



**Department of General Services
Procurement Division**

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Broadcast Date: February 24, 2023

Bulletin #: P-01-23

**TO: Purchasing Authority Contacts (PACs)
Procurement and Contracting Officers (PCOs)
Small Business and Disabled Veteran Business Enterprise Advocates**

RE: Bills from the 2022 Legislative Session that Impact Procurement Practices

This Broadcast Bulletin provides a brief summary of the bills signed by the Governor that impact procurement practices with most bills becoming law effective January 1, 2023. This is for information purposes only, and state agencies are responsible for complying with laws as of the bill effective dates. State agencies are encouraged to refer to each individual bill for additional information.

[AB 661 \(Bennett\) Recycling: materials](#)

Status: Chapter 517, Statutes of 2022

Effective date: January 1, 2023

Summary: Requires state agencies to purchase recycled products instead of nonrecycled products whenever recycled products are available at no more than 10 percent greater total cost than nonrecycled products, and specified circumstances exist. Establishes additional product categories and minimum content and recyclability requirements, until updated by the Department of Resources Recycling and Recovery (CalRecycle) and the Department of General Services (DGS). DGS must develop new SABRC (State Agency Buy Recycled Campaign) policies. Requires education and training of state agency purchasers and DGS to maintain procedures for compliance for meeting and reporting minimum recycled content requirements.

[AB 778 \(Garcia\) Institutional purchasers: purchase of California-grown agricultural products.](#)

Status: Chapter 576, Statutes of 2022

Effective date: January 1, 2023

Summary: Requires a California state-owned or state-run institution that purchases agricultural food products, as defined, to implement necessary practices to achieve a goal of ensuring that by December 31, 2025, at least 60 percent of the agricultural

food products that it purchases in a calendar year are grown or produced in the state.

AB 2019 (Petrie-Norris) State contracts: small business enterprises

Status: Chapter 730, Statutes of 2022

Effective date: January 1, 2023

Summary: Codifies 25 percent SB participation goal. Requires agencies to adopt Economic Equity First action plans. Requires the state to conduct a statewide procurement disparity study by January 2025. Requires the state to provide an option for businesses to voluntarily self-identify as being at least 51% owned, and with management and control by, individuals in specified women, minority and LGBTQ categories. Authorizes the state to display the voluntary diversity information of certified firms in Cal eProcure. Allows for remedial actions to be taken such as removal of delegated contract authority or restrictions on contracting activity for agencies that don't meet SB/DVBE goals in three out of five years.

AB 2974 (Committee on Jobs, Economic Development, and the Economy) Small Business Procurement and Contract Act: Federal Infrastructure Investment and Jobs Act (IIJA)

Status: Chapter 600, Statutes of 2022

Effective date: January 1, 2023

Summary: Codified a 25 percent SB participation goal in infrastructure contracts exceeding \$500,000 that are funded by the federal IIJA. Requires agencies to notify their small business liaison, beginning April 1, 2023, of any anticipated contracting opportunities in the following 12 months, and providing information to small businesses on training and technical assistance available to assist them in bidding. Allows agencies to exempt IIJA-assisted contracts from the 25% SB participation goal for specified reasons.

SB 674 (Durazo) Public contracts: workforce development: covered public contracts

Status: Chapter 875, Statutes of 2022

Effective date: January 1, 2023

Summary: Creates minimum high road job standards for covered public contracts solicited and awarded by DGS and Caltrans. Covered public contracts are defined as contracts for zero-emission transit vehicles or electric vehicle supply equipment valued at \$10 million or more. Requires DGS, in consultation with the Labor and Workforce Development Agency and the Department of Transportation (Caltrans), to develop and publish policies, procedures, and requirements applicable to covered public contracts in the State Contracting Manual to implement the provisions of this bill.

SB 1010 (Skinner) Air pollution: state vehicle fleet: zero-emission vehicles

Status: Chapter 360, Statutes of 2022

Effective date: January 1, 2024

Summary: This bill directs DGS to develop criteria to evaluate bidders on state rental car contracts based on the number of zero-emission vehicles (ZEVs) or plug-in hybrid electric vehicles in a bidder's rental car fleet. In addition, defines that the installation of electric vehicle supply equipment infrastructure by state entities do not constitute gifts of public funds.

[SB 1305 \(Laird\)](#) State vehicle fleet: alternative fuel vehicles

Status: Chapter 152, Statutes of 2022

Effective date: January 1, 2023

Summary: Updates the "Green Fleet" criteria to meet modern standards.

[SB 1422 \(Hertzberg\)](#) Acquisition of goods and services: alternative contracting procedures: installation of carpet, resilient flooring, synthetic turf, and lighting fixtures: pilot

Status: Chapter 310, Statutes of 2022

Effective date: January 1, 2023

Summary: Authorizes DGS to award leveraged procurement agreements for the purchase, or purchase and installation, of carpet, resilient flooring, synthetic turf, or lighting fixtures, for use by state and local agencies.

Comments or questions regarding this broadcast should be directed to the following:

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