Senate Budget and Fiscal Review—Scott Wiener, Chair SUBCOMMITTEE NO. 5

Senator Laura Richardson, Chair Senator Maria Elena Durazo Senator Kelly Seyarto Senator Aisha Wahab

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Consultant: Eunice Roh and Nora Brackbill

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Issue 1: Overview of Governor's May Revision Proposals in Transportation

Governor's Proposal. The May Revision includes the following proposals in transportation:

CALIFORNIA STATE TRANSPORTATION AGENCY (CalSTA)

Transit Cuts. The May Revision cuts almost all discretionary expenditures from the Greenhouse Gas Reduction Fund. This includes \$1.1 billion in cuts to transit programs, such as:

- *Competitive Transit and Intercity Rail Capital Program (TIRCP):* \$180 million in 2025-26, \$20 million in 2026-27
- Formula TIRCP: \$188 million in 2025-26
- Zero Emission Transit Capital Program: \$230 million in 2026-27, \$460 million in 2027-28

California Office of Traffic Safety Federal Grants Workload. The May Revision includes \$871,000 (\$801,000 in Federal Fund and \$70,000 in various State Funds), three 3-year limited-term positions (without position authority), and three permanent positions for 2025-26 and ongoing for the Office of Traffic Safety at CalSTA. These resources will support the increase in workload related to additional federal grants issued to OTS by the National Highway Traffic Safety Administration.

DEPARTMENT OF TRANSPORTATION

Intercity Passenger Rail Program Equipment Maintenance and Overhaul. The May Revision includes \$27.7 million from the Public Transportation Account in 2025-26 for the maintenance and overhaul of passenger rail equipment. This request funds projects to address normal wear-and-tear, ensure passenger safety, meet federal safety standards, and maintain equipment in good repair to extend its useful life.

Technical Adjustments. The May Revision includes the following technical adjustments:

• Decrease Item 2660-001-0042 by \$100,711,000 ongoing. This reduction is necessary to achieve a net-zero fund shift of expenditures from the State Highway Account (with a corresponding increase to a non-budget act item from the Road Maintenance and Rehabilitation Account) to help maintain a minimum fund balance reserve in the State Highway Account.

- Increase reimbursements to Item 2660-001-0042 by \$867,000 in 2025-26 and 2026-27 to accommodate the Motor Carrier Safety Assistance Program federal grant, which promotes safe commercial motor vehicle enforcement. The grant was awarded to the California Highway Patrol, which is coordinating with Caltrans, which will perform the workload associated with this grant.
- Increase Item 2660-001-0890 by \$42,957,000 in 2025-26, \$30,645,000 in 2026-27, \$12,802,000 in 2027-28, \$9.04 million in 2028-29, and \$9 million in 2029-30 and ongoing to accommodate various federal grants awarded to Caltrans.
- Add Item 2660-490 to reappropriate up to \$6 million from Item 2660-001-0042, Budget Act of 2024, for FI\$Cal Onboarding costs.

Los Angeles Olympics Transportation Network. The May Revision includes \$17.6 million from the State Highway Account in 2025-26 to plan and design a transportation network that supports the Los Angeles 2028 Olympics and Paralympics Games. During the Games, athletes, coaches, officials, and other key Games stakeholders will be moved to venues through a dedicated transport system. These stakeholders will use the Games Route Network (GRN), which is a network of dedicated lanes on relevant freeways and surface streets that connect sports competition venues to the Olympic and Paralympic Village, International Broadcast Center, and training facilities. Caltrans requests 92 positions and \$7.2 million in operational expenses to plan, design, implement, operate and maintain this type of transportation network in preparation for the Olympic Games.

LA 2028 Olympics Streamlining Trailer Bill Language. The Administration proposes three trailer bills to "streamline" projects related to the LA 2028 Olympics. It proposes to exempt activities associated with Olympics and Paraolympic Games from the California Environmental Quality Act as well as the Coastal Act, as well as provide Caltrans and local entities the authority to repurpose certain highway lanes for the Games Route Network.

HIGH-SPEED RAIL AUTHORITY

High-Speed Rail. The Administration requests at least \$1 billion annually for the High-Speed Rail Project. However, this is not reflected in the proposed trailer bill language nor is it included in the proposed budget bill language.

BOARD OF PILOT COMMISSIONERS (BPC)

Board of Pilot Commissioners' Business Modernization. The May Revision includes \$2.1 million in 2025-26, \$229,448 in 2026-27, and \$117,000 2027-28 and ongoing from the Board of Pilot Commissioners Special Fund. Of this amount, \$201,000 will be available to the BPC to continue the planning phase of a project that will automate many of the Board's manual processes to enhance operational efficiency, streamline business processes, and improve data accessibility and security. It is also requested that provisional language be added to make \$1.9 million of amount will be contingent upon all four stages of the California Department of Technology (CDT)'s Project Approval Lifecycle (PAL) process being completed.

