

## Senate Bill No. 829

### CHAPTER 11

An act to add Section 2503 to the Public Contract Code, relating to public contracts.

[Approved by Governor April 26, 2012. Filed with  
Secretary of State April 26, 2012.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 829, Rubio. Public contracts: public entities: project labor agreements.

Existing law sets forth the requirements for the solicitation and evaluation of bids and the awarding of contracts by public entities and authorizes a public entity to use, enter into, or require contractors to enter into, a project labor agreement for a construction project if the agreement includes specified taxpayer protection provisions. Existing law also provides that if a charter provision, initiative, or ordinance of a charter city prohibits the governing board's consideration of a project labor agreement for a project to be awarded by the city, or prohibits the governing board from considering whether to allocate funds to a city-funded project covered by such an agreement, state funding or financial assistance may not be used to support that project, as specified.

This bill would additionally provide that if a charter provision, initiative, or ordinance of a charter city prohibits, limits, or constrains in any way the governing board's authority or discretion to adopt, require, or utilize a project labor agreement that includes specified taxpayer protection provisions for some or all of the construction projects to be awarded by the city, state funding or financial assistance may not be used to support any construction projects awarded by the city, as specified.

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

SECTION 1. Section 2503 is added to the Public Contract Code, to read:

2503. If a charter provision, initiative, or ordinance of a charter city prohibits, limits, or constrains in any way the governing board's authority or discretion to adopt, require, or utilize a project labor agreement that includes all the taxpayer protection provisions of Section 2500 for some or all of the construction projects to be awarded by the city, then state funding or financial assistance shall not be used to support any construction projects awarded by the city. This section shall not be applicable until January 1, 2015, for charter cities in which a charter provision, initiative, or ordinance

in effect prior to November 1, 2011, would disqualify a construction project from receiving state funding or financial assistance.

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