2022-23 BUDGET AGREEMENT
JUNE 30, 2022

TO: CSAC Board of Directors
    County Administrative Officers

FROM: Graham Knaus, CSAC Executive Director
      Jacqueline Wong-Hernandez, Deputy Executive Director of Legislative Affairs

RE: 2022-23 Budget Agreement

A few hours ago, as expected, the Legislature passed a raft of bills that together comprise the $300 billion budget agreement reached over the weekend between the Administration, the Senate, and the Assembly. AB 178 comprehensively amends the Budget Bill (SB 154) passed two weeks ago and signed by the Governor on Monday. We expect the Governor to sign the amended Budget Bill and the many trailer bills by Friday.

The agreement includes a number of high-profile items, such as:

- $9.5 billion in direct refunds to income tax filers with incomes up to $250,000 for single filers and $500,000 for joint filers.
- $47 billion for infrastructure over four years, including:
  - $14.8 billion for transportation, plus creation of an Inspector General for high-speed rail.
  - $2 billion for affordable housing, plus $2 billion for student housing.
  - $550 million for broadband.
  - $150 million for libraries.
- An increase of 15 percent for TK-12 school funding.
- An increase of 21 percent to CalWORKs grant levels.
- $1.3 billion in retention stipends for health care workers.
- $250 million for small businesses and nonprofits to fund supplemental paid sick leave relief grants.
- $135 million over 3 years to recruit, train, hire, and advance California’s health and human service sectors through regional grants that can include workforce boards, among others.

Among the items of particular importance to counties is language in the energy trailer bill (AB 205) that bypasses the local permitting process and allows energy projects to be exempted
from the California Coastal Act. CSAC also remains opposed to the Administration’s Felony Incompetent to Stand Trial solutions package contained in SB 184 due to concerns about the growth cap program and subsequent penalties against counties, but we are grateful for the strong investments to build out community treatment and capacity.

On CARE Courts, CSAC has continuously shared concerns regarding the policy bill, and while there is a placeholder for potential funding, CSAC staff again cautioned both budget committees this week that the new duties and responsibilities outlined in the policy bill will cost hundreds of millions of dollars.

CSAC appreciates the Legislature and Administration working together to finalize language ensuring counties are funded immediately for juvenile facility improvements for realigned youth. Likewise, we’re grateful for additional funding provided to prevent and address homelessness.

The Administration, Legislature, and stakeholders will hammer out remaining changes to the budget over summer recess and upon the Legislature’s return from their summer recess on August 1.

For questions about any of the issues in the budget summary, please contact the CSAC legislative staff.

*If you would like to receive the Budget Action Bulletin electronically, please e-mail Amanda Yang, CSAC Legislative Assistant at ayang@counties.org.*
### General Fund Budget Summary

($ in billions)

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### Health and Human Services

#### BEHAVIORAL HEALTH

**CARE Courts**

The budget includes $64.7 million for the Community Assistance, Recovery, and Empowerment (CARE) Court proposal to fund state departments and Judicial Branch costs for the new program, contingent on adoption of statutory changes codifying the program. CSAC has continuously shared concerns regarding the policy bill, and while there is a placeholder for potential funding, CSAC staff cautioned both fiscal and policy committees that the new duties and responsibilities outlined in the policy bill will cost hundreds of millions of dollars.

Additionally, significant CARE Court policy provisions remain unresolved, such as a deliberative phase-in schedule for counties, sanctions, and housing access and availability for participants. CSAC, along with the county affiliates, will continue to engage with the Legislature and the Administration on the policy bill to implement CARE Courts, [SB 1338](https://leginfo.legislature.ca.gov/faces/billtext.xhtml?bill_id=2021-2022%2Fsb%2F1338) by Senators Tom Umberg and Susan Talamantes Eggman.
Behavioral Health Bridge Housing
The budget includes the Governor’s proposed investment of $1.5 billion over two years for immediate, clinically enhanced bridge housing solutions for individuals experiencing homelessness with behavioral health needs.

Children and Youth Behavioral Health
The budget includes additional augmentations to the multi-year Children and Youth Behavioral Health Initiative from 2021 to address urgent youth behavioral health needs. The budget allocates $290 million General Fund in 2022-23 for expenditure over several years for the following:

- Youth suicide prevention ($40 million)
- Wellness and mindfulness grants ($75 million over two years)
- Crisis response for schools and communities ($50 million)
- Parent education ($15 million)
- Career development for high schoolers ($25 million)
- Digital assessments and interventions ($75 million)
- School-Based Peer Mental Health Demonstration Program ($10 million)

Behavioral Health Workforce
The budget includes an additional $200 million General Fund one-time over four years for behavioral health workforce investments.

Incompetent to Stand Trial (IST)
Please see the Administration of Justice section for an update on the IST issues included in the budget.

HEALTH

Medi-Cal
Medi-Cal for All, Regardless of Immigration Status
The budget expands eligibility for full-scope Medi-Cal coverage to income-eligible individuals aged 26 to 49 years, regardless of immigration status. Currently, income-eligible young adults 25 years and younger and those 50 years and older have access to full scope Medi-Cal. The estimated cost is $834 million ($625 million General Fund) for half of 2023-24 and $2.6 billion ($2.1 billion General Fund) annually at full implementation, inclusive of In-Home Supportive Services (IHSS) costs. Coverage is to begin no later than January 1, 2024.

Continuous Medi-Cal Coverage for Children Up to Age Five
SB 184 establishes continuous Medi-Cal eligibility for a child, including without regard to income, until the child reaches five years of age. Implementation is contingent on various criteria including state receipt of federal approval, the availability of federal financial participation, and a legislative appropriation after a determination that ongoing General Fund resources are available to support ongoing implementation in 2024-25 and subsequent fiscal years. This coverage becomes operative on January 1, 2025, or the date the Department of Health Care Services (DHCS) certifies specified criteria are met, whichever is later.

**Medi-Cal Provider Rates**
During the Great Recession in 2011, the state cut the Medi-Cal rates paid to providers by 10 percent in AB 97 (Chapter 3, Statutes of 2011). The budget restores rates for the last set of providers due to COVID-19 impacts and to further the state’s equity goals.