CALIFORNIA HIGHWAY PATROL (CHP)

California Crash Data System Modernization Program. The May Revision includes \$3.5 million from the Federal Trust Fund in 2025-26, one-time, to begin the planning phase of the CalCrash IT project that will automatically capture statewide crash data and send it to the National Highway Traffic Safety Administration and replace the manual data entry process currently conducted by CHP. It is also requested that provisional language be added to allow the Department of Finance to augment the item up to \$9.9 million, contingent upon all four stages of the CDT's PAL process being completed in 2025-26.

Increase in Federal Spending Authority. The May Revision includes \$13.4 million from the Federal Trust Fund in 2025-26 and 2026-27 for Motor Carrier Safety Administration Grants to provide additional federal resources for commercial vehicle traffic enforcement, including inspections and hazardous materials oversight.

Highway Violence Task Force. The May Revision includes \$4.9 million from the Motor Vehicle Account in 2025-26, one-time, for a one-year extension of the Highway Violence Task Force. Funding is used for investigative and enforcement equipment, training, investigative technology needs, and operational expenses that focus on violent crimes occurring on freeways.

Capital Outlay Projects. The May Revision includes the following proposals regarding various CHP projects:

- Lease Revenue Debt Service Adjustments. The May Revision shifts \$7 million in lease revenue debt service payments on the Hayward Area Office Replacement and the El Centro Area Office Replacement projects from the Motor Vehicle Account to the General Fund.
- **Revert and Fund New, Performance Criteria.** The May Revision reverts \$11 million in prior appropriations from the Public Building Construction Fund and proposes new funding of \$13.3 million from the Public Building Construction Fund, for a net increase of \$2.3 million to fund the performance criteria phase of the Area Office Replacement projects in Redding, Los Banos, Antelope Valley, Barstow, and Porterville.
- **Supplemental Appropriation, Acquisition.** The May Revision includes \$4.4 million from the General Fund for the acquisition phase of the Humboldt Area Office Replacement (\$3.1 million) and Los Banos Area Office Replacement (\$1.3 million) projects.
- Enhanced Radio System: Replace Towers and Vaults (Leviathan Peak). The May Revision includes \$9.3 million one-time General Fund, reversion of \$5.8 million General Fund of existing authority, resulting in a net increase of \$3.4 million General Fund for the construction phase of this project.

DEPARTMENT OF MOTOR VEHICLES (DMV)

Chapter 298, Statutes of 2019 (SB 210) – Heavy-Duty Vehicle Inspection & Maintenance Program. The May Revision includes \$4.9 million and 19.4 positions in fiscal year 2025-26 and \$3.5 million and 19.4 positions in 2026-27 and ongoing from the Truck Emission Check Fund to continue an existing IT project that will allow DMV to withhold registration from heavy-duty vehicles that fail to establish emission compliance.

Chapter 314, Statutes of 2021 (AB 796) – Voter Registration: California New Motor Voter Program. The May Revision includes \$2 million ongoing from the General Fund to continue the maintenance and operation of an Information Technology (IT) project that will capture voter registration information from incomplete DMV transactions and transmit it to the Secretary of State as required by AB 796.

Digital eXperience Platform (DXP) Project. The May Revision includes \$53.1 million one-time in fiscal year 2025-26 to complete the vehicle registration phase of the DxP project, an IT effort that will replace DMV's software and hardware for vehicle registration functions. It is also requested that provisional language be added to make the \$53,107,000 available to complete the vehicle registration phase of the project, but contingent upon approval of the appropriate project documents by the California Department of Technology.

State-to-State Verification System (S2S) Project. The May Revision includes \$10 million one-time in 2025-26 to begin the planning phase of the S2S project, which allows DMV to upload its driver license and identification card data to the American Association of Motor Vehicle Administrators electronic verification and history exchange. This is required to prevent identification fraud and maintain REAL ID compliance with the federal Department of Homeland Security. Without it, the Department of Homeland Security might not allow California's REAL IDs to be used to board domestic flights or enter specified federal facilities. It is also requested that provisional language be added to make \$8.9 million of this amount available to begin the IT project, but contingent upon all four stages of the California Department of Technology's Project Approval Lifecycle process being completed in 2025-26.

