

AMENDED IN ASSEMBLY MAY 31, 2016

AMENDED IN ASSEMBLY APRIL 21, 2016

AMENDED IN ASSEMBLY MARCH 18, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2873**

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**Introduced by Assembly Member Thurmond**

February 19, 2016

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An act to amend Section ~~55.3~~ 55.53 of the Civil Code, and to amend Sections 4459.5 and 4467 of the Government Code, relating to public contracts, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2873, as amended, Thurmond. Certified access specialists.

The Construction-Related Accessibility Standards Compliance Act establishes standards for making new construction and existing facilities accessible to persons with disabilities, including inspections by private persons or building inspectors who are certified access specialists (CASps), and provides for construction-related accessibility claims for violations of those standards. That act requires a local agency, commencing January 1, 2014, to employ or retain a sufficient number of building inspectors who are CASps to 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. The act requires, if a local agency employs or retains 2 or more CASps, that at least half of the CASps be building inspectors who are CASps.

This bill would require, commencing January 1, ~~2018~~, 2020, that 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~~, *construction or renovations*, including, but not limited to, projects relating to tenant improvements that may impact access, be CASps. By adding to the duties of a local entity, this bill would impose a state-mandated local program.

Existing law requires the State Architect to establish a program for voluntary certification by the state of any person who meets specified criteria as a CASp with respect to access to buildings for persons with disabilities and to determine minimum criteria for certification.

This bill would require the minimum criteria to include familiarity with the applicability and content of various accessibility requirements, including but not limited to specific federal and state requirements.

Until December 31, 2018, existing law requires any applicant for a local business license or equivalent instrument or permit, or renewal of a local business license or equivalent instrument or permit, to pay an additional state fee of \$1 for that license, instrument, or permit. Under existing law, the city, county, or city and county that collected the fee retains 70% of the fee, and the remaining 30% of the fee is deposited into the Disability Access and Education Revolving Fund, a continuously appropriated fund.

This bill would increase that state fee ~~from \$1 to \$4 and would delete the December 31, 2018, termination date.~~ *from January 1, 2017, through December 31, 2019.* The bill would increase the percentage of the fee retained by a local agency to 90% and the remaining 10% would be deposited into the Disability Access and Education Revolving Fund. By increasing revenue to a continuously appropriated fund, by increasing the fee and by extending the fee indefinitely, this bill would make an appropriation. The bill would make an appropriation by authorizing local government entities to retain an increased percentage of the increased fee. The bill would require that the moneys retained by a local agency be placed in a special fund established by the local agency, to be known as the “CASp Certification and Training Fund.” The bill would require that fees collected in a CASp Certification and Training Fund be used for increased certified access specialist training and certification in the local jurisdiction, making an appropriation by expanding the purposes for which the retained fee moneys are required to be spent.

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.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: yes.

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

1     ~~SECTION 1. Section 55.53 of the Civil Code is amended to~~  
2     ~~read:~~  
3     ~~55.53. (a) For purposes of this part, a certified access specialist~~  
4     ~~shall, upon completion of the inspection of a site, comply with the~~  
5     ~~following:~~  
6     ~~(1) For a site that meets applicable standards, if the CASp~~  
7     ~~determines the site meets all applicable construction-related~~  
8     ~~accessibility standards, the CASp shall provide a written inspection~~  
9     ~~report to the requesting party that includes both of the following:~~  
10    ~~(A) An identification and description of the inspected structures~~  
11    ~~and areas of the site.~~  
12    ~~(B) A signed and dated statement that includes both of the~~  
13    ~~following:~~  
14    ~~(i) A statement that, in the opinion of the CASp, the inspected~~  
15    ~~structures and areas of the site meet construction-related~~  
16    ~~accessibility standards. The statement shall clearly indicate whether~~  
17    ~~the determination of the CASp includes an assessment of readily~~  
18    ~~achievable barrier removal.~~  
19    ~~(ii) If corrections were made as a result of the CASp inspection,~~  
20    ~~an itemized list of all corrections and dates of completion.~~  
21    ~~(2) For a site that has been inspected by a CASp, if the CASp~~  
22    ~~determines that corrections are needed to the site in order for the~~  
23    ~~site to meet all applicable construction-related accessibility~~  
24    ~~standards, the CASp shall provide a signed and dated written~~  
25    ~~inspection report to the requesting party that includes all of the~~  
26    ~~following:~~  
27    ~~(A) An identification and description of the inspected structures~~  
28    ~~and areas of the site.~~

1 (B) A statement that, in the opinion of the CASp, the inspected  
2 structures and areas of the site need correction to meet  
3 construction-related accessibility standards. This statement shall  
4 clearly indicate whether the determination of the CASp includes  
5 an assessment of readily achievable barrier removal.

