="checkbox"/> Solar                 | <input type="checkbox"/> Electric             |
| Water Heater: ___Gas                             | <input type="checkbox"/> Water Heater          | <input type="checkbox"/> Private Utility or   |
|  | <input type="checkbox"/> Anchored, Braced,     | <input type="checkbox"/> Other _____          |
|  | <input type="checkbox"/> or Strapped *         | <input type="checkbox"/> Water-Conserving     |
| Water Supply: ___City                            | <input type="checkbox"/> Well                  | <input type="checkbox"/> Plumbing Fixtures*   |
| Gas Supply: ___Utility                           | <input type="checkbox"/> Bottled               |   |
| <input type="checkbox"/> Window Screens          | <input type="checkbox"/> Window Security       |   |
|  | <input type="checkbox"/> Bars ___Quick-release |   |
|  | <input type="checkbox"/> Mechanism on          |   |
|  | <input type="checkbox"/> Bedroom Windows *     |   |

Exhaust Fan(s) in \_\_\_\_\_ 220 Volt Wiring in \_\_\_\_\_ Fireplace(s) in \_\_\_\_\_  
 Gas Starter \_\_\_\_\_ Roof(s): Type: \_\_\_\_\_ Age: \_\_\_\_\_ (approx.)  
 Other: \_\_\_\_\_

Are there, to the best of your (Seller's) knowledge, any of the above that are not in operating condition? \_\_\_Yes \_\_\_No. If yes, then describe.  
 (Attach additional sheets if necessary): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

B. Are you (Seller) aware of any significant defects/malfunctions in any of the following? \_\_\_Yes \_\_\_No. If yes, check appropriate space(s) below.

- Interior Walls  Ceilings  Floors  Exterior Walls  Insulation  Roof(s)  
 Windows  Doors  Foundation  Slab(s)  Driveways  Sidewalks  
 Walls/Fences  Electrical Systems  Plumbing/Sewers/Septics  Other  
 Structural Components (Describe: \_\_\_\_\_ )

If any of the above is checked, explain. (Attach additional sheets if necessary): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\* This garage door opener or child resistant pool barrier may not be in compliance with the safety standards relating to automatic reversing devices as set forth in Chapter 12.5 (commencing with Section 19890) of Part 3 of Division 13 of, or with the pool safety standards of Article 2.5 (commencing with Section 115920) of Chapter 5 of Part 10 of Division 104 of, the Health and Safety Code. The water heater may not be anchored, braced, or strapped in accordance with Section 19211 of the Health and Safety Code. Window security bars may not have quick-release mechanisms in compliance with the 1995 edition of the California Building Standards Code. Section 1101.4 of the Civil Code requires that California single-family residences be equipped with water-conserving

plumbing fixtures on or before January 1, 2017, and, on and after January 1, 2014, in cases of alterations or improvements, water-conserving plumbing fixtures must be installed as a condition of final approval of the project. Fixtures in this dwelling may not comply with Section 1101.4 of the Civil Code.

C. Are you (Seller) aware of any of the following:

- 1. Substances, materials, or products which may be an environmental hazard such as, but not limited to, asbestos, formaldehyde, radon gas, lead-based paint, mold, fuel or chemical storage tanks, and contaminated soil or water on the subject property .....  Yes  No
- 2. Features of the property shared in common with adjoining landowners, such as walls, fences, and drive-ways, whose use or responsibility for maintenance may have an effect on the subject property .....  Yes  No
- 3. Any encroachments, easements or similar matters that may affect your interest in the subject property .....  Yes  No
- 4. Room additions, structural modifications, or other alterations or repairs made without necessary permits .....  Yes  No
- 5. Room additions, structural modifications, or other alterations or repairs not in compliance with building codes .....  Yes  No
- 6. Fill (compacted or otherwise) on the property or any portion thereof .....  Yes  No
- 7. Any settling from any cause, or slippage, sliding, or other soil problems .....  Yes  No
- 8. Flooding, drainage or grading problems .....  Yes  No
- 9. Major damage to the property or any of the structures from fire, earthquake, floods, or landslides .....  Yes  No
- 10. Any zoning violations, nonconforming uses, violations of "setback" requirements .....  Yes  No
- 11. Neighborhood noise problems or other nuisances .....  Yes  No
- 12. CC&Rs or other deed restrictions or obligations .....  Yes  No
- 13. Homeowners' Association which has any authority over the subject property .....  Yes  No
- 14. Any "common area" (facilities such as pools, tennis courts, walkways, or other areas coowned in undivided interest with others) .....  Yes  No
- 15. Any notices of abatement or citations against the property .....  Yes  No
- 16. Any lawsuits by or against the Seller threatening to or affecting this real property, including any lawsuits alleging a defect or deficiency in this real property or "common areas" (facilities such as pools, tennis courts, walkways, or other areas coowned in undivided interest with others) .....  Yes  No