El Centro: Field Office Replacement – Reappropriation. The May Revision reappropriates \$2.7 million General Fund for the acquisition phase and \$2.5 million from the Public Buildings Construction Fund for the performance criteria phase of this project. While one site for the new office was selected in 2024, there is now an alternate site under consideration. The reappropriation is necessary to provide additional time to determine which of the two potential sites will better meet the needs of the department.

Statewide Ignition Interlock Device Pilot Program Extension Trailer Bill Language. The May Revision includes trailer bill language that extends the sunset date for the Statewide Ignition Interlock Device Pilot Program from January 1, 2026 to January 1, 2033. Chapter 783, Statutes of 2016 (SB 1046, Hill) created the current Statewide IID Pilot Program to evaluate the efficacy of IIDs as a post-licensing sanction for injury-involved DUI offenders and multiple DUI offenders. Non-injury alcohol-involved 1st offenders may have a court-ordered IID or, in the absence of a court order, an optional IID. The pilot began January 1, 2019, and will sunset on January 1, 2026.

Chapter 610, Statutes of 2021 (SB 287) Trailer Bill Language. The May Revision includes trailer bill language that delays implementation of SB 287 (Grove, Chapter 610, Statutes of 2022) from January 1, 2027, to January 1, 2029. Commencing January 1, 2027, SB 287 authorizes a driver to tow a 10,000 to 15,000-pound gooseneck trailer with a noncommercial Class C license for recreational purposes, provided they had successfully completed a knowledge exam.

State-to-State Trailer Bill Language. At the time of writing, the trailer bill language is not yet publicly available.

Chapter 952, Statutes of 2022 (AB 1800) Trailer Bill Language. The May Revision includes trailer bill language that eliminates the existing January 1, 2027, delayed operative date of AB 1800 (Low, Chapter 952, Statutes of 2022), and instead authorizes DMV and the National Marrow Donor Registry to establish an implementation timeline as part of the required memorandum of understanding.

Digital Experience Platform Project Trailer Bill Language. The May Revision includes trailer bill language that reestablishes the \$1 Business Partner Automation (BPA) system improvement fee which ended on December 31, 2023, to January 1, 2029, when the DMV director determines that sufficient funds have been received. This fee is intended to collect the business partners' proportionate share of the department-wide system improvements.

Staff Recommendation: Hold Open.

0250 JUDICIAL BRANCH

Issue 2: Overview of Governor's May Revision Proposals

The May Revision includes total funding of \$5.2 billion (\$3.2 billion General Fund) in 2025-26 for the Judicial Branch, a slight increase as compared to Governor's budget. Of this, \$2.9 billion is provided to support trial court operations.

State Court Facilities Construction Fund (SCFCF). The May Revision includes a reduction of \$20 million General Fund for backfilling the SCFCF in 2025-26. The May Revision also includes a transfer of accumulated savings and accumulated interest revenue totaling \$34.3 million from the Court Facilities Architectural Revolving Fund to the SCFCF, resulting in a one-time reduction of the General Fund backfill to the SCFCF by the same amount in 2025-26. The May Revision also includes an increase in SCFCF reimbursement authority by \$10.7 million to collect counties' share of costs for increased utilities and maintenance expenditures.

Tribal Nations Access to Justice Act (SB 549). The May Revision includes \$2.7 million in 2025-26, \$1.5 million in 2026-27, and \$784,000 in 2027-28 for courts to handle workload resulting from lawsuits filed by California Indian tribes against California gambling establishments and third-party providers pursuant to SB 549 (Newman), Chapter 860, Statutes of 2024.

Trial Court Employee Health Benefits. The May Revision includes a reduction of \$9 million ongoing General Fund to reflect updated health benefit and retirement rate changes for trial court employees, bringing the total amount available for this purpose to \$19.8 million in 2025-26.

Incompetent to Stand Trial Evaluation Trainings. The May Revision includes a reversion of \$9.1 million General Fund in 2023-24 and 2024-25 associated with unspent funds provided to the Judicial Branch for improvements to Incompetent to Stand Trial evaluations, and a reappropriation of \$3.4 million from 2022-23 to continue trainings.

Court Reporters Provisional Language. Proposed provisional language would allow trial courts to utilize court interpreter program funding for the total number of coordinators required by each court and remove the requirement that coordinators must be certified or registered court interpreters.