6 (C) An identification and description of the structures or areas  
7 of the site that need correction and the correction needed.

8 (D) A schedule of completion for each of the corrections within  
9 a reasonable timeframe.

10 (b) For purposes of this section, in determining whether the site  
11 meets applicable construction-related accessibility standards when  
12 there is a conflict or difference between a state and federal  
13 provision, standard, or regulation, the state provision, standard, or  
14 regulation shall apply unless the federal provision, standard, or  
15 regulation is more protective of accessibility rights.

16 (e) Every CASp who conducts an inspection of a place of public  
17 accommodation shall, upon completing the inspection of the site,  
18 provide the building owner or tenant who requested the inspection  
19 with the following notice, which the State Architect shall make  
20 available as a form on the State Architect’s Internet Web site:

21  
22 NOTICE TO PRIVATE PROPERTY OWNER/TENANT:

23  
24 YOU ARE ADVISED TO KEEP IN YOUR RECORDS ANY  
25 WRITTEN INSPECTION REPORT AND ANY OTHER  
26 DOCUMENTATION CONCERNING YOUR PROPERTY SITE  
27 THAT IS GIVEN TO YOU BY A CERTIFIED ACCESS  
28 SPECIALIST.

29 IF YOU BECOME A DEFENDANT IN A LAWSUIT THAT  
30 INCLUDES A CLAIM CONCERNING A SITE INSPECTED  
31 BY A CERTIFIED ACCESS SPECIALIST, YOU MAY BE  
32 ENTITLED TO A COURT STAY (AN ORDER TEMPORARILY  
33 STOPPING ANY LAWSUIT) OF THE CLAIM AND AN EARLY  
34 EVALUATION CONFERENCE.

35 IN ORDER TO REQUEST THE STAY AND EARLY  
36 EVALUATION CONFERENCE, YOU WILL NEED TO VERIFY  
37 THAT A CERTIFIED ACCESS SPECIALIST HAS INSPECTED  
38 THE SITE THAT IS THE SUBJECT OF THE CLAIM. YOU  
39 WILL ALSO BE REQUIRED TO PROVIDE THE COURT AND  
40 THE PLAINTIFF WITH THE COPY OF A WRITTEN

1 ~~INSPECTION REPORT BY THE CERTIFIED ACCESS~~  
2 ~~SPECIALIST, AS SET FORTH IN CIVIL CODE SECTION~~  
3 ~~55.54. THE APPLICATION FORM AND INFORMATION ON~~  
4 ~~HOW TO REQUEST A STAY AND EARLY EVALUATION~~  
5 ~~CONFERENCE MAY BE OBTAINED AT~~  
6 ~~[www.courts.ca.gov/selfhelp-start.htm](http://www.courts.ca.gov/selfhelp-start.htm).~~

7 ~~YOU ARE ENTITLED TO REQUEST, FROM A CERTIFIED~~  
8 ~~ACCESS SPECIALIST WHO HAS CONDUCTED AN~~  
9 ~~INSPECTION OF YOUR PROPERTY, A WRITTEN~~  
10 ~~INSPECTION REPORT AND OTHER DOCUMENTATION AS~~  
11 ~~SET FORTH IN CIVIL CODE SECTION 55.53. YOU ARE ALSO~~  
12 ~~ENTITLED TO REQUEST THE ISSUANCE OF A DISABILITY~~  
13 ~~ACCESS INSPECTION CERTIFICATE, WHICH YOU MAY~~  
14 ~~POST ON YOUR PROPERTY.~~

15  
16 ~~(d) (1) Commencing July 1, 2010, a local agency shall employ~~  
17 ~~or retain at least one building inspector who is a certified access~~  
18 ~~specialist. The certified access specialist shall provide consultation~~  
19 ~~to the local agency, permit applicants, and members of the public~~  
20 ~~on compliance with state construction-related accessibility~~  
21 ~~standards with respect to inspections of a place of public~~  
22 ~~accommodation that relate to permitting, plan checks, or new~~  
23 ~~construction, including, but not limited to, inspections relating to~~  
24 ~~tenant improvements that may impact access. If a local agency~~  
25 ~~employs or retains two or more certified access specialists to~~  
26 ~~comply with this subdivision, at least one-half of the certified~~  
27 ~~access specialists shall be building inspectors who are certified~~  
28 ~~access specialists.~~

