



TO: AGENCY SECRETARIES
DEPARTMENT HEADS
BOARDS AND COMMISSIONS

The *Supplemental Report of the 2021-22 Budget Act* contains statements of legislative intent that were adopted during deliberations on the 2021-22 budget package.

Please distribute your responses to the supplemental report, and any other report or document you are required to submit, to the Joint Legislative Budget Committee (JLBC), as follows:

One Hard Copy of the Report and Transmittal Letter to:

- Ms. Erika Contreras, Secretary of the Senate
State Capitol, Room 3044
Sacramento, CA 95814

An *Electronic* Copy of the Report and Transmittal Letter to *Each* of the Following:

- Joint Legislative Budget Committee: Hans.Hemann@sen.ca.gov
for distribution to the JLBC Members.
Hon. Nancy Skinner, Chair, Joint Legislative Budget Committee
1020 N Street, Room 553, Sacramento, CA 95814
- Legislative Analyst's Office: LAO.Secretary@lao.ca.gov
925 L Street, Suite 1000, Sacramento, CA 95814
- Office of the Chief Clerk of the Assembly:
Amy.Leach@asm.ca.gov, Tammy.Weis@asm.ca.gov, and Sue.Parker@asm.ca.gov
Ms. Sue Parker, Chief Clerk of the Assembly
Room 3196, State Capitol, Sacramento, CA 95814
- Legislative Counsel Bureau: agency.reports@lc.ca.gov
Office of Legislative Counsel
Indexing Division
925 L Street, Suite 1105, Sacramento, CA 95814-3703

In the report, as well as in your transmittal letter to Senator Skinner, please *cite the 11-digit budget item number(s) and the budget year or other statutory reference* to which the response relates.

If you have any questions, you may contact the Legislative Analyst's Office at (916) 445-4656.

Supplemental Report of the 2021-22 Budget Act

Containing Statements of Intent
And Requests for Studies
Adopted by the Legislature



Compiled by the
LEGISLATIVE ANALYST'S OFFICE
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LEGISLATIVE, JUDICIAL, AND EXECUTIVE

Item 0820-001-3086—Department of Justice

1. ***Alternative Ways to Fund the Bureau of Forensic Service (BFS)***. No later than March 10, 2022, the Department of Justice (DOJ) shall submit a report identifying various options—other than the state General Fund—to fund the annual operations of BFS. Operational costs shall include facility and annual equipment replacement costs. One such option shall include sharing costs with local agencies that make use of BFS services based on the specific type of forensic services sought, the speed of service, the size of the agency, and any other factors DOJ would like to consider.

BUSINESS, CONSUMER SERVICES, AND HOUSING

Item 1115-001-3288—Department of Cannabis Control

1. *Annual and Provisional Licenses.*

- (a) On or before October 1, 2022, the Department of Cannabis Control shall submit a report to the fiscal, budget, and relevant policy committees of the Legislature and the Legislative Analyst's Office and post this report on its website. The report shall include at least the following information, disaggregated by local jurisdiction:
 - (i) The total number of active annual licenses.
 - (ii) The total number of provisional licenses issued beginning July 1, 2021 through June 30, 2022 that did not result in a licensee holding multiple cultivation licenses on contiguous premises exceeding one acre of total canopy for outdoor cultivation or 22,000 square feet for mixed-light or indoor cultivation.
 - (iii) The total number of provisional licenses issued beginning July 1, 2021 through June 30, 2022 that resulted in a licensee holding multiple cultivation licenses on contiguous premises exceeding one acre of total canopy for outdoor cultivation or 22,000 square feet for mixed-light or indoor cultivation.
 - (iv) The total number of active provisional licenses.
 - (v) The total number of provisional licenses that transitioned to annual licenses between July 1, 2021 and June 30, 2022.
 - (vi) The total number of applications submitted between July 1, 2021 and March 31, 2022 that were denied.
- (b) On or before March 1, 2023, and annually thereafter through 2025, the Department of Cannabis Control shall include in its annual report at least the following information, disaggregated by local jurisdiction, for the prior fiscal year:
 - (i) The total number of active annual licenses.
 - (ii) The total number of active provisional licenses.
 - (iii) The total number of provisional licenses that transitioned to annual licenses.
 - (iv) The total number of provisional licenses renewed that did not result in a licensee holding multiple cultivation licenses on contiguous premises exceeding one acre of total canopy for outdoor cultivation or 22,000 square feet for mixed-light or indoor cultivation.