Solutions. The May Revision includes the following additional solutions in the Judicial Branch's budget:

- Reduction of \$38 million in 2025-26 from the unrestricted fund balance of the Trial Court Trust Fund.
- Reversion of \$20 million General Fund from 2024-25 and a reduction of \$20 million ongoing General Fund beginning in 2025-26 related to the Judicial Branch's pretrial services. The May Revision maintains \$50 million General Fund in 2025-26, consistent with the current expenditure level.
- Reversion of \$27.5 million General Fund in 2023-24 and 2024-25 in unspent funds and statutory changes related to a pilot program for juror compensation pursuant to AB 1981 (Lee), Chapter 326, Statutes of 2022.
- Withdrawal of capital outlay proposals, including \$500,000 General Fund for statewide planning and \$2.9 million General Fund for the San Joaquin County: New Tracy Courthouse.
- Statutory changes related to court surplus property disposition.

Reappropriations and Liquidation Extensions. The May Revision also includes reappropriations for the following delayed projects:

- \$7.2 million General Fund from the 2022 Budget Act, to provide public access to lactation rooms in courthouses.
- \$10 million General Fund from the 2021 Budget Act, and \$40 million General Fund from the 2022 Budget Act, for two critical fire and life safety system projects at the Central Justice Center in Orange County and the San Diego East County Regional Center.
- \$6.6 million General Fund from the 2022 Budget Act, to support the implementation of AB 716 (Bennett), Chapter 526, Statutes of 2021, which requires courts to provide minimum remote access to all courtroom proceedings.
- \$1.4 million from the 2023 Budget Act, to complete the development of a Community Mental Health dataset pursuant to SB 929 (Eggman), Chapter 539, Statutes of 2022.

Technical Adjustments. The May Revision also includes the following technical adjustments:

- Reduction of \$5.8 million in 2025-26 and ongoing to align backfill related to Ability to Pay.
- Net-zero transfer of funding between judicial branch budget items.
- Reduction of \$1.9 million ongoing General Fund in CARE Court funding to align expenditures with the revised estimated caseload.

Staff Recommendation: Hold Open.

0690 OFFICE OF EMERGENCY SERVICES

Issue 3: Overview of Governor's May Revision Proposals

The May Revision includes total funding of \$4.4 billion (\$613 million General Fund) and 1,911 positions for Cal OES in 2025-26. This is an increase of \$1.3 billion (\$50.5 million General Fund) as compared to Governor's budget. Major adjustments to Cal OES's budget are described below.

Flexible Cash Assistance for Survivors of Crime Delay. The May Revision proposes to revert \$49.7 million General Fund provided in the 2022 Budget Act for assistance to survivors of violent crimes.

CS 90.00. The May Revision includes Control Section 90.00 to authorize the Director of Finance to augment any state department or agency appropriation for costs necessary during 2025-26 to continue recovery efforts related to damage caused by the Eaton Fire and Palisades Fire in January of 2025. These augmentations shall be within the cumulative total of the \$2.5 billion authorized in Control Sections 90.00 and 90.01 of the 2024 Budget Act and shall be made on or before June 30, 2026.

State and Local Cybersecurity Grant Program Funding Authority. The May Revision includes \$605,000 in state operations and \$11.5 million in local assistance for one-time Federal Trust Fund authority for the State and Local Cybersecurity Grant Program.

State Emergency Telephone Number Account Augmentation Authority. The May Revision includes provisional budget bill language allowing the Department of Finance to augment the amount available for expenditure from the State Emergency Telephone Account to support 9-1-1 Emergency Communications. The 2018 Budget Act provided Cal OES with funding and personnel to initiate the Next Generation 9-1-1 (NG 9-1-1) project. The budget assumes that the state would fully transition from legacy 9-1-1 to NG 9-1-1 in fiscal year 2025-26, but additional time is needed for that transition, so OES is requesting authority to continue funding for both systems.

Federal Authority Adjustment for Receipt of Federal Disaster Cost Reimbursements. The May Revision includes a one-time increase of \$1.2 billion Federal Fund authority (\$654.9 million for state operations and \$573.1 million for local assistance) based on projected federal reimbursements from the Federal Emergency Management Agency.

Capital Outlay. The May Revision includes the following resources to continue existing capital outlay projects:

- Reappropriation of \$7.2 million General Fund for the construction phase of the State Operations Center Modification project. Total project costs are estimated at \$10.4 million. During construction, piping and electrical conduits that were not reflected in original building drawings were revealed, resulting in supplemental design and engineering modifications that extended the project schedule beyond the encumbrance period.
- Reversion of \$17.0 million General Fund and replacement of \$40.1 million General Fund for the construction phase of the Relocation of Red Mountain Communications Site project, a net increase of \$23.2 million. The project relocates the existing Red Mountain public safety radio communications site off Sovereign land and constructs three towers, with all other ancillary components, to maintain coverage for the northwestern region of the state.