29 ~~(2) Commencing January 1, 2018, all building inspectors~~  
30 ~~employed or retained by a local agency who conduct permitting~~  
31 ~~and plan check services to review for compliance with state~~  
32 ~~construction-related accessibility standards by a place of public~~  
33 ~~accommodation with respect to new construction, including, but~~  
34 ~~not limited to, projects relating to tenant improvements that may~~  
35 ~~impact access, shall be certified access specialists.~~

36 ~~(3) If a permit applicant or member of the public requests~~  
37 ~~consultation from a certified access specialist, the local agency~~  
38 ~~may charge an amount limited to a reasonable hourly rate, an~~  
39 ~~estimate of which shall be provided upon request in advance of~~  
40 ~~the consultation. A local government may additionally charge or~~

1 increase permitting, plan check, or inspection fees to the extent  
2 necessary to offset the costs of complying with this subdivision.  
3 Any revenues generated from an hourly or other charge or fee  
4 increase under this subdivision shall be used solely to offset the  
5 costs incurred to comply with this subdivision. A CASp inspection  
6 pursuant to subdivision (a) by a building inspector who is a  
7 certified access specialist shall be treated equally for legal and  
8 evidentiary purposes as an inspection conducted by a private CASp.  
9 Nothing in this subdivision shall preclude permit applicants or any  
10 other person with a legal interest in the property from retaining a  
11 private CASp at any time.

12 (e) (1) ~~Every CASp who completes an inspection of a place of~~  
13 ~~public accommodation shall, upon a determination that the site~~  
14 ~~meets applicable standards pursuant to paragraph (1) of subdivision~~  
15 ~~(a) or is inspected by a CASp pursuant to paragraph (2) of~~  
16 ~~subdivision (a), provide the building owner or tenant requesting~~  
17 ~~the inspection with a numbered disability access inspection~~  
18 ~~certificate indicating that the site has undergone inspection by a~~  
19 ~~certified access specialist. The disability access inspection~~  
20 ~~certificate shall be dated and signed by the CASp inspector, and~~  
21 ~~shall contain the inspector's name and license number. Upon~~  
22 ~~issuance of a certificate, the CASp shall record the issuance of the~~  
23 ~~numbered certificate, the name and address of the recipient, and~~  
24 ~~the type of report issued pursuant to subdivision (a) in a record~~  
25 ~~book the CASp shall maintain for that purpose.~~

26 (2) ~~Beginning March 1, 2009, the State Architect shall make~~  
27 ~~available for purchase by any local building department or CASp~~  
28 ~~sequentially numbered disability access inspection certificates that~~  
29 ~~are printed with a watermark or other feature to deter forgery and~~  
30 ~~that comply with the information requirements specified in~~  
31 ~~subdivision (a).~~

32 (3) ~~The disability access inspection certificate may be posted~~  
33 ~~on the premises of the place of public accommodation, unless,~~  
34 ~~following the date of inspection, the inspected site has been~~  
35 ~~modified or construction has commenced to modify the inspected~~  
36 ~~site in a way that may impact compliance with construction-related~~  
37 ~~accessibility standards.~~

38 (f) ~~Nothing in this section or any other law is intended to require~~  
39 ~~a property owner or tenant to hire a CASp. A property owner's or~~

1 ~~tenant's election not to hire a CASp shall not be admissible to~~  
2 ~~prove that person's lack of intent to comply with the law.~~

3 *SECTION 1. Section 55.53 of the Civil Code is amended to*  
4 *read:*

5 55.53. (a) For purposes of this part, a certified access specialist  
6 (CASp) shall, upon completion of the inspection of a site, comply  
7 with the following:

8 (1) For a ~~site that meets applicable standards site, standards,~~ if  
9 the CASp determines the site meets all applicable  
10 construction-related accessibility standards, the CASp shall provide  
11 a written inspection report to the requesting party that includes  
12 both of the following:

13 (A) An identification and description of the inspected structures  
14 and areas of the site.

15 (B) A signed and dated statement that includes both of the  
16 following:

17 (i) A statement that, in the opinion of the CASp, the inspected  
18 structures and areas of the site meet construction-related  
19 accessibility standards. The statement shall clearly indicate whether  
20 the determination of the CASp includes an assessment of readily  
21 achievable barrier removal.

22 (ii) If corrections were made as a result of the CASp inspection,  
23 an itemized list of all corrections and dates of completion.

