

**Senate Bill No. 425**

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Passed the Senate May 24, 2013

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*Secretary of the Senate*

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Passed the Assembly August 26, 2013

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2013, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to add Chapter 11 (commencing with Section 8847) to Division 1 of Title 2 of the Government Code, relating to public works.

## LEGISLATIVE COUNSEL'S DIGEST

SB 425, DeSaulnier. Public works: the Public Works Peer Review Act of 2013.

Existing law defines a public work as construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds; work done for irrigation, utility, reclamation, and improvement districts, and other districts of this type; street, sewer, or other improvement work done under the direction and supervision or by the authority of any officer or public body of the state; or of any political subdivision or district thereof, and public transportation demonstration projects, as specified.

This bill would allow a public agency, principally tasked with administering, planning, developing, and operating a public works project, to establish a specified peer review group, as defined, and would require the administering agency, if a peer review group is established, to draft a charter, published on the agency's Internet Web site, related to the duties of the peer review group.

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

SECTION 1. Chapter 11 (commencing with Section 8847) is added to Division 1 of Title 2 of the Government Code, to read:

CHAPTER 11. THE PUBLIC WORKS PROJECT PEER REVIEW ACT  
OF 2013

8847. This chapter shall be known and may be cited as the Public Works Project Peer Review Act of 2013.

8847.1. For purposes of this chapter, the following terms have the following meanings, unless expressly stated otherwise:

(a) “Administering agency” means a public agency principally tasked with administering, planning, developing, and operating a public works project.

(b) “Peer review group” means a group of persons qualified by training and experience in particular scientific or technical fields related to the public works project under review, who give expert advice on the scientific and technical aspects of the public works project.

8848. (a) An administering agency may establish a peer review group.

(b) If an administering agency establishes a peer review group, the administering agency shall do all of the following:

(1) Before establishing a peer review group, develop a transparent process for selecting members of the group.

(2) Draft a charter. The charter also shall be posted on the administering agency’s Internet Web site as a public document and shall contain all of the following information:

(A) The group’s official name or designation.

(B) The group’s objective and the scope of its activities.

(C) A statement of the expertise and balance of interests required of the group membership to perform its charge.

(D) The name of the administering agency and official to whom the group reports.

(E) A description of the duties for which the group is responsible.

(F) The estimated number and frequency of group meetings.

(G) The estimated annual operating costs for the group.

(H) A statement that authorizes a peer reviewer to conduct his or her duties under the charter impartially, without restriction or limitation, and in a manner the peer reviewer believes is necessary to appropriately review a proposed project.

(I) A statement that declares whether the members of the peer review group have signed a conflict of interest disclosure form that would identify real or perceived conflicts between a peer reviewer and the specified public works project.

Approved \_\_\_\_\_, 2013

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*Governor*