- (v) The total number of provisional licenses renewed that resulted in a licensee holding multiple cultivation licenses on contiguous premises exceeding one acre of total canopy for outdoor cultivation or 22,000 square feet for mixed-light or indoor cultivation.
- (vi) The total number of provisional licenses that were not renewed for failure to meet the renewal requirements in Business and Professions Code section 26050.2 and the aggregated reasons those licenses were unable to be renewed.
- (vii) The total number of provisional licenses that were revoked or suspended pursuant to Business and Professions Code section 26050.2 subdivision (i).
- (viii) The total number of revoked or suspended pursuant to Business and Professions Code section 26050.2 subdivision (i) on or after July 12, 2021.
- (ix) A narrative explanation of any of the trends displayed in the data provided, including how they might differ from previous years.

NATURAL RESOURCES

Item 3540-001-0001—California Department of Forestry and Fire Protection

1. **Forestry Management Training Center Options.** The Legislative Analyst’s Office shall consult with the California Department of Forestry and Fire Protection and other appropriate stakeholders, including the California Conservation Corps, to develop options for the Legislature to consider for creating a forestry management training center in Northern California. It is the intent of the Legislature to consider approving the center during the budget process for the 2022-23 state budget.

Item 3600-001-0001—California Department of Fish and Wildlife

1. **Lake and Streambed Alteration Agreements for Cannabis Cultivation Projects.** On or before October 1, 2022, and on or before March 1, 2023 and annually thereafter through 2025, the California Department of Fish and Wildlife shall submit a report on Lake and Streambed Alteration Agreements for cannabis cultivation projects to the fiscal, budget, and relevant policy committees of the Legislature and the Legislative Analyst’s Office. The report shall include the following information for the preceding year:
 - (a) The number and types of notifications described in Section 1602 of the Fish and Game Code submitted to the department and under review, separated by the following categories:
 - (i) The number of notifications deemed complete by the department.
 - (ii) The number of notifications deemed incomplete.
 - (iii) The number of notifications deemed incomplete more than once.
 - (iv) The number of notifications that have been deemed not responsive pursuant to Business and Professions Code section 26050.2, subdivision (a)(1)(D)(iv).
 - (v) The average length of time elapsed between the initial submission of a notification by an applicant and when the notification is deemed complete by the department, further clarified by the average time the notification is with the applicant and the average time it is with the department, during the prior year.
 - (vi) A brief summary identifying, in general terms, why the majority of submitted notifications were deemed incomplete.

- (b) The number of draft agreements in process by the department at the beginning of the year.
 - (i) The number of draft agreements that were sent to the applicant by the department that have not been signed and returned to the department by the applicant at the beginning of the year.
 - (ii) The number of draft agreements that have been signed and returned to the department during the prior year.
 - (iii) The average length of time elapsed between the submission of a completed notification and when an agreement is signed and returned during the prior year.
- (c) The number of final agreements the department issued during the prior year.
- (d) A narrative explanation of trends displayed in the data provided, if any, including how they might differ from previous years.
- (e) An assessment of the adequacy of the department's staffing level to process agreements for cannabis cultivation projects on a timely basis.

Item 3900-001-3237—California Air Resources Board

1. ***Preliminary Greenhouse Gas (GHG) Emissions Estimates.*** For three years, beginning in 2022, on or before April 1 of each year, the California Air Resources Board (CARB) shall post publicly on its website and report to the relevant policy and fiscal committees of the Legislature, a preliminary estimate of the prior-year GHG emissions based on currently available data and an update to any prior estimate previously provided for any calendar year that is not included in the most recent GHG emissions inventory report required pursuant to Health and Safety Code Section 39607.4.

The estimate shall include estimates for GHG emissions from transportation; electric power; industrial, commercial and residential; agriculture; high global warming potential; and recycling and solid waste sectors. In preparing the annual estimate, the CARB may rely on data sources including, but not limited to:

- State vehicle fuels tax receipts.
- California Independent System Operator GHG monthly emissions estimates.
- Data reported under the Mandatory Reporting Regulation.
- Industrial economic activity data.
- Previously issued CARB GHG emissions inventory reports.
- Other available economic and emissions data that has been independently developed, researched, and verified.