24 (2) ~~For an a site that has been inspected by a CASp site, CASp,~~  
25 if the CASp determines that corrections are needed to the site in  
26 order for the site to meet all applicable construction-related  
27 accessibility standards, the CASp shall provide a signed and dated  
28 written inspection report to the requesting party that includes all  
29 of the following:

30 (A) An identification and description of the inspected structures  
31 and areas of the site.

32 (B) The date of the inspection.

33 (C) A statement that, in the opinion of the CASp, the inspected  
34 structures and areas of the site need correction to meet  
35 construction-related accessibility standards. This statement shall  
36 clearly indicate whether the determination of the CASp includes  
37 an assessment of readily achievable barrier removal.

38 (D) An identification and description of the structures or areas  
39 of the site that need correction and the correction needed.

1 (E) A schedule of completion for each of the corrections within  
2 a reasonable timeframe.

3 (3) The CASp shall provide, within 30 days of the date of the  
4 inspection of a business that qualifies for the provisions of  
5 subparagraph (A) of paragraph (3) of subdivision (g) of Section  
6 55.56, a copy of a report prepared pursuant to that subparagraph  
7 to the business.

8 (4) The CASp shall file, within 10 days of inspecting a business  
9 pursuant to subparagraph (A) of paragraph (3) of subdivision (g)  
10 of Section 55.56, a notice with the State Architect for listing on  
11 the State Architect’s Internet Web site, as provided by subdivision  
12 (d) of Section 4459.7 of the Government Code, indicating that the  
13 CASp has inspected the business, the name and address of the  
14 business, the date of the filing, the date of the inspection of the  
15 business, the name and license number of the CASp, and a  
16 description of the structure or area inspected by the CASp.

17 (5) The CASp shall post the notice described in paragraph (4),  
18 in a form prescribed by the State Architect, in a conspicuous  
19 location within five feet of all public entrances to the building on  
20 the date of the inspection and instruct the business to keep it in  
21 place until the earlier of either of the following:

22 (A) One hundred twenty days after the date of the inspection.

23 (B) The date when all of the construction-related violations in  
24 the structure or area inspected by the CASp are corrected.

25 (b) For purposes of this section, in determining whether the site  
26 meets applicable construction-related accessibility standards when  
27 there is a conflict or difference between a state and federal  
28 provision, standard, or regulation, the state provision, standard, or  
29 regulation shall apply unless the federal provision, standard, or  
30 regulation is more protective of accessibility rights.

31 (c) Every CASp who conducts an inspection of a place of public  
32 accommodation shall, upon completing the inspection of the site,  
33 provide the building owner or tenant who requested the inspection  
34 with the following notice, which the State Architect shall make  
35 available as a form on the State Architect’s Internet Web site:

36  
37 NOTICE TO PRIVATE PROPERTY OWNER/TENANT:  
38  
39 YOU ARE ADVISED TO KEEP IN YOUR RECORDS ANY  
40 WRITTEN INSPECTION REPORT AND ANY OTHER



1 DOCUMENTATION CONCERNING YOUR PROPERTY SITE  
2 THAT IS GIVEN TO YOU BY A CERTIFIED ACCESS  
3 SPECIALIST.

4 IF YOU BECOME A DEFENDANT IN A LAWSUIT THAT  
5 INCLUDES A CLAIM CONCERNING A SITE INSPECTED  
6 BY A CERTIFIED ACCESS SPECIALIST, YOU MAY BE  
7 ENTITLED TO A COURT STAY (AN ORDER TEMPORARILY  
8 STOPPING ANY LAWSUIT) OF THE CLAIM AND AN EARLY  
9 EVALUATION CONFERENCE.

10 IN ORDER TO REQUEST THE STAY AND EARLY  
11 EVALUATION CONFERENCE, YOU WILL NEED TO VERIFY  
12 THAT A CERTIFIED ACCESS SPECIALIST HAS INSPECTED  
13 THE SITE THAT IS THE SUBJECT OF THE CLAIM. YOU  
14 WILL ALSO BE REQUIRED TO PROVIDE THE COURT AND  
15 THE PLAINTIFF WITH THE COPY OF A WRITTEN  
16 INSPECTION REPORT BY THE CERTIFIED ACCESS  
17 SPECIALIST, AS SET FORTH IN CIVIL CODE SECTION  
18 55.54. THE APPLICATION FORM AND INFORMATION ON  
19 HOW TO REQUEST A STAY AND EARLY EVALUATION  
20 CONFERENCE MAY BE OBTAINED AT  
21 [www.courts.ca.gov/selfhelp-start.htm](http://www.courts.ca.gov/selfhelp-start.htm).