The restorations apply to nurses of all types, alternative birthing centers, audiologists and hearing aid dispensers, respiratory care providers, select durable medical equipment providers, chronic dialysis clinics, community health worker services, non-emergency medical transportation providers, and emergency medical air transportation providers, among others.

Additionally, the budget authorizes the use of General Fund in place of funding from Proposition 56 (the California Healthcare, Research and Prevention Tobacco Tax Act of 2016) for supplemental payments for specified Medi-Cal providers, contingent on federal approval and the availability of federal financial participation.

**Share of Cost Reform**
The budget includes trailer bill language to reduce share of cost requirements for seniors and persons with disabilities by increasing the Medi-Cal Maintenance Need Income Level, beginning January 1, 2025, subject to budget contingency language.

**Qualifying Community-Based Mobile Crisis Intervention Services**
The budget includes $108 million ($16 million General Fund) and implementing trailer bill language in SB 184 to add qualifying 24 hours a day, 7 days a week community-based mobile crisis intervention services, as soon as January 1, 2023, as a mandatory Medi-Cal benefit available to eligible Medi-Cal beneficiaries statewide. Notably, SB 184 specifies these services would be available exclusively through a Medi-Cal behavioral health delivery system and are subject to federal approval.

**Sunset of the Children’s Health and Disability Prevention (CHDP) Program**
Despite opposition by CSAC and a broad coalition of organizations that premature elimination of the CHDP Program will create gaps in services and reduce the quality of care, SB 184 discontinues the CHDP Program as of July 1, 2024, or the date certified by DHCS that all steps
have been taken to implement a transition plan, and transitions CHDP services to other Medi-Cal services or programs. The Budget requires DHCS to take various steps, including developing a plan to transition the CHDP Program, conducting a stakeholder engagement process to inform DHCS in the development and implementation of the transition plan, and requiring DHCS to seek federal approval to implement the transition plan.

**Healthcare Workforce**

*Hospital and Skilled Nursing Facility Worker Retention Payments*

The budget includes $1.1 billion for DHCS to provide funding to support retention payments of up to $1,500 for eligible health care workers at hospitals and skilled nursing facilities.

*Workforce for a Healthy California for All Program*

The budget includes $296.5 million in 2022-23, $370.5 million in 2023-24 and 2024-25 from the General Fund and the Opioid Settlement Fund to administer and support this program. The program includes the following core components:

- **Community Health Workers** – to recruit, train and certify 25,000 new community health workers by 2025.
- **Comprehensive Nursing Initiative** – to increase the number of registered nurses, licensed vocational nurses, certified nursing assistants, certified nurse midwives, certified medical assistants, family nurse practitioners, and other health professions.
- **Expanding Social Workers** – to support social worker training programs and provide stipends and scholarships for working individuals to create a new pipeline for diverse social workers.
- **Psychiatric Resident Program** - to increase the number of behavioral health providers.
- **Multilingual Health Initiatives** - to increase the linguistic and cultural competencies in the workforce by expanding scholarships and loan repayment for multilingual applicants.
- **Workforce Council for Health Care Training** - to leverage the Department of Healthcare Access and Information’s Health Workforce Education and Training Council to research healthcare shortages and support research on best practices and strategies to build a diverse, culturally competent workforce to build the health care workforce.
- **Opioid Response** – to provide for substance use disorder provider training related to opioid use with $22 million in one-time state Opioid Settlement Funds.

**CalAIM**

The budget includes additional resources and program flexibilities to continue implementation of California’s ambitious federal waiver package, titled “California Advancing and Innovating Medi-Cal” (CalAIM). Additional CalAIM initiatives included in the budget:
Authority for IMD Demonstration Project
SB 184 includes authority for DHCS, as a component of the county run Specialty Mental Health Services Program, in consultation with counties and other affected stakeholders, to seek federal approval for a federal Medicaid demonstration project for federal financial participation for services furnished to Medi-Cal beneficiaries during short-term stays in psychiatric hospitals or residential treatment settings that qualify as institutions for mental diseases (IMD).

Full-Scope Medi-Cal Benefits for Pregnant Individuals
The budget expands the scope of Medi-Cal benefits to pregnant individuals to full-scope (instead of “pregnancy only” benefits) for individuals with an effective income between 138 and 213 percent of the federal poverty level (FPL) effective January 1, 2024.

Targeted Medi-Cal Services for Incarcerated Individuals
The budget expands eligibility for a qualifying incarcerated individual of a public institution for targeted Medi-Cal services by deleting the existing law reference to the number of days approved in the CalAIM Terms and Conditions of “fewer than” 90 days to instead permit a number “different than” 90 days with respect to an eligible population, effectively allowing a period greater than 90 days for a subset of the inmate population.

Public Health

Local Public Health Funding
The budget includes the $200 million ongoing investment in local health departments initially proposed in the Governor’s Budget to address vital public health priorities and adopts trailer bill language to codify the ongoing expenditures associated with this funding. The budget also includes an additional $75.6 million to support public health workforce investments in various training programs and the waiver of public health nurse certification fees for three years.

Skilled Nursing Facility (SNF) Financing Reform
The budget includes a framework for SNF financing reform, including the establishment of a new Medi-Cal reimbursement rate structure for SNFs, authorized through 2026, extension of the existing quality assurance fee on SNFs until December 31, 2026, and establishment of DHCS authority to sanction SNFs for failure to meet or exceed quality standards established by the Department of Health Care Services.

Unwinding the Public Health Emergency (PHE)
The budget includes funding of $26.2 million ($13.1 million General Fund) in 2022-23, and $1.2 million ($0.6 million General Fund) in 2023-24 and 2024-25 and trailer bill language to unwind the array of program policy and system-related changes that were put in place during the course of the COVID-19 PHE, including resuming Medi-Cal redeterminations for all Medi-Cal
beneficiaries and completing all pending case actions for any change of circumstances, all within the 12-month timeframe outlined by State Health Official Letter 21-002, once the COVID-19 PHE is officially terminated at the federal level.