To the extent feasible, the data and methods for developing a preliminary estimate of prior-year GHG emissions shall be transparent and publicly accessible.

HEALTH AND HUMAN SERVICES

Item 4440-011-0001—Department of State Hospitals

1. **Financial Assistance Policy.** The Department of State Hospitals shall report to legislative fiscal committees no later than January 10, 2022 an assessment of existing law and guidance pertaining to patient and family member financial liability for care and treatment at a state hospital facility, the necessity of those laws in obtaining Medicare reimbursement including discussions with the Centers for Medicare and Medicaid Services regarding the development of financial assistance policies' impact on federal reimbursement, recommendations regarding patient relief from financial impact, and the financial impact of the recommendations.

In determining the financial impact, include the following data by fiscal year:

- Number of patients served each year from January 1, 2018 to present.
- Amounts collected directly from patients from January 1, 2018 to present.
- Amounts collected from individuals and estates other than directly from the patient, from January 1, 2018 to present.
- Amounts collected from Medicare, from January 1, 2018 to present.
- Amounts collected from other payers, from January 1, 2018 to present.
- Lawsuits filed against patients for collection of owed amounts, from January 1, 2018 to present.
- Existing financial assistance policy and criteria, including informal policies and criteria, by state hospital, used from January 1, 2018 to present.
- Number and percentage of individuals who requested financial assistance with their bills from January 1, 2018 to present, and the number and percentage of requests that were reduced, cancelled, or remitted.

Item 5175-101-0001—Department of Child Support Services

1. **Caseload Ratios.** The Department of Child Support Services shall provide written quarterly updates, commencing December 1, 2021, to the Legislature regarding case-to-staffing ratios, compared to the goal ratio, across the 49 Local Child Support Agencies (LCSAs). The information should be presented individually, identifying under- and over-funded LCSAs, and indicating the statewide average in order to show the improvement or lack thereof of meeting the desired case-to-staffing ratio ultimately for all LCSAs, with an estimate to be provided in the January 2022 Governor's budget of how much funding is expected, both in the aggregate and for each LCSA, to bring all LCSAs to the goal case-to-staffing ratio.

Item 5180-101-0001—Department of Social Services

1. ***CalWORKs Home Visiting Program.*** The Department of Social Services shall provide an update to the Legislature on the status of the California Work Opportunity and Responsibility to Kids (CalWORKs) Home Visiting program through at least two meetings to be conducted at mutually agreeable times in the fall of 2021. The meetings shall include county directors and county association representatives, advocacy partners, and legislative staff. The update shall include a conversation on fostering the resurgence of the program in the 2021-22 fiscal year, an inventory of impediments for families to access services in the coronavirus disease 2019 pandemic and leading out of it, and strategies for overcoming these barriers where possible and to engage eligible families to the maximum extent feasible. Additionally, to the extent available, quantitative and qualitative information on program utilization and outcomes during the pandemic shall be included. The updates shall include a discussion of the current expenditure-based funding methodology for the program and the benefits and trade-offs of returning to a projected growth funding methodology for the program.
2. ***Homelessness and Housing Data Tracking.*** The Department of Social Services shall provide written quarterly updates, commencing October 1, 2021, on the progress being made toward the development of the single homelessness and housing data reporting solution. The department shall also provide information to and collaborate with the Legislature on the kinds of historical, current, and contextual information that the projected solution provides about housing stability and instability, homelessness, and housing and rental cost needs of people served by all of the major programs administered by the Department of Social Services.

