

**SENATE JUDICIARY COMMITTEE**  
**Senator Thomas Umberg, Chair**  
**2023-2024 Regular Session**

AB 1818 (Jackson)  
Version: June 24, 2024  
Hearing Date: July 2, 2024  
Fiscal: Yes  
Urgency: No  
ID

**SUBJECT**

Public postsecondary education: overnight student parking: pilot program

**DIGEST**

This bill requires the California State University and California Community Colleges to develop a pilot program for overnight parking on campus for eligible students.

**EXECUTIVE SUMMARY**

Housing insecurity and homelessness is a serious problem for many students in California's public universities. When a student has lost their housing, they may resort to sleeping in their car while they find new housing. However, currently, students are forced to shelter in their vehicles overnight off campus, where doing so may pose greater risks to the student's safety. In order to provide students a safer, monitored option that is on campus when students must resort to sleeping in their cars, this bill requires the California State University (CSU) and the California Community College (CCC) systems to develop a pilot program for allowing eligible students to utilize monitored, on-campus overnight parking. This bill requires the CCC to select 20 campuses, and the CSU to select 5 campuses by July 1, 2025 for the pilot program, and requires that the pilot program is implemented by August 1, 2025. This bill also specifies a number of requirements for the pilot programs, and prohibits recreational vehicles from parking in overnight parking areas. This bill also requires pilot campuses to report specified information about the pilot program to their respective Chancellors by July 1, 2027, and requires the Chancellor of the CCC and the Chancellor of the CSU to develop and submit a report to the Governor and the Legislature by January 31, 2028. This bill includes a sunset date for its provisions of January 1, 2029. AB 1818 is author-sponsored, and is supported by the California State University Employees Union and various faculty, youth, and pro-housing organizations. It is opposed by the California State University and a number of other organizations. AB 1818 passed out of the Senate Education Committee by a vote of 5 to 0.

**PROPOSED CHANGES TO THE LAW**

Existing law:

- 1) Requires that CSU and the CCC, and requests that the UC, give priority for housing to current and former homeless youth and current and former foster youth in order to ensure that they have stable housing. (Ed. Code §§ 76010, 90001.5 and 92660.)
- 2) Requires CSU and CCC campuses, and requests UC campuses, to maintain student housing facilities open for occupation during school breaks, or on a year-round basis, to give first priority to current and former foster and homeless youth for residence in the housing facilities that are open for uninterrupted year-round occupation. (Ed. Code §§ 76010, 90001.5, and 92660.)
- 3) Extends priority for housing at the UC, the CSU, and the CCC campuses to homeless youth, and requests that campuses develop plans to ensure that homeless and foster youth have housing during breaks. (Ed. Code §§ 76010, 90001.5, and 92660.)
- 4) Defines “homeless youth” as a student under 25 years of age, who has been verified as a homeless child or youth (as defined by Federal law). Provides that a student who is verified as a former homeless youth retains that status for a period of six years from the date of admission. (Ed. Code §§ 76010, 90001.5, and 92660.)
- 5) Requires a community college campus that has shower facilities for student use on campus to grant access to those facilities to any homeless student who is enrolled in coursework, has paid enrollment fees, and is in good standing with the community college district, without requiring the student to enroll in additional courses. (Ed. Code § 76011.)
- 6) Provides that no community college district, or any officer or employee of such district or board, is responsible or in any way liable for the conduct or safety of any student of the public universities and colleges at any time when such student is not on school property, unless such district has provided transportation for such student to and from the school premises, has undertaken a school-sponsored activity off the premises of such university or college, has otherwise specifically assumed such responsibility or liability, or has failed to exercise reasonable care under the circumstances. In the event of such a specific undertaking, the district is liable or responsible for the conduct or safety of any student only while such student is or should be under the immediate and direct supervision of an employee of such district or board. (Ed. Code § 87706.)
- 7) Requires the governing board of a community college district to procure insurance against liability to the district for damages for death, injury to person, or damage or

loss or property, including such liability arising from officers or employees of the district acting within the scope of their employment. (Ed. Code § 72506(a).)