HUMAN SERVICES

In-Home Supportive Services
IHSS Back-up Provider System
The budget includes the Governor’s proposal to establish a permanent IHSS back-up provider system. This system would allow recipients to get services from a back-up provider in case of immediate needs or emergencies when their regular provider is not available. The human services trailer bill (SB 187) includes language to implement this system. In partnership with the County Welfare Directors Association (CWDA) and the California Association of Public Authorities (CAPA), CSAC worked to ensure that the funding level and language will allow counties and public authorities to successfully implement a back-up provider system. Changes that were incorporated since the January budget proposal include a delayed start date, temporary continuation of the emergency back-up provider system, additional funding for the transition time, and technical changes on authorized back-up provider hours, county operating hours, and provider enrollment.

IHSS Provider Orientations
SB 187 includes a proposal from the legislative budget agreement that relates to in-person orientations for IHSS providers. Currently, counties are required to hold in-person orientations for prospective IHSS providers, but have been able to host remote orientations at times during the pandemic or through agreement with the local provider union. The language in SB 187 would provide clarity and guidance in statute about remote orientations and returning to in-person orientations. Specifically, this language would:

- Indicate that a county is not required to host an in-person orientation when a state or local public health order prevents an in-person orientation from occurring.
- Require counties to host an in-person orientation within 30 days after the public health order is lifted, with a possible 15-day extension if public health conditions cause staffing or facility challenges.
- Allow for counties and unions to negotiate an alternative method for holding provider orientations.
- Indicate that a claim may be brought before the Public Employment Relations Board (PERB) for an alleged violation of state law relating to deterring union membership for alleged non-compliance with the orientation requirements.
CSAC, in partnership with CAPA and CWDA, was able to successfully advocate for changes that were incorporated in the final language. These changes made it clear that a county does not have to host an in-person orientation when a public health order prevents one from occurring, secured additional time and a possible extension for the return to in-person orientations, and clarified that any potential violations for a county failing to comply with the orientation requirements would need to go through the standard process with PERB instead of being considered automatic violations.

IHSS Realignment Withholding Clean-up
SB 187 includes minor technical clean-up to the IHSS collective bargaining 1991 Realignment withholding that was enacted last year. Specifically, this language would clarify that any withholding is a one-time penalty and would add a sunset provision to the language that applied to any county that had gone through fact finding prior to implementation of this withholding.

Child Welfare and Foster Care
Resource Family Approval
The budget includes $50 million General Fund ongoing to support counties in reducing approval timelines for foster caregiver applications. CSAC co-sponsored a CWDA budget proposal that requested ongoing funding for actual increased costs for county resource family approval workload. While the funding in the budget isn’t directly tied to actual workload costs, it will support counties in their efforts on resource family approvals.

Family Finding and Engagement
The budget includes a modified version of the Governor’s proposal for a one-time investment of $150 million for family finding and engagement with the allowable use of funds expanded to include family supports. There are several outstanding issues to be worked through on the distribution of this funding and language is not included in SB 187, but will be addressed in a future trailer bill.

Family Supports
The budget includes $50 million in each of the next two years for flexible family supports for resource families. This funding would be similar to the Foster Parent Recruitment, Retention, and Support (FPRRS) funding that was distributed in prior years.

Transitional Housing
SB 187 would improve supportive housing programs for former foster youth. Specifically, the age range for transitional housing services would be expanded to include young adults who are
under 25 years old, instead of the current 24 years old, and to allow services to be received for a total of 36 months, instead of the current 24 months.

**Foster Youth Tax Credit**
The budget includes the Governor’s proposal to provide a $1,000 tax credit to young adults who were formerly in the foster care system.

**CalFresh and Nutrition Assistance**

*County Administration*
The budget provides $35 million one-time for county administration of CalFresh as the development of a new budget methodology has been delayed. While less than the CWDA budget request of $60 million that CSAC was co-sponsoring, this funding will help counties respond to increased demand and recent policy changes. SB 187 indicates that the budgeting methodology will now be developed and implemented in 2023-24.

**AB 1326 Implementation**
The budget approves the Governor’s proposal of $13.6 million to implement AB 1326 (Chapter 570, Statutes of 2021). That bill required counties to designate a single point of contact for public colleges and universities to provide information on programs and services available to college students, including CalFresh.

**Food Banks**
The budget approves the Governor’s proposed $50 million to support food banks throughout the state and provides an additional $62 million in 2022-23 to help food banks address increased levels of hunger and rising inflation.

**School Meals**
The budget includes the Governor’s proposal to enhance reimbursement rates for the universal school meals program.

**California Work Opportunity and Responsibility to Kids (CalWORKS)**

*CalWORKs Grant Increase*
The budget agreement a 21 percent increase in CalWORKs grant levels beginning October 1, 2022. SB 187 also includes language that expresses the intent of the Legislature to increase CalWORKs maximum aid payments starting in October 2024 to a level that ensures no children live in deep poverty.

**Single Allocation**
The budget agreement includes $55 million to increase the county single allocation to improve eligibility services. This funding is consistent with the CWDA request that CSAC supported.
Aging Programs
The budget includes numerous proposals from the Governor and the Legislature to invest in aging programs and support implementation of the Master Plan for Aging. These investments include restoring services and supports that were eliminated in the last recession, combatting senior isolation, planning age-friendly communities, supporting the development of home and community-based services for individuals in underserved areas, and raising awareness of Long-Term Care Ombudsman resources.

Adult Protective Services
*APS Training*
The budget agreement includes the CWDA budget request, which was supported by CSAC, to continue and increase support for the APS training program. The $4.6 million ongoing investment will support the APS workforce as they meet the needs of the state’s growing aging and disabled populations.

Child Support Programs
*Pass-through Payments*
Under current law, families receiving public assistance do not get the full amount of child support payments passed through to them. Rather, they receive a certain amount depending on how many children are in the home, with the remainder going to federal, state, and county governments. The budget approves the Governor’s proposal to provide full pass-through for assigned arrears for families formerly assisted by CalWORKs. In addition, it approves a proposal from the legislative budget agreement to provide full pass-through to families currently receiving public assistance starting in 2025. The trailer bill language to implement these proposals is not included in SB 187 and will be finalized later. It is CSAC’s understanding that there is a commitment to backfill the portion of the payments that would have gone to counties.

Early Childhood Programs
The budget provides several investments in early childhood and child care. These include adopting the Governor’s proposal for investing $100 million in child care facilities, extending actions taken during the pandemic to waive family fees for child care, increasing rates for the preschool system, and providing $100 million for agreements between the state and child care providers union for health benefits.