CORRECTIONS AND REHABILITATION

Item 5225-001-0001—California Department of Corrections and Rehabilitation

1. ***Prison Infrastructure Improvement Strategy.*** On or before January 10, 2022, the department shall submit to the budget committees of each house of the Legislature and the Legislative Analyst’s Office a report identifying and prioritizing all special repair and deferred maintenance projects and capital outlay projects estimated to cost over \$5,000,000 that are likely to be needed within the next ten years. Furthermore, the department shall describe its process for identifying and prioritizing these projects as well as what viable alternatives it considered. This supplemental report language shall supersede the supplemental report language of the same title adopted with the 2020-21 Budget Act.
 - (a) For each project identified, the department shall report all of the following information:
 - (i) A brief description of the project, its estimated cost, the estimated time to complete the project, and why it is needed.
 - (ii) Whether it would be funded as a major capital outlay project or from the support budget for special repair or deferred maintenance.
 - (iii) The category of need it addresses, including fire/life safety, rehabilitative or health care programming, staff and population safety, or court-ordered or regulatory requirements.
 - (iv) In cases when a significant portion of a facility is identified for repair or replacement, via one or multiple projects, the department shall explain what viable alternatives to rebuilding or repairing the facility it considered, such as redesigning, consolidating, or relocating facilities to achieve better outcomes or lower operational costs.
 - (b) In identifying the projects, the department shall seek opportunities to consolidate prisons to achieve efficiencies.
 - (c) The department shall describe how the identified projects support a long-term, durable portfolio of facilities to meet the department’s mission and the state’s long-term need for prison capacity.
 - (d) The department shall describe the steps taken in the project planning and prioritization process to minimize investments in prisons that may be included in closure decisions beyond the number of closures identified in Penal Code Section 5003.7 unless they are needed to ensure safe operation of the facility until it is closed.
 - (e) If, after January 10, 2022, the department identifies changes to the projects reported pursuant to this supplemental report, it shall notify the budget

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committees of both houses of the Legislature and the Legislative Analyst's Office of the changes and the justification for these changes.

EDUCATION

Item 6100-161-0890—California Department of Education

1. ***Special Education Written State Complaints.*** The department shall report to the appropriate fiscal and policy committees of the Legislature and the Department of Finance (DOF) on the number of special education written state complaints handled by the department and the number of cases handled by the Office of Administrative Hearings which are related to coronavirus disease 2019 (COVID 19) school disruptions by August 1 of 2022 and 2023. In recognition of the potential for a higher volume of parent contacts regarding special education due to COVID-19 school disruptions, the department shall also report to the appropriate fiscal and policy committees of the Legislature and DOF, by August 1, 2022, on their systems for the intake and management of parent questions and concerns, and with focus on how these systems reflect the full continuum of dispute resolution practices, including referrals to local resources for parent support and alternative dispute resolution practices.

Item 6440-001-0001—University of California

1. ***Office of the President.*** It is the intent of the Legislature to reconsider the University of California Office of the President line item and its budget prior to finalizing the 2022-23 budget.

GENERAL GOVERNMENT

Item 8570-102-0001—California Department of Food and Agriculture

- 1. *Farm to School Incubator Grant Program.*** No later than January, 1, 2024, the California Department of Food and Agriculture (CDFA) shall submit to the Joint Legislative Budget Committee (JLBC) a report on key programmatic outcomes achieved by the Farm to School Incubator Grant Program. At minimum, this report shall include the following for each type of activity funded—such as procurement of foods and educational opportunities—from the Farm to School Incubator Grant Program: (1) the total number of grants and amount of funding awarded; (2) the number of schools and students served; (3) the number of schools and students served by applicable community need metrics (such as free/reduced meal rates); (4) the geographic distribution of awarded grants; and (5) an assessment, to the extent feasible, on the degree to which the funded activities resulted in improved outcomes, such as increased awareness and consumption of healthier food options and improved academic outcomes.
- 2. *Healthy Stores Refrigeration Grant Program.*** No later than January, 1, 2024, CDFA shall submit to JLBC a report on key programmatic outcomes achieved by the Healthy Stores Refrigeration Grant Program. At minimum, this report shall include: (1) the number of grants and amount of funding awarded by type of entity receiving funds (such as corner stores and food banks), (2) the number of grants and amount of funding awarded to low-access areas (as defined in Section 49015 of the Food and Agricultural Code), (3) the geographic distribution of awarded grants, and (4) an assessment of the impact of the program on grant recipients' success at stocking and selling California-grown fresh produce and minimally processed foods within targeted communities.
- 3. *Urban Agriculture Grant Program.*** No later than January, 1, 2024, CDFA shall submit to JLBC a report on key programmatic outcomes achieved by the Urban Agriculture Grant Program. At minimum, this report shall include: (1) the number of grants and amount of funding awarded by type of entity receiving funds, (2) the number of grants and amount of funding awarded by activity (such as infrastructure procurement and technical assistance), (3) the number of grants and amount of funding awarded in low-access areas (as defined in Section 49015 of the Food and Agricultural Code), (4) the geographic distribution of awarded grants, and (5) an assessment of the effectiveness of the program on increased access to healthier food options within targeted communities.