This bill:

- 1) Defines, for the purposes of the following sections, the following:
  - a) “Eligible student” to mean a student who attends a pilot campus; is enrolled in coursework; has paid their enrollment fees, if they are not waived; and is in good standing with the pilot campus.
  - b) “Recreational vehicle” to mean a motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation for recreational, emergency, or other occupation.
- 2) Requires the Chancellors of the CSU and the CCC to establish a pilot program to allow overnight parking on campus. Prohibits a recreational vehicle from accessing an area designated for overnight parking.
  - a) Requires the Chancellor of the CSU to select five campuses to participate in the pilot program by July 1, 2025.
  - b) Requires the Chancellor of the CCC to select 20 campuses to participate in the pilot program.
- 3) Requires the Chancellors of the CSU and CCC to, with the participation of student representatives and community college district leaders for the CCC, determine a plan of action for implementing the pilot program, to include, but not be limited to:
  - a) Monitoring of overnight parking facilities and a procedure for reporting and responding to threats to the safety of a participating student;
  - b) Creating an overnight parking form to be completed by an eligible student seeking access to the overnight parking facilities, that conspicuously and clearly indicates that the campus cannot ensure the safety of a participating student;
  - c) Designating one or more specific parking areas on each campus for overnight parking;
  - d) Designing overnight parking rules that participating students must follow when using overnight parking, including a zero tolerance policy for the use of drugs or alcohol;
  - e) Establishing a procedure for identifying a participating student who has engaged in behavior that poses a substantial threat to the physical safety of other participating students, and for, as necessary, warning the student to correct the behavior or revoking the student’s eligibility to participate in overnight parking permanently or temporarily;
  - f) Establishing a procedure for registering and verifying the identity of an eligible student and the student’s vehicle through the issuance of an overnight parking permit, the information of which may only be used for the purpose of implementing overnight parking.

- 4) Requires that the Chancellors of the CSU and CCC, upon establishing a plan of action, develop a document that clearly and concisely describes the rules and procedures, and requires that the document be provided to participating students and be made available as specified.
- 5) Requires that an eligible student who participates in the pilot program be granted access to overnight parking until the student is provided access to a suitable alternative, including, but not limited to, any of the following:
  - a) a grant that is necessary to secure, or prevent the imminent loss of, housing;
  - b) a hotel voucher through a public agency or community organization; or
  - c) rapid rehousing referral services and placement.
- 6) States that a CCC or CSU pilot campus that implements overnight parking that complies with the requirements in (3), above, is not civilly liable for a campus employee's good faith act or omission that fails to prevent an injury to a participating student that occurs in, or in close proximity to, and during the hours of operation of, overnight parking. Specifies that this immunity does not apply to gross negligence, intentional misconduct, or violations of other laws.
- 7) Requires, by July 1, 2027, a CCC and CSU pilot campus to report all of the following to their respective Chancellor:
  - a) The use of the overnight parking facilities by participating students.
  - b) The number of participating students served by the overnight parking facilities.
  - c) The socioeconomic and demographic backgrounds of participating students.
  - d) Other housing services offered to its students.
  - e) Challenges and best practices in the operation of the overnight parking facilities.
  - f) Whether participating students remained enrolled or graduated from a campus maintained by the community college district.
- 8) Requires, by January 31, 2028, the CCC and CSU Chancellors to develop and submit to the Governor and the Legislature a report based on the data and information reported by the pilot campuses.
- 9) Requires that the CCC and CSU Chancellors implement the pilot program and plan of action by August 1, 2025.
- 10) Sunsets the pilot program on January 1, 2029.

## COMMENTS

### 1. Author's statement

According to the author:

While emergency shelter in a vehicle is not ideal, it seems just a student knowing they may have a place to shelter, will go a long way to stabilizing their health and providing additional time to find a long term housing solution.