Workforce
*Masters of Social Work*
The budget includes $30 million for grants to public schools to expand the number of Masters of Social Work (MSW) students. CSAC supported a CWDA budget request for investments to
expand MSW students and the funding in the budget will support the significant workforce needs in this area.

**Supplemental Security Income (SSI)/State Supplementary Payment (SSP)**
The budget would accelerate half of the planned grant increase that was set for January 1, 2024 to instead take effect January 1, 2023, increasing grants by about $39 per month.

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**Homelessness**

**Homeless Housing, Accountability and Prevention Program (HHAPP)**
The budget does not include the additional $500 million for HHAPP funding in 2022-23 that was included in the legislative budget agreement to augment the $1 billion already provided. Instead, the budget allocates an additional $1 billion for HHAPP in 2023-24, resulting in $2 billion over the next two years.

**Project Homekey**
AB 180 amends the 2021 Budget Act to provide an additional $150 million for Project Homekey in the current fiscal year. Additionally, the housing budget trailer bill, SB 197, gives the Department of Housing and Community Development (HCD) the ability to issue Project Homekey awards on a continuous, over-the-counter basis rather than issuing a new notice of funding availability (NOFA) each fiscal year.

**Encampment Resolution Funding Program**
Established in 2021, the Encampment Resolution Funding Program was created to assist local governments with resolving large encampments and transitioning unhoused individuals into permanent supportive housing. The budget agreement includes $700 million over two years for the program, reserving up to 50 percent of funds for local projects that address encampments on state right-of-ways. SB 197 makes additional changes to the program, including new data reporting requirements for grantees.

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**Administration of Justice**

**Local Public Safety**

*Division of Juvenile Justice (DJJ) Realignment*
The budget acknowledges the need to upgrade local juvenile facility infrastructure to serve all realigned justice-involved youth, pending the full closure of the state DJJ by June 30, 2023. The budget includes a $100 million one-time General Fund investment to support improvements to county-operated juvenile facilities more conducive to serving justice-involved youth with a wide range of needs, focused on supporting trauma informed care, restorative justice, and
rehabilitative programming. This funding will be distributed directly to county probation departments no later than August 31, 2022 based on juvenile population levels and the number of facilities operated in each county.

Additionally, the public safety trailer bill (AB 200) authorizes that immediately prior to the closure of DJJ, youth can voluntarily consent to remain under the jurisdiction of the California Department of Corrections and Rehabilitation (CDCR). Upon closure, it also requires the Department of State Hospitals to continue providing evaluation, care, and treatment of patients referred to DJJ at no cost to counties.

Office of Youth and Community Restoration (OYCR)
With the establishment of the Office of Youth and Community Restoration, the budget includes $10 million for OYCR to provide technical assistance, disseminating best practices, and issuing grants to counties and probation departments to improve outcomes for realigned youth.

Transitional Housing for Youth
The budget provides $3 million one-time General Fund to secure and fund up to one year of transitional housing for youth discharged by the Board of Juvenile Hearings in 2022-23. Transitional housing will be available to youth who are at risk of homelessness upon their release to support them in successfully reentering communities.

Organized Retail Theft and Drug Interdiction
The budget includes investments to support a multifaceted strategy to crack down on organized retail theft and to remove guns and drugs from the community, which includes $85 million in competitive grants for police departments, county sheriffs, and probation departments to enforce theft-related laws; $10 million in grants to local District Attorneys to create dedicated retail theft prosecution teams handling cases from arraignment to sentencing; $6 million through the Department of Justice (DOJ) to further investigate and prosecution organized retail crime; and a total $22 million investment for a fentanyl enforcement task force at DOJ and existing contraband interdiction efforts through the California Military Department.

Peace Officer Wellness and Training
The budget includes $50 million one-time General Fund to fund grants for city and county law enforcement agencies to improve law enforcement officer wellness units, peer support units, mental health services, and other evidence-based programs or services that enhance wellness. These funds are in addition to the $5 million one-time General Fund also included in the Budget for the Commission on Peace Officer Standards and Training (POST) to improve officer wellness.
**Community Correction Centers**
To support ongoing reentry efforts the budget includes $40 million one-time General Fund for the California Department of Corrections and Rehabilitation (CDCR) to expand community correctional center capacity. Further details for this investment will be included in a forthcoming trailer bill.

**Mobile Probation Centers**
The budget includes $20 million one-time General Fund to establish a competitive grant program for counties to create mobile probation service centers. Grant funding will be utilized to purchase vehicles, equipment, and technology, including computers, internet, phones, televisions, and video communication. The mobile service centers will facilitate court appearances and pre-trial check-ins; complete needs assessments; and help identify resources and other services, particularly for those who are unhoused.

**Community Corrections Performance Incentive Grant**
The Community Corrections Performance Incentive Grant, established in SB 678 (Chapter 608, Statutes of 2009) was created to provide incentives for counties to reduce the number of felony probationers sent to state prison. The budget contains a total of $122.8 million General Fund annually through 2023-24 to stabilize county probation departments with a consistent level of funding based on prior performance.

**Post Release Community Supervision (PRCS)**
The budget includes $20.9 million one-time General Fund for county probation departments to supervise the temporary increase in daily population of individuals on PRCS as a result of the implementation of Proposition 57, approved by the voters in 2016.

**Victim Services**
The budget provides additional support for victims of crime, including $50 million one-time to establish the Flexible Assistance for Survivors pilot program administered by the Office of Emergency Services for grants to community-based organizations that direct cash assistance to survivors; and $23 million one-time to expand Trauma Recovery Centers serving victims of violent crime, as well as a pilot for satellite offices in rural and underserved areas of the state.

**Public Defense Pilot Program**
The budget includes $49 million General Fund for the Public Defense Pilot in each county to fund indigent defense providers in criminal matters. Allocations will be based on the county’s share of the state’s total adult population. This pilot ends January 1, 2025.
**Local Law Enforcement Aid**
The budget includes $23.4 million to support the State’s Law Enforcement Mutual Aid System to provide local law enforcement aid during disasters and emergencies. This funding will reduce local costs, accelerate response time, and is a step toward sustainable participation for all counties.