If the answer to any of these is yes, explain. (Attach additional sheets if necessary.): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Seller certifies that the information herein is true and correct to the best of the Seller's knowledge as of the date signed by the Seller.

Seller \_\_\_\_\_ Date \_\_\_\_\_  
Seller \_\_\_\_\_ Date \_\_\_\_\_

III

AGENT'S INSPECTION DISCLOSURE

(To be completed only if the Seller is represented by an agent in this transaction.)

THE UNDERSIGNED, BASED ON THE ABOVE INQUIRY OF THE SELLER(S) AS TO THE CONDITION OF THE PROPERTY AND BASED ON A REASONABLY COMPETENT AND DILIGENT VISUAL INSPECTION OF THE ACCESSIBLE AREAS OF THE PROPERTY IN CONJUNCTION WITH THAT INQUIRY, STATES THE FOLLOWING:

Agent notes no items for disclosure.

Agent notes the following items:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Agent (Broker  
Representing Seller) \_\_\_\_\_ (Please Print) By \_\_\_\_\_ (Associate Licensee  
or Broker Signature) Date \_\_\_\_\_

IV

AGENT'S INSPECTION DISCLOSURE

(To be completed only if the agent who has obtained the offer is other than the agent above.)

THE UNDERSIGNED, BASED ON A REASONABLY COMPETENT AND DILIGENT VISUAL INSPECTION OF THE ACCESSIBLE AREAS OF THE PROPERTY, STATES THE FOLLOWING:

Agent notes no items for disclosure.

Agent notes the following items:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Agent (Broker Obtaining the Offer) \_\_\_\_\_ (Please Print) By \_\_\_\_\_ (Associate Licensee or Broker Signature) Date \_\_\_\_\_

V

BUYER(S) AND SELLER(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND/OR INSPECTIONS OF THE PROPERTY AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN A CONTRACT BETWEEN BUYER AND SELLER(S) WITH RESPECT TO ANY ADVICE/INSPECTIONS/DEFECTS.

I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT.

Seller \_\_\_\_\_ Date \_\_\_\_\_ Buyer \_\_\_\_\_ Date \_\_\_\_\_  
Seller \_\_\_\_\_ Date \_\_\_\_\_ Buyer \_\_\_\_\_ Date \_\_\_\_\_

Agent (Broker Representing Seller) \_\_\_\_\_ (Please Print) By \_\_\_\_\_ (Associate Licensee or Broker Signature) Date \_\_\_\_\_

Agent (Broker Obtaining the Offer) \_\_\_\_\_ (Please Print) By \_\_\_\_\_ (Associate Licensee or Broker Signature) Date \_\_\_\_\_

SECTION 1102.3 OF THE CIVIL CODE PROVIDES A BUYER WITH THE RIGHT TO RESCIND A PURCHASE CONTRACT FOR AT LEAST THREE DAYS AFTER THE DELIVERY OF THIS DISCLOSURE IF DELIVERY OCCURS AFTER THE SIGNING OF AN OFFER TO PURCHASE. IF YOU WISH TO RESCIND THE CONTRACT, YOU MUST ACT WITHIN THE PRESCRIBED PERIOD.

1     ~~SEC. 3.—If the Commission on State Mandates determines that~~  
2 ~~this act contains costs mandated by the state, reimbursement to~~  
3 ~~local agencies and school districts for those costs shall be made~~  
4 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~  
5 ~~4 of Title 2 of the Government Code.~~

6     *SEC. 3. No reimbursement is required by this act pursuant to*  
7 *Section 6 of Article XIII B of the California Constitution because*  
8 *a local agency or school district has the authority to levy service*  
9 *charges, fees, or assessments sufficient to pay for the program or*  
10 *level of service mandated by this act, within the meaning of Section*  
11 *17556 of the Government Code.*