

**TITLE 15, DIVISION 1, CHAPTER 1, SUBCHAPTER 6  
BOARD OF STATE AND COMMUNITY CORRECTIONS**

**CONSTRUCTION FINANCING PROGRAM**

**ARTICLE 2. ELIGIBILITY REQUIREMENTS**

**§ 1712.2. Eligibility Requirements for Adult Local Criminal Justice Facilities.**

- (a) To be eligible for participation in the Adult Local Criminal Justice Facilities Construction Program, a county shall:
- (1) Submit the required proposal described in Section 1730.2 of these regulations;
  - (2) Complete or update a needs assessment study as prescribed in Section 1731 of these regulations;
  - (3) Provide match as specified in Section 1714.2 of these regulations;
  - (4) Include a component of construction or renovation that incorporates program space;
  - (5) Include all work necessary for the existing facility to meet current fire and life safety standards and meet or exceed building standard seismic level 3 performance standards, applicable only to renovation projects or new construction that is physically attached to an existing facility.
- (b) If the conditions in subsection (a) of this regulation are met counties may apply for reimbursement for the following:
- (1) Costs of design and construction of the BSCC-approved Adult Local Criminal Justice Facility project including site preparation, fixed equipment and fixed furnishings, and installation of fixed equipment and fixed furnishings necessary for the operation of the facility, costs for moveable equipment and moveable furnishings are also eligible for reimbursement. Reimbursable costs are not to exceed ninety percent (90%) of the total project costs. Costs in excess of ninety percent (90%) including higher than expected construction bids, unanticipated costs, cost overruns, and, shall be funded by the county.
- (c) Projects or items not eligible for state reimbursement under these regulations shall include, but not be limited to, the following:
- (1) Temporary holding or court holding facilities.
  - (2) Local jail facilities or portions thereof operated by jurisdictions other than counties. City, state and federal facilities are not eligible.
  - (3) Purchase, lease, or rent of land; personnel or operational costs; environmental reports; soil and/or water contamination assessment/mitigation; excavation of burial sites; ~~moveable equipment and moveable furnishings~~; public art; off-site costs including access roads, power generation and utilities development; supplies; bonus payments; and debt service or interest payments on indebtedness required to finance the county's share of project costs.

Note: Authority cited: Section 15820.925, Government Code; and Section 6030, Penal Code. Reference: Sections 15820.92 15820.925, 15820.926, Government Code; and Sections 3073 and 6270, Penal Code.