**Missing Indigenous Persons**
The budget recognizes indigenous communities by providing $4 million to establish a competitive grant program through the Board of State and Community Corrections, helping California tribes locate and identify missing indigenous persons. These funds will be available to provide resources to identify, collect case-level data, publicize, investigate and solve cases involving missing or murdered indigenous people.

**Judicial Branch**
To adjust for inflation and improve trial court equity across the state, the budget approves an increase of $184.2 million ongoing funding. It also provides $33.2 million one-time funds and $1.6 million ongoing to support continued remote access in courtroom proceedings. The budget also notably reduces civil assessment fees from $300 to $100, continuing efforts by the Administration and Legislature to provide financial relief for California’s most vulnerable residents.

**Reducing Criminal Fines and Fees for Low Income Californians**
AB 177 (Chapter 257, Statutes of 2021) eliminated the ability of state and local agencies to impose specified administrative fees for criminal offenses, such as fees to recover the administrative costs related to the collection of restitution commencing January 1, 2022. AB 177 included $50 million annually to backfill counties for associate revenue losses. The budget includes the allocation methodology and reporting requirements for counties, which is the same methodology and reporting requirement for criminal administrative fees eliminated by AB 1869 (Chapter 92, Statutes of 2020).

**Department of State Hospitals (DSH)**
*Felony Incompetent to Stand Trial*
DSH continues to experience a growing number of incompetent to stand trial (IST) commitments, who are referred from trial courts and are awaiting admission to the state hospital system. This increase has been exacerbated by the ongoing COVID-19 pandemic, necessary infection control measures put in place by DSH, and the June 2021 Stiavetti v. Clendenin appellate court order, which requires DSH to provide substantive competency restoration services for all ISTs within 28 days receipt of the commitment packet from the court. To address this increasing concern, the Administration unveiled a Felony IST Solution
Package in January and the budget includes $638 million General Fund annually beginning in 2025-26 to support the following priorities:

- Early Stabilization and Community Care Coordination – to provide immediate solutions to support access to treatment for the nearly 1,900 individuals currently found IST on felony charges and waiting in jail, which includes funding for county sheriffs.
- Expand Diversion and Community-Based Restoration Capacity – to increase treatment alternatives for IST individuals, which includes additional funding to support county overhead to support the administration of community-based restoration and diversion programs.
- Improve IST Discharge Planning and Coordination – to reduce ISTs cycling through the criminal justice system by increasing coordination with county behavioral health departments to enable counties to continue treatment to individuals deemed IST upon release from jail.
- Improve the Quality of Alienist Evaluations – to provide enhanced training focused on the quality of IST determinations and decisions regarding the need for medications.

However, despite the additional investments and CSAC’s continued advocacy, the budget includes a growth cap on the number of IST referrals from counties to DSH. If a county exceeds their referral cap, which is calculated based on the number of IST determination made in the previous fiscal year, a penalty will be imposed.

### Housing, Land Use, and Transportation

#### HOUSING AND LAND USE

The budget builds on General Fund allocations proposed for housing and infrastructure in the Governor’s January budget proposal with a $2 billion multiyear package of affordable housing and homeownership investments. The housing budget trailer bill (SB 197) includes additional time for jurisdictions with housing element updates due in 2021 to complete required rezonings, creates the new California Dream for All homeownership program, and makes technical changes to several other programs.

#### Investments in Affordable Housing, Homeownership, and Eviction Legal Aid

- $500 million to establish the California Dream for All program to provide assistance for an estimated 4,000 first time homebuyers (details of the new program are included in the housing budget trailer bill, SB 197).
- $250 million for the Department of Housing and Community Development’s (HCD) affordable homeownership program, CalHome, in 2022-23, and $100 million in 2023-24.
- $250 million for the HCD Housing Accelerator Program, which advances affordable renting housing projects seeking tax credit funding by closing funding gaps.
• $200 million for the HCD Infill Infrastructure Grant Program in 2022-23, with a $34 million set-aside for small/rural jurisdictions, including a flexible infill definition. $225 million is included in 2023-24.

• $160 million for adaptive reuse of existing buildings to develop housing in 2022-23, including $10 million of reappropriated funding from the current year, and $250 million in 2023-23.

• $100 million for affordable rental housing through the HCD Multifamily Housing Program, with $225 million in the budget framework for 2023-24.

• $50 million to HCD for affordable housing preservation, with $100 million in the budget framework for 2023-24.

• $50 million to HCD for the Joe Serna Jr. Farmworker Housing Program, with $225 million in 2023-24.

• $50 million to CalHFA to help homeowners finance accessory dwelling units on their property.

• $50 million to continue the Veterans Housing and Homelessness Prevention Program created by Proposition 41, with $50 million in 2023-24.

• $50 million for the reuse of the Los Angeles County USC Hospital campus.

• $30 million to increase funding for eviction protection legal aid services.

• $25 million for the development of affordable housing on excess state properties pursuant to EO N-06-19, with $74 million in the budget framework for 2023-24.

**Housing Budget Trailer Bill**

SB 197, the housing budget trailer bill, provides additional time for local agencies with housing elements due in 2021, but which did not have a housing element in substantial compliance within 120 days of the statutory deadline, to complete any required rezonings. Specifically, the Bill would grant a local government three years and 120 days from the statutory deadline for the adoption of its housing element to complete the required rezoning of sites to comply with that housing element if the local government adopts its 6th revision of the housing element that the department finds to be in substantial compliance within one year of the applicable statutory deadline. The bill also extends the due date for a report from HCD and the Office of Planning and Research on long-term reforms to the Regional Housing Needs Assessment Process to December 31, 2023, with an update to the Legislature by July 1, 2023.

The bill also establishes the new California Dream for All first-time homebuyer assistance program and makes technical changes to several housing programs, including the Portfolio Reinvestment Program, the Housing Accelerator Program, the Excess Sites Local Government Matching Grants Program, the Foreclosure Intervention Housing Preservation Program, the Mobilehome Park Rehabilitation and Resident Ownership Program, and the Infill Infrastructure Grant Program.
TRANSPORTATION
The final budget does not include the Governor’s proposal for a gasoline excise tax holiday, in favor of a broader package of rebates to offset the impacts of inflation on Californians. The budget does, however, include a one-year diesel sales tax holiday. The Legislature and Governor also reached agreement on a final package of transportation investments. The budget agreement appropriates the remaining $4.2 billion in Proposition 1A High Speed Rail bonds, with legislative direction to prioritize the Merced to Bakersfield segment. The bonds are packaged as $5.4 billion in General Fund investments through FY 2022-23 for transportation infrastructure, including transit capital, freight infrastructure, state and local climate adaptation, and local active transportation grants, as part of a broader $10.8 billion four-year package.

