



**SUBJECT**

School District Fee Compliance

**PIN:** 48

**Effective:** 1/01/2011



**PURPOSE**

The purpose of this Policy Intent Notice is to outline the Office of Statewide Health Planning and Development's (OSHPD) procedures in response to Assembly Bill (AB) 2048 (Chapter 541, Statutes of 2010).

**BACKGROUND**

AB 2048, amends Sections 17620 and 17621 of the Education Code and Section 65995 of the Government Code. This law, effective January 1, 2011, *"prohibits the Office of Statewide Health Planning and Development from issuing a building permit for any construction absent certification from the appropriate school district that any fee, charge, dedication, or other requirement levied by the governing board of that school district has been complied with, as specified."*

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**POLICY**

OSHPD will not issue a building permit for any new construction resulting in chargeable covered and enclosed space within the perimeter of a structure, until certification from the appropriate school district(s) is received stating that all fees, charges, dedications, or other requirements have been satisfied. The chargeable covered and enclosed space (new or additional square footage) shall not include the square footage of any structure existing on the construction site as of the date the first building permit is issued for any portion of that construction.

**PROCEDURE**

Pursuant to AB 2048, the facility Architect of Record shall determine the chargeable covered and enclosed space (new or additional square footage) within the perimeter of the structure. OSHPD staff shall request the applicant to provide evidence of certification from the school district(s) prior to plan approval and subsequent building permit issuance.

If the district determines the requirement does not apply to the construction to be permitted, certification shall still be required.

Original Signed 12/31/2010  
Paul Coleman Date