Other Adjustments. The May Revision also includes the other adjustments to Cal OES's budget:

- Authority for four positions to administer wildfire mitigation grants funded in the Governor's budget from the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Fund established by Proposition 4 (2024). The Governor's budget included \$9 million in 2025-26, \$26 million in 2026-27, and \$100 million in the outyears for this program.
- Liquidation extension of \$794,000 General Fund from June 30, 2025, to June 30, 2027, for critical infrastructure maintenance at the California Specialized Training Institute. The original allocation was part of the 2021 Budget Act, which provided a total of \$5 million to address critical infrastructure deficiencies.
- Liquidation extension of \$3.0 million General Fund from the 2022 Budget Act, and \$2.0 million Disaster Resistant Communities Account from the 2021 Budget Act, from June 30, 2025, to June 30, 2027, for the Fire and Rescue Mutual Aid fleet. Cal OES has already entered purchasing agreements for four Swiftwater Tow Vehicles and nine Type III Fire Engines, but needs additional time due to continuing supply-chain issues.
- Net-zero shift of \$25 million to separate ongoing baseline funding for the Fire and Rescue preposition program into its own budget bill item for tracking purposes.

Staff Recommendation: Hold Open.

0820 DEPARTMENT OF JUSTICE

Issue 4: Overview of Governor's May Revision Proposals

The May Revision maintains total funding of approximately \$1.3 billion (\$496 million General Fund) to support the Department of Justice (DOJ) in 2025-26.

Federal Accountability Workload. The May Revision includes \$14.4 million ongoing (\$13.3 million General Fund and \$1.1 million Special Fund) and 44 positions to defend California against adverse federal actions.

Unfair Competition Law Fund Loan. The May Revision proposes an additional loan of \$150 million from the Unfair Competition Law Fund to the General Fund in 2025-26 to address the budget shortfall.

Various Chaptered Legislation Adjustments. The May Revision includes a reduction of \$729,000 (\$656,000 General Fund and \$73,000 Special Fund) in 2025-26, decreasing to \$563,000 (\$492,000 General Fund and \$71,000 Special Fund) in 2028-29 and ongoing to withdraw proposals from the Governor's budget related to chaptered legislation that DOJ intends to implement within existing resources.

California Law Enforcement Telecommunications System (CLETS) – Department of Motor Vehicle Enhancements. The May Revision includes \$3.2 million General Fund in 2025-26 and \$1.6 million in 2026-27 to connect CLETS and the Department of Motor Vehicles.

FI\$Cal Resources. The May Revision includes \$2.7 million (\$1.1 million General Fund and \$1.6 million Special Fund) in 2025-26 and \$3.2 million (\$1.2 million General Fund and \$2 million Special Fund) in 2026-27 for DOJ to transition to FI\$Cal by 2026-27.

Juveniles: Sealing Records (AB 1877). The May Revision includes \$2.4 million General Fund and four positions in 2025-26 and \$812,000 in 2026-27 and ongoing to implement AB 1877 (Jackson), Chapter 811, Statutes of 2024.

Registry of Charities and Fundraisers Workload. The May Revision includes \$1.2 million Registry of Charities and Fundraisers Fund and eight positions and \$1.4 million in 2026-27 and ongoing to address the program workload within the Registry.

Girl Scout Volunteer Background Checks. The May Revision includes a reappropriation of up to \$5.5 million for Girl Scout volunteer background checks until June 30, 2026.

Staff Recommendation: Hold Open.

ITEMS FOR COMMENT ONLY

0390 CONTRIBUTIONS TO THE JUDGES' RETIREMENT SYSTEM

Issue 5: Judges' Retirement System II

Proposal. The May Revision includes a decrease of \$5.4 million General Fund in 2025-26 in state contributions to the Judges' Retirement System II due to a projected larger employer contribution.

Staff Recommendation: Hold Open.

7870 CALIFORNIA VICTIM COMPENSATION BOARD

Issue 6: Reappropriation: Trauma Recovery Center Grants

Proposal. The May Revision proposes to extend the encumbrance date of a one-time appropriation from July 1, 2025, to June 30, 2026, to allow the California Victim Compensation Board to carry out the last round of grants to Trauma Recovery Centers.

Staff Recommendation: Hold Open.

8140 OFFICE OF THE STATE PUBLIC DEFENDER

Issue 7: Public Records Act Workload

Proposal. The May Revision withdraws the proposal for \$148,000 General Fund and 1 position in 2025-26, and \$141,000 ongoing to address Public Records Act workload.

Staff Recommendation: Hold Open.