The appropriation of bond funding and General Fund allocations to transportation infrastructure were both contingent on passage of the transportation trailer bill (SB 198).

General Fund Investments in Transportation
- $3.65 billion in transit capital investments in the current year, including $1.5 billion for Northern California projects, $1.83 billion for Southern California projects, and $300 million to mitigate impacts of sea level rise on certain rail lines, and an additional $2 billion each in 2023-24 and 2024-25.
- $1.2 billion over two years for freight infrastructure in and around ports.
- $1.05 billion for active transportation grants to local governments.
- $350 million for high-priority rail grade separation projects.
- $200 million for local and regional planning and projects to adapt transportation infrastructure to the impacts of climate change through the program created by the transportation trailer bill ($200 million in federal funding is allocated for similar purposes for state projects).
- $150 million for the Reconnecting Communities: Highways to Boulevards Pilot Program established in the transportation trailer bill.

Transportation Budget Trailer Bill
SB 198 creates new programs to reconnect communities divided by highway projects and adapt transportation infrastructure to the impacts of climate change. The trailer bill also creates new oversight for the High Speed Rail project, including the creation of an Inspector General position, and includes the framework for $4 billion in additional transit capital investments in FY 2023-24 and 2023-25.
**Reconnecting Communities Pilot Program**
The bill creates the Reconnecting Communities: Highways to Boulevards Pilot Program and the budget provides $149 million in funding. The program, administered by Department of Transportation (CalTrans), will award competitive grants to eligible entities, including counties, for planning or implementing the conversion or transformation of underutilized sections of state highways into multimodal corridors that serve residents of underserved communities. The program seeks to achieve specific goals related to providing transportation benefits to underserved communities. Finally, the program allocates 25 percent of funding for planning and 75 percent for implementation.

**Transportation Climate Adaptation Funding**
SB 198 creates the Transportation Infrastructure Climate Adaptation Strategy Grant Program and the budget provides $50 million to support a competitive grant program administered by CalTrans to provide funding to local agencies, including counties, to identify transportation-related climate vulnerabilities through the development of climate adaptation plans and to identify ways to incorporate transportation-related climate adaptation needs into existing transportation plans, as well as an additional $148 million to support the newly established Local Transportation Infrastructure Climate Adaptation Project Program. The program will be administered by the California Transportation Commission, for purposes of developing and implementing projects adapting local transportation infrastructure to climate change. Local agency will be required to submit various reports to the Transportation Commission and CalTrans regarding the expenditure of those funds.

Finally, the bill creates the State Transportation Infrastructure Climate Adaptation Program, administered by CalTrans, for planning, developing, and implementing projects adapting state transportation infrastructure to climate change. The bill would require the department, as part of the State Transportation Infrastructure Climate Adaptation Program, to develop a program of its top priority climate adaptation projects and to submit projects in this program to the California Transportation Commission for adoption. The budget dedicates $200 million in federal transportation funding from the National Highway Performance Program, with ongoing funding subject to future appropriations.

**Diesel Sales Tax Suspension**
The taxation budget trailer bill (AB 194) includes a suspension of the General Fund (3.9375%) portion of the sales tax on diesel fuel for twelve months, beginning October 1, 2022. Diesel sales tax revenues are used to support public transit services, and the suspension is estimated to reduce revenues by $327 million in 2022-23 and $112 million in 2023-24. The budget will backfill this funding with quarterly transfers from the General Fund.
Agriculture, Environment and Natural Resources

CLIMATE & DROUGHT
The overall climate-energy package within the budget comes in at $19.3 billion, spread across four fiscal years, starting with 2021-22.

Climate Resilience
The budget includes $125 million for the Regional Resilience Grant Program under the Integrated Climate Adaptation and Resiliency Program (ICARP). This funding will be used to support regional climate resilience planning and implementation to reduce the risk of climate change impacts such as wildfire, sea level rise, drought, flood, increasing temperatures, and extreme heat events.

Extreme Heat
The budget includes $25 million, one-time, to provide grants to communities seeking to build or upgrade existing facilities to serve as community resilience centers that mitigate the public health impacts of extreme heat and other emergency situations exacerbated by climate change. Cooling centers, fairground upgrades, and other public buildings are eligible for this funding.

The budget also makes available $150 million for investments to support adaption and reliance to extreme heat.

Coastal Protection and Sea Level Rise
The budget allocates $80 million from the Greenhouse Gas Reduction Fund for the State Coastal Conservancy. This will be used for the Climate Ready Program to fund nature-based projects to address sea level rise.

California Climate Information System
The budget includes initial planning and development ($16.4 million) in support of the California Climate Information System (CalCIS). The goal of CalCIS is the integration and analysis of the most current climate monitoring data to provide information and decision-making tools for all entities that are working on the climate crisis. The proposed funding would establish a central hub for climate data from local, state, federal, and state’s climate work and future state investments.

Drought
The budget makes available $10.8 million from the General Fund and $50 million from the California Emergency Relief Fund for investments that support drought and water resilience. Notably, the proposal does not include funding in the budget year for general dam safety and
flood infrastructure, as proposed by a coalition of water and local government advocates, including CSAC. The budget proposes $100 million in 2023-24 and 2024-25 for a new dam safety program with details to be determined in future legislation.

Groundwater, Clean Water and Water Recycling
The budget includes $60 million for the Sustainable Groundwater Management Program, which provides funding to Groundwater Sustainability Agencies (GSAs) and other responsible entities under the Sustainable Groundwater Management Act (SGMA) to promote healthy and sustainable groundwater basins, to reduce and eliminate undesirable effects, and to promote projects that provide multiple benefits while also improving groundwater supply and quality.

In addition, the budget contains $100 million for groundwater cleanup and water recycling projects.

Drinking Water and Wastewater Systems
The budget provides $650 million for drinking water projects, as well as $50 million for technical and financial assistance to address Per- and Polyfluoroalkyl Substances (PFAS) in drinking water systems. An additional $650 million will be made available for wastewater projects.