22 YOU ARE ENTITLED TO REQUEST, FROM A CERTIFIED  
23 ACCESS SPECIALIST WHO HAS CONDUCTED AN  
24 INSPECTION OF YOUR PROPERTY, A WRITTEN  
25 INSPECTION REPORT AND OTHER DOCUMENTATION AS  
26 SET FORTH IN CIVIL CODE SECTION 55.53. YOU ARE ALSO  
27 ENTITLED TO REQUEST THE ISSUANCE OF A DISABILITY  
28 ACCESS INSPECTION CERTIFICATE, WHICH YOU MAY  
29 POST ON YOUR PROPERTY.

30  
31 (d) (1) Commencing July 1, 2010, a local agency shall employ  
32 or retain at least one building inspector who is a certified access  
33 specialist. The certified access specialist shall provide consultation  
34 to the local agency, permit applicants, and members of the public  
35 on compliance with state construction-related accessibility  
36 standards with respect to inspections of a place of public  
37 accommodation that relate to permitting, plan checks, or new  
38 construction, including, but not limited to, inspections relating to  
39 tenant improvements that may impact access. If a local agency  
40 employs or retains two or more certified access specialists to

1 comply with this subdivision, at least one-half of the certified  
2 access specialists shall be building inspectors who are certified  
3 access specialists.

4 (2) Commencing January 1, ~~2014~~, a local agency shall employ  
5 ~~or retain a sufficient number of building inspectors who are~~  
6 ~~certified access specialists to 2020~~, all building inspectors  
7 employed or retained by a local agency who conduct permitting  
8 and plan check services to review for compliance with state  
9 construction-related accessibility standards by a place of public  
10 accommodation with respect to new ~~construction~~, *construction or*  
11 *renovation*, including, but not limited to, projects relating to tenant  
12 improvements that may impact access. ~~If a local agency employs~~  
13 ~~or retains two or more certified access specialists to comply with~~  
14 ~~this subdivision, at least one-half of the certified access specialists~~  
15 ~~shall be building inspectors who are~~ *access, shall be* certified  
16 access specialists.

17 (3) If a permit applicant or member of the public requests  
18 consultation from a certified access specialist, the local agency  
19 may charge an amount limited to a reasonable hourly rate, an  
20 estimate of which shall be provided upon request in advance of  
21 the consultation. A local government may additionally charge or  
22 increase permitting, plan check, or inspection fees to the extent  
23 necessary to offset the costs of complying with this subdivision.  
24 Any revenues generated from an hourly or other charge or fee  
25 increase under this subdivision shall be used solely to offset the  
26 costs incurred to comply with this subdivision. A CASp inspection  
27 pursuant to subdivision (a) by a building inspector who is a  
28 certified access specialist shall be treated equally for legal and  
29 evidentiary purposes as an inspection conducted by a private CASp.  
30 Nothing in this subdivision shall preclude permit applicants or any  
31 other person with a legal interest in the property from retaining a  
32 private CASp at any time.

33 (e) (1) Every CASp who completes an inspection of a place of  
34 public accommodation shall, upon a determination that the site  
35 meets applicable standards pursuant to paragraph (1) of subdivision  
36 (a) or is inspected by a CASp pursuant to paragraph (2) of  
37 subdivision (a), provide the building owner or tenant requesting  
38 the inspection with a numbered disability access inspection  
39 certificate indicating that the site has undergone inspection by a  
40 certified access specialist. The disability access inspection

1 certificate shall be dated and signed by the CASp inspector, and  
2 shall contain the inspector's name and license number. Upon  
3 issuance of a certificate, the CASp shall record the issuance of the  
4 numbered certificate, the name and address of the recipient, and  
5 the type of report issued pursuant to subdivision (a) in a record  
6 book the CASp shall maintain for that purpose.

7 (2) Beginning March 1, 2009, the State Architect shall make  
8 available for purchase by any local building department or CASp  
9 sequentially numbered disability access inspection certificates that  
10 are printed with a watermark or other feature to deter forgery and  
11 that comply with the information requirements specified in  
12 subdivision (a).

13 (3) The disability access inspection certificate may be posted  
14 on the premises of the place of public accommodation, unless,  
15 following the date of inspection, the inspected site has been  
16 modified or construction has commenced to modify the inspected  
17 site in a way that may impact compliance with construction-related  
18 accessibility standards.

