

AMENDED IN SENATE MARCH 10, 2021

SENATE BILL

No. 635

Introduced by Senator Gonzalez

February 19, 2021

An act to amend Section 123225 of the Health and Safety Code, relating to public health, add Article 3.5 (commencing with Section 735) to Chapter 3 of Division 1 of the Streets and Highways Code, relating to state highways.

LEGISLATIVE COUNSEL'S DIGEST

SB 635, as amended, Gonzalez. **Maternal and child health. Cleanup activities on state highways, rights-of-way, off ramps, and homeless encampments.**

Existing law establishes the Department of Transportation and vests it with full possession and control of all state highways and all property and rights in property acquired for state highway purposes. Existing law authorizes the department to establish maintenance programs related to highway cleanup, as specified. Existing law establishes the Independent Office of Audits and Investigation within the department, whose director has the title of Inspector General. Existing law requires the office to ensure that the department, and external entities that receive state and federal transportation funds from the department, are spending those funds efficiently, effectively, economically, and in compliance with applicable state and federal requirements.

This bill would require the department, in collaboration with the Inspector General, to review, audit, and efficiently coordinate cleanup activities related to state highways, rights-of-way, off ramps, and homeless encampments. The bill would require the department, in collaboration with the Inspector General, to consult with each local

department district and solicit information from other agencies, as specified. The bill would also require the department, in collaboration with the Inspector General, to submit an assessment of the cleanup program, as specified, to the Legislature on or before January 1, 2023. These provisions would remain in effect until January 1, 2024.

This bill would also require the department to establish an advisory board in coordination with state and local agencies for the ongoing planning and coordination of cleanup activities related to state highways, rights-of-way, off ramps, and homeless encampments. The bill would require each local department district to develop cleanup schedules once every two weeks and post these schedules on their internet website.

~~Existing law requires the State Department of Public Health to maintain a program of maternal and child health.~~

~~This bill would make a technical, nonsubstantive change to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: no-yes.
State-mandated local program: no.

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

1 *SECTION 1. Article 3.5 (commencing with Section 735) is
2 added to Chapter 3 of Division 1 of the Streets and Highways
3 Code, to read:*

4
5 *Article 3.5. State Highway Cleanup Activities.*
6

7 *735. For purposes of this article, the following definitions
8 apply:*

9 (a) “*Inspector General*” means the director of the Independent
10 Office of Audits and Investigations in the department, as described
11 in Section 14460 of the Government Code.

12 (b) “*Local Caltrans district*” means District-1 to District-12,
13 inclusive, established by the department.

14 736. (a) *The department, in collaboration with the Inspector
15 General, shall review, audit, and efficiently coordinate cleanup
16 activities related to state highways, rights-of-way, off ramps, and
17 homeless encampments.*

18 (b) (1) *The department, in collaboration with the Inspector
19 General, shall consult with each local Caltrans district and solicit*

1 information from health and safety agencies, mental health
2 agencies, law enforcement agencies, nonprofit organizations, and
3 any other federal, state, or local agencies or organizations who
4 have jurisdiction over the maintenance and safety of roads and
5 highways or that coordinate with the department for highway
6 cleanup activities purposes.

7 (2) A local agency shall not be required to participate in any
8 of the activities described in paragraph (1).

9 (3) The department shall inform local agencies on an annual
10 basis of any opportunities to participate in the activities described
11 in paragraph (1).

12 (c) (1) On or before January 1, 2023, and annually updated to
13 include the information described in paragraph (2), the department,
14 in collaboration with the Inspector General, shall submit an
15 assessment to the Legislature that shall include all of the following:

16 (A) Information on how the current cleanup activities are
17 planned and executed in each local Caltrans district, including
18 information on the efficiency of the Adopt-A-Highway program.

19 (B) A summary of the barriers for the adequate and efficient
20 coordination of cleanup activities related to state highways,
21 rights-of-way, off ramps, and homeless encampments, including
22 any identified statutory, funding, or regulatory gaps for efficient
23 cleanup activities related to state highways, rights-of-way, off
24 ramps, and homeless encampments.

25 (C) Proposed strategies for bringing resources and leveraging
26 coordination with health and safety agencies, mental health
27 agencies, law enforcement agencies, nonprofit organizations, and
28 any other federal, state, or local agencies or organizations with
29 jurisdiction over the maintenance and safety of roads and highways
30 at both the agency and district level.

31 (D) Recommendations to address homeless encampments and
32 opportunities to develop comprehensive strategies to maximize
33 the health and safety of workers and the homeless population.

34 (E) Recommendations for statutory or regulatory changes, or
35 both, needed to better keep state rights-of-way clean and safe.

36 (2) As part of the assessment required by this subdivision, and
37 annually thereafter, the department, in collaboration with the
38 Inspector General, shall submit information regarding the number
39 of cleanup activities, the number of customer service requests

1 *received, and the number of service requests resolved in each local*
2 *Caltrans district in a given month.*

3 (3) *The assessment required by this subdivision shall be*
4 *submitted to the Legislature pursuant to Section 9795 of the*
5 *Government Code.*

6 (d) *This section shall remain in effect only until January 1, 2024,*
7 *and as of that date is repealed, unless a later enacted statute that*
8 *is enacted before January 1, 2024, deletes or extends that date.*

9 737. *The department shall establish an advisory board in*
10 *coordination with relevant state agencies, and those local agencies*
11 *who wish to participate, for the ongoing planning and coordination*
12 *of cleanup activities related to state highways, rights-of-way, off*
13 *ramps, and homeless encampments.*

14 738. *Each local Caltrans district shall develop cleanup*
15 *schedules once every two weeks and post these schedules on its*
16 *internet website.*

17 SECTION 1. ~~Section 123225 of the Health and Safety Code~~
18 ~~is amended to read:~~

19 123225. ~~The State Department of Public Health shall maintain~~
20 ~~a program of maternal and child health.~~