Drought Relief Assistance for Small Agricultural Businesses
The budget includes $75 million one-time General Fund in 2022-23 for the California Small Agricultural Business Drought Relief Grant Program to provide direct assistance to eligible agriculture-related businesses that have been affected by severe drought conditions. This funding was included in the Governor’s May Revision, which gave priority to businesses located in regions hardest hit by drought impacts, including the Sacramento-San Joaquin Valley, and then to additional areas experiencing drought impacts, as determined by the California Department of Food and Agriculture.

WILDFIRE, EMERGENCY PREPAREDNESS, AND RESPONSE
The budget provides $30 million General Fund for investments to support wildfire and forest resilience.

Firefighting Workforce
The budget includes $151.2 million for local assistance to fund fuel reduction and fire prevention efforts on a one-time basis to six counties to help with COVID-19 related staffing shortages. The six counties are: Kern, Los Angeles, Marin, Orange, Santa Barbara, and Ventura.
Deferred Maintenance and Equipment
The budget provides $60.6 million to address deferred maintenance projects at CAL FIRE, the Conservation Corps, and California military facilities to accommodate additional fire crews. The budget also includes $96 million for CAL FIRE to purchase four additional S70i Fire Hawk helicopters.

ENERGY

Energy Debt Relief
The budget deal includes $1.2 billion for the California Arrearage Payment Program to help Californians with outstanding electricity and natural gas debt due to the COVID-19 pandemic.

Energy Siting and State-Local Permit Streamlining
The budget deal accelerates the build-out of clean energy and storage projects by providing a new streamlined permitting option at the California Energy Commission for qualifying projects. This proposal prioritizes the development of projects needed to enhance energy reliability while providing a new pathway for public, tribal, and local government engagement and environmental review. The budget deal allows the Department of Water Resources to purchase and procure energy through an expedited program that removes local, state, and regional permitting in order to build a strategic energy reserve in the short-term. CSAC opposed these provisions.

Lithium Valley
The budget contains language to accelerate lithium extraction by streamlining geothermal permitting. It also provides $5 million to support the development of geothermal energy and lithium recovery in the Salton Sea region through evaluation, community planning and engagement.

The proposal proposes the establishment of a tax per ton of lithium extraction, to support local governments and to provide funds to contribute to the maintenance, operations, and restoration of Salton Sea, and grants to support disadvantaged communities in the region.

ORGANIC WASTE
CSAC, along with local government partners, successfully advocated for $270 million over two years to provide direct support for local governments in the implementation of organic waste recycling. The January Budget proposal included the remaining $65 million of the two-year investment, but the adopted budget deal increases this allocation to $180 million in local assistance grants to help bring cities in counties in compliance with SB 1383.
CANNABIS
The budget deal includes many cannabis provisions, ranging from tax changes to new enforcement tools.

Taxation
The cannabis trailer bill eliminates the cultivation tax beginning January 1, 2023, and changes the excise tax to 15% of gross receipts to be collected by the retailer. Under the current system, final distributors are responsible for remitting both cultivation and excise tax to the Department of Tax and Fee Administration. Beginning in fiscal year 2025-26, and every two years thereafter the Department of Tax and Fee Administration is directed to adjust the excise tax rate to backfill projected revenue lost by the elimination of the cultivation tax.

Enforcement
The cannabis trailer bill includes important provisions to delete the requirement that the Attorney General may only bring civil action upon complaint by the department and would authorize, for a violation resulting from unlicensed cannabis cultivation, the civil action to be brought by a county counsel. This bill would additionally authorize expenditures from the fish and wildlife propagation fund of a county for costs incurred by a county counsel in investigating and prosecuting specified civil actions for violations resulting from unlicensed cannabis cultivation. CSAC advocated for this important language, and it is an important tool to assist in local enforcement efforts.

The bill will also allow fines of up to $10,000 per violation against property owners or managers who knowingly allow unlicensed cannabis activities on their property.

Government Finance and Administration

Broadband
SB 189 states the Legislature’s goal to appropriate an additional $550 million in future budget years to meet revised estimates for the statewide open-access middle-mile broadband network. However, the funding is contingent on the Department of Technology, Caltrans, and the CPUC providing the Legislature specific information about the planned network, including how many miles of the network would be built versus leased, how many miles would be in areas with existing middle-mile infrastructure, and detailed information about the cost per mile, time required to complete the project, and number of households to be served. CSAC strongly supports the completion of a statewide, publicly owned, open-access middle-mile network and led the coalition that pushed for the historic funding approved last year.
State and Local Appropriation Limits
Due to the state’s extraordinary revenue growth over the past decade, it risks exceeding a spending limit approved by voters in 1979, often called the Gann Limit after the main proponent of the initiative. The constitutional provision limits state and local spending to a level that is adjusted each year to account for inflation and population growth. Unlike the state, counties generally have significant room under their spending limits.

Last year, the Legislature recharacterized funds provided to counties under 1991 and 2011 realignments to count toward county spending limits instead of the state’s limit, while ensuring that the change did not result in any county exceeding its limit. This year, SB 189 recharacterizes a number of other revenue streams counties and cities receive from the state in the same way, as of the 2021-22 fiscal year. CSAC and our partner associations will continue to work with the Department of Finance and the Legislature to amend the language implementing the change so that it does not inadvertently harm county budgets or expose counties to legal challenges. It is likely the Legislature place a measure on the 2024 ballot to modernize the Gann Limit.

The 41 specific revenue streams being recharacterized are listed in an appendix to this document. To the extent the recharacterization puts any county over its local appropriations limit, the county is required to report that amount to the Department of Finance by November 1, 2022, so it can be included in the state’s revenue limit calculation.

State and Local Debt Intercept Program
Statute authorizes state and local agencies to recover certain types of debts owed to them by intercepting income tax refunds and lottery winnings. AB 194 limits that authority by prohibiting the use of the debt intercept program to recover debts from individuals who received the Earned Income Tax Credit, which is limited to tax filers with an income under $30,000.