19 (f) Nothing in this section or any other law is intended to require  
20 a property owner or tenant to hire a CASp. A property owner's or  
21 tenant's election not to hire a CASp shall not be admissible to  
22 prove that person's lack of intent to comply with the law.

23 SEC. 2. Section 4459.5 of the Government Code is amended  
24 to read:

25 4459.5. (a) The State Architect shall establish and publicize  
26 a program for voluntary certification by the state of any person  
27 who meets specified criteria as a certified access specialist. No  
28 later than January 1, 2005, the State Architect shall determine  
29 minimum criteria a person is required to meet to be a certified  
30 access specialist, which may include knowledge sufficient to  
31 review, inspect, or advocate universal design requirements,  
32 completion of specified training, and testing on standards governing  
33 access to buildings, including but not limited to housing, for  
34 persons with disabilities. The minimum criteria shall include  
35 familiarity with the applicability and content of various  
36 accessibility requirements, including but not limited to the federal  
37 requirements described in subdivision (c) of Section 4459 and the  
38 state standards established in Chapter 11A (commencing with  
39 Section 1101A) and Chapter 11B (commencing with Section  
40 11B-101) of Title 24 of the California Code of Regulations.

1 (b) The State Architect may implement the program described  
 2 in subdivision (a) with startup funds derived, as a loan, from the  
 3 reserve of the Public School Planning, Design, and Construction  
 4 Review Revolving Fund, upon appropriation by the Legislature.  
 5 That loan shall be repaid when sufficient fees have been collected  
 6 pursuant to Section 4459.8.

7 SEC. 3. Section 4467 of the Government Code is amended to  
 8 read:

9 4467. (a) On and after January 1, 2017, *through December*  
 10 *31, 2019*, any applicant for a local ~~business license or equivalent~~  
 11 ~~instrument or permit, and from any applicant for the renewal of a~~  
 12 ~~business license or equivalent instrument or permit, building permit~~  
 13 shall pay an additional fee of four dollars (\$4) for that ~~license,~~  
 14 ~~instrument, or building permit,~~ which shall be collected by the  
 15 city, county, or city and county that ~~issued the license, instrument,~~  
 16 ~~or permit.~~ *issues the building permit.*

17 (b) The city, county, or city and county shall retain 90 percent  
 18 of the fees collected under this section, of which up to 5 percent  
 19 of the retained moneys may be used for related administrative costs  
 20 of this chapter. The remaining moneys shall be placed by the city,  
 21 county, or city and county in a special fund established by *the* city,  
 22 county, or city and county, to be known as the “CASp Certification  
 23 and Training Fund.” The fees collected in a CASp Certification  
 24 and Training Fund shall be used for increased certified access  
 25 specialist training and certification in that local jurisdiction and to  
 26 facilitate compliance with construction-related accessibility  
 27 requirements. The highest priority shall be given to the training  
 28 and retention of certified access specialists to meet the needs of  
 29 the public in the jurisdiction as provided in Section 55.53 of the  
 30 Civil Code.

31 (c) The remaining 10 percent of all fees collected under this  
 32 section shall be transmitted on a quarterly basis to the Division of  
 33 the State Architect for deposit in the Disability Access and  
 34 Education Revolving Fund established under Sections 4465 and  
 35 4470. The funds shall be transmitted within 15 days of the last day  
 36 of the fiscal quarter. The Division of the State Architect shall  
 37 develop and post on its Internet Web site a standard reporting form  
 38 for use by all local jurisdictions. Up to 75 percent of the collected  
 39 funds in the Disability Access and Education Revolving Fund shall

1 be used to establish and maintain oversight of the CASp program  
2 and to moderate the expense of CASp certification and testing.

3 (d) Each city, county, or city and county shall make an annual  
4 report, commencing March 1, 2014, to the Division of the State  
5 Architect of the total fees collected in the previous calendar year  
6 and of its distribution, including the moneys spent on administrative  
7 services, the activities undertaken and moneys spent to increase  
8 CASp training, certification, and services, the activities undertaken  
9 and moneys spent to fund programs to facilitate accessibility  
10 compliance, and the moneys transmitted to the Disability Access  
11 and Education Revolving Fund.

12 SEC. 4. If the Commission on State Mandates determines that  
13 this act contains costs mandated by the state, reimbursement to  
14 local agencies and school districts for those costs shall be made  
15 pursuant to Part 7 (commencing with Section 17500) of Division  
16 4 of Title 2 of the Government Code.

O