

SENATE THIRD READING
SB 1107 (Stern)
As Amended August 13, 2026
Majority vote

SUMMARY

Authorizes a school district, with approval of its governing board, through December 31, 2031, to procure multiple design-build contracts for comparable shade structure projects at multiple sites through a bundled single solicitation, if the cumulative project value exceeds \$1 million, but is not more than \$10 million, even if individual projects within the bundle total less than \$1 million.

Major Provisions

- 1) Authorizes that projects solely for the installation of shade structures integrated with playground equipment included on the Division of the State Architect (DSA) approved pre-checked design list, that do not exceed the valuation threshold for alterations, structural repairs, or additions to existing buildings, on a school district, county office of education (COE), charter school, or community college campus are not required to comply with specified sections of the California Code of Regulations (CCR) related to providing an accessible path-of-travel.
- 2) Addresses double jointing with AB 1860 (McKinnor) of the 2025-26 Session.

COMMENTS

Bundling multiple design-build contracts. This bill authorizes a school district, with approval of its governing board, through December 31, 2031, to procure multiple design-build contracts for comparable shade structure projects at multiple sites, through a bundled single solicitation, if the cumulative project value exceeds \$1 million, but is not more than \$10 million, even if individual projects within the bundle total less than \$1 million.

This bill expands SB 515's exemption for shade structures. SB 515 (Stern), Chapter 489, Statutes of 2023, created a narrow exception to accessible path-of-travel requirements under the Building Code for freestanding, open-sided shade structures, included on the DSA's pre-check design list. That measure was intended to reduce project costs and facilitate the installation of shade structures on school campuses in response to increasing concerns about extreme heat exposure for students during outdoor activity.

Under the Building Code, alterations to existing school facilities that exceed a specified valuation threshold (currently \$209,208) must also include the provision of an accessible path of travel to the area being altered. Smaller projects that fall below the valuation threshold are generally exempt from these requirements. However, if additional projects or repairs at the same campus within a three-year period cause the cumulative cost of alterations to exceed the threshold, the path-of-travel improvements may be required retroactively for the earlier project. According to the author, this framework may result in relatively small projects, such as playground shade structures, triggering broader accessibility upgrades if other campus work has occurred during the prior three years.

This bill proposes extending the exemption created by SB 515 to integrated shade structures attached to playground equipment, allowing these projects to remain subject to the 20% path-of-travel cap regardless of whether the valuation threshold would otherwise be exceeded.

Plan review for construction projects. The DSA reviews plans for public school construction and certain other state-funded building projects to ensure that plans, specifications, and construction comply with the Building Code. The majority of DSA's plan review and construction oversight focuses on new construction and alteration projects for California school and community college districts. DSA's plan review ensures the project's compliance with code requirements related to:

- 1) Structural safety, ensuring that facilities meet the high standards set in the Field Act to withstand an earthquake;
- 2) Fire and life safety, addressing the safety of occupants in buildings, as related to fire resistant building materials, fire alarms, fire suppression equipment, safe occupant egress, and firefighting equipment access;
- 3) Access compliance, ensuring that public schools and state-funded construction projects meet accessibility requirements for people with disabilities; and
- 4) Energy efficiency, including compliance with applicable California Green Building Standards Code requirements for sustainability.

State Architect's pre-check approval process. The DSA maintains a pre-check design list that includes over 25 "off the shelf" shade structures that schools and community colleges can install according to an expedited review and approval process. The pre-check approval process is intended to streamline DSA plan review by providing a procedure for approving the design of commonly used structures prior to the submittal of plans to DSA for construction projects. The pre-check approval process allows designers to incorporate designs for structures that have already been "pre-checked" by DSA into their plans for actual site-specific construction projects. This bill would not exempt school district projects altogether from the DSA plan review process, but only from the review of the shade structures integrated into playground equipment. Reviews would likely continue to include fire and life safety, and access compliance at a minimum. DSA notes in the document, *IR A-22 Construction Projects and Items Exempt from DSA Review*, "When authorizing construction of exempt projects, the school district assumes responsibility to assure compliance with all code provisions."

According to the Author

"Spending time outside plays a vital role in supporting children's overall health and academic achievement. Regular access to outdoor environments can reduce stress and inattentiveness while strengthening cognitive growth and emotional well-being. However, students in urban areas face greater exposure to extreme temperatures, which can undermine the benefits of outdoor play by increasing their vulnerability to heat-related illnesses and diminishing their ability to focus and learn. Proper shading structures are essential to lower surrounding temperatures and protect children from dangerous heat. We are proud to continue the important work of SB 515 had started by expanding its provisions to include overhead playground structure shading, further empowering our schools to quickly and cost-effectively provide schoolyard shading that keeps our children cool while they play."

Arguments in Support

The Los Angeles Unified School District writes, "Schoolyard shading mitigates the urban heat island effect and reduce ambient temperatures by at least 15 degrees, safeguarding children's physical and mental health and promoting educational progress. As school districts invest in greening projects, particularly in areas where students have the least access to parks or green space, regulatory barriers have made the installation of shade structures cost prohibitive. This measure builds off the progress from our prior collaboration, Senate Bill 515, to reduce costs and streamline the process for approving and installing schoolyard shade structures. Whereas that effort was limited to free standing, open-sided shade structures that are detached from the playground structures themselves, this version would include shade structures attached to playground equipment. In all cases, the structures will be pre-approved by the Division of the State Architect. Moreover, no general funds would be used for these projects."

Arguments in Opposition

None on file

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 1) Ongoing General Fund costs of \$1.1 million for the Labor Commissioner's Office (under the Department of Industrial Relations (DIR)) to accommodate the additional number of projects subject to enforcement of skilled and trained workforce requirements by the Division of Labor Standards Enforcement. According to DIR, under existing law, school districts are required to use a skilled and trained workforce to perform all work for design-build projects or contracts that fall within an apprenticeable occupation in the building and construction trades.
- 2) Minor and absorbable costs to the Division of the State Architect (DSA) within the Department of General Services (DGS).

VOTES**SENATE FLOOR: 37-0-3**

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Weber Pierson, Wiener

ABS, ABST OR NV: Ochoa Bogh, Reyes, Wahab

ASM EDUCATION: 8-0-1

YES: Patel, Hoover, Alvarez, Bonta, Castillo, Lowenthal, Pellerin, Zbur

ABS, ABST OR NV: Garcia

ASM APPROPRIATIONS: 11-0-4

YES: Wicks, Arambula, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

ABS, ABST OR NV: Hoover, Dixon, Ta, Tangipa

UPDATED

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