Library Infrastructure
SB 154 provides $50 million in the budget year to support an infrastructure grant program “that helps to create local libraries capable of meeting the 21st Century needs of California’s communities.” It also expresses an intent to provide an additional $100 million in 2023-24. The grants are for capital projects and priority is given to requests from local libraries in high-poverty areas and the match requirement can be reduced or waived for such libraries.

Wildfire Property Tax Backfill
SB 154 provides $3.783 to backfill property tax revenue lost due to property damage caused by wildfire in 2021. To qualify for the funds, counties will need to submit claims to the Department of Finance detailing the reduced property tax assessments. This continues the traditional
process of the state providing property tax backfills for the partial fiscal year a wildfire occurs and the following full fiscal year.

Reimbursable State Mandates
SB 154 provides $66.84 million for reimbursable state mandates, including all previously funded mandates as well as $5.8 million for prepaid postage for vote by mail ballots and $18.4 million for the new mandate related to municipal stormwater and urban runoff discharges.

County Assessors IT Grant Program
SB 189, the state government budget trailer bill, establishes a County Assessors’ Grant Program to assist county assessors in performing property assessments with technology investments. The Program will provide for $10 million in grants per fiscal year through 2025, totaling $30 million in IT investments for County Assessors.

Local Government Budget Sustainability Fund
SB 193, the economic development trailer bill, establishes a new Local Government Budget Sustainability Fund to provide short-term grants to local entities that face significant challenges to their near-term sustainability and demonstrate a commitment to advance a climate-resilient local economy. The new $450 million Fund, which would be administered by the Governor’s Office of Business and Economic Development (GO-Biz), was originally proposed in the Governor’s January budget. Funding for the three-year program will not begin until the FY 2023-24.

Remote Meeting Authorization for State Bodies
The state government budget trailer bill authorizes, until July 1, 2023, state bodies subject to the Bagley-Keene Open Meetings Act to hold public meetings through teleconferencing without requiring each teleconference location be accessible to the public. Of the two bills that would implement similar changes for local Brown Act meetings, one has died for the year (AB 1944) and the other (AB 2449) has been repeatedly amended to include a number of restrictions that reduce its usefulness.
## Guide to Budget Bills

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State Subventions Reclassified as Local Appropriations Subject to the Gann Limit

As listed in SB 189, adopted on June 29, 2022

(A) Child support administration relating to local child support agencies (Sections 17306, subdivision (b) of Section 17704, and subdivision (a) of Section 17710 of the Family Code).

(B) Black Infant Health Program (Section 123255 of the Health and Safety Code).

(C) California Home Visiting Program (Section 123255 of the Health and Safety Code).

(D) End the Epidemics-Sexually Transmitted Infections: Sexually Transmitted Disease Prevention and Collaboration Grants to Local Health Jurisdictions (Section 120511 of the Health and Safety Code).


(F) County Administration for Medi-Cal Eligibility (Section 14154 of the Welfare and Institutions Code).

(G) Optional Targeted Low Income Children’s Program (Section 14005.27 of the Welfare and Institutions Code).

(H) California Children’s Services Case Management (Section 123850 of the Health and Safety Code).

(I) Child Health and Disability Prevention Program (Section 124035 of the Health and Safety Code).

(J) Specialty Mental Health Services (Chapter 8.9 (commencing with Section 14700) of Part 3 of Division 9 of the Welfare and Institutions Code).

(K) Specified Pre and Post Care Services for Individuals Treated in Short-Term Residential Therapeutic Programs (Article 5 (commencing with Section 14680) of Chapter 8.8 of Part 3 of Division 9 of the Welfare and Institutions Code).

(L) Behavioral Health Quality Improvement Program (Section 14184.405 of the Welfare and Institutions Code).

(M) Mental Health Plan Costs for Continuum of Care Reform, (paragraph (4) of subdivision (c) of Section 36 of Article XIII of the California Constitution).

(N) Mobile Crisis Services (Chapter 1 (commencing with Section 5960) of Part 7 of Division 5 of the Welfare and Institutions Code).


(P) Provision 18, Mental Health Services Act (Section 5892 of the Welfare and Institutions Code).

(Q) Drug Medi-Cal Organized Delivery System (Section [ ] of the Welfare and Institutions Code)
(R) Specialty Mental Health Services, Drug Medi-Cal, excluding Narcotic Treatment Program services, and Drug Medi-Cal Organized Delivery System, excluding Narcotic Treatment Program service (Section 14124.12 of the Welfare and Institutions Code).


(T) Mental Health Services Oversight and Accountability Commission, Mental Health Student Services Act Partnership Grant Program (Section 5886 of the Welfare and Institutions Code).

(U) CalFresh (Section 18906.55 of the Welfare and Institutions Code).

(V) In-Home Supportive Services (Sections 12306.16 and [ ] of the Welfare and Institutions Code).

(W) Community Care Expansion Program (Section 18999.97 of the Welfare and Institutions Code).

(X) Housing and Disability Advocacy Program, (Assembly Bill 1603 (Ch. 25, Stats. 2016)).


(Z) Bringing Families Home Program (Section 16523.1 of the Welfare and Institutions Code).

(AA) Home Safe Program (Section 15771 of the Welfare and Institutions Code).

(AB) CalWORKs Housing Support Program (Section 11330.5 of the Welfare and Institutions Code).

(AC) CalWORKs (Section 15204.3 of the Welfare and Institutions Code).

(AD) Automation (Section 10823 of the Welfare and Institutions Code and Item 5180-141-0001 of the Budget Act of [ ]).


(AF) Adult Corrections and Rehabilitation Operations-Institution Administration (Sections 1228 to 1233.11, inclusive, of, and Sections 1557 and 4750 of, the Penal Code, and Section 26747 of the Government Code).


(AI) Elections (SB 119 (Ch. 9, Stats. 2022), Item 0890-101-0001 of the Budget Act of [ ]).

(AJ) County Subvention (Items 8955-101-0001 and 8955-101-3085 of the Budget Act of [ ]).


(AR) Homeless Housing, Assistance, and Prevention program grants (Sections 50216 to 50223, inclusive, of the Health and Safety Code).

(AS) Encampment Resolution Grants (Sections 50250 to 50254, inclusive, and Sections 50255 to 50259, inclusive, of the Health and Safety Code).

(AT) Operating subsidies for Homekey facilities (Section 50675.1.1 and the following of the Health and Safety Code).