### 2. Housing insecurity and homelessness among California's public college and university students

The cost of college has increased significantly over the last few decades.<sup>1</sup> Tremendous increases in the price of tuition, course books and supplies, and student housing has contributed to this historic increase in the cost of college. For many students, meeting these costs has become exceedingly difficult. At the same time, the cost of living and the cost of housing of many university cities have also increased significantly in recent years. These increases have pushed many university students to demand "cost-of-living" increases in their student worker pay.<sup>2</sup> Still, many students struggle to keep and afford housing. As is highlighted in the Senate Education Committee's analysis:

According to the Public Policy Institute of California (PPIC), "housing – not tuition – is the key driver of rising costs at public colleges". A recent report by the Hope Center and the California Community Colleges highlighted that 19% of students experienced homelessness, and 60% felt housing insecurity. The report also revealed that 30% of students bear the sole responsibility for housing expenses. Additionally as noted by the University of California at Los Angeles (UCLA), within the last decade, student homelessness has increased by 48%. In fact, in a 2021 State Assembly Budget Sub #2 Committee analysis, homelessness was prevalent across its public colleges finding that: 1 in 20 students at the UC, 1 in 10 at CSU, and 1 in 5 at CCC were experiencing homelessness. Finally, in 2020, it was found 16% of UC students reported sleeping in nontraditional housing arrangements, including vehicles."<sup>3</sup>

A 2023 report by the Community College League of California found that almost three out of every five CCC students are housing insecure, and that about 25% of CCC

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<sup>1</sup> Emma Karr and Sarah Wood, "A look at 20 years of tuition costs at national universities," U.S. News & World Report (Sept. 22, 2023), <https://www.usnews.com/education/best-colleges/paying-for-college/articles/see-20-years-of-tuition-growth-at-national-universities>.

<sup>2</sup> Kim Kelly, "UCSC grad students are on strike for a living wage, Teen Vogue (Feb. 24, 2020), available at <https://www.teenvogue.com/story/why-university-california-santa-cruz-grad-students-strike>.

<sup>3</sup> Senate Education Committee, Committee Analysis of AB 1818 (Jun. 17, 2024).

students experience homelessness.<sup>4</sup> This report found that African American, Native American, and LGBTQ+ students are much more likely to report experiencing homelessness. It further found that half of the CCC students surveyed worried about running out of food before being able to afford more, and that 60% were housing insecure and concerned about being able to pay their housing expenses due to increases in rent, mortgage payments, and utility rates.

### 3. Universities' current obligations to housing insecure students

Universities and the Legislature have taken some steps in recent years to help ensure that the state's public university students have housing. The Middle Class Scholarship program was reformed in 2021 to be based on total cost of attendance of college, thereby factoring in the costs of housing. (SB 169, Committee on Budget and Fiscal Review, Ch. 262, Stats. 2021.) In addition, the Student Success Completion Grant program provides CCC students grants of up to \$8,000 per school year to help offset the total cost of community college attendance.<sup>5</sup> In 2020, the state provided the CSU and UC with funding to create rapid rehousing programs to provide students who are experiencing homelessness or are at risk of experiencing homelessness with support like emergency grants and emergency housing. (SB 74, Mitchell, Ch. 6, Stats. 2020.) The state continues to provide ongoing funding for these programs. In addition, the Legislature created the Higher Education Student Housing Grant program as part of the 2022-2023 budget agreement to provide \$1.5 billion in funding for grants to support the construction of affordable student housing at the state's public universities. (SB 169, Committee on Budget and Fiscal Review, Ch. 262, Stats. 2021.)

### 4. AB 1818 proposes a pilot program for CSUs and Community Colleges to provide monitored overnight parking for students experiencing homelessness

Notwithstanding these efforts, housing security and homelessness continues to be an issue on the campuses of the state's public universities. As the state continues to implement its initiatives to fund more affordable student housing and help students cover their housing, students are still experiencing homelessness in the now. When a student experiences homelessness, they may be forced to sleep in their car. While sleeping in one's car presents some risks, it presents considerably more risk for students when they must do it off campus on public streets where they may be ticketed or questioned by police.

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<sup>4</sup> Community College League of California, *Real College California: Basic Needs Among California Community College Students, Affordability, Food, and Housing Access Taskforce Report* (Sept. 2023), available at <https://ccleague.org/about-us/press-releases-statements/basic-needs-among-california-community-college-students-2023>.

<sup>5</sup> Coast Community College District, "Student Success Completion Grant (SSCG)" (Apr. 10, 2023), <https://www.cccd.edu/students/financial-aid/student-success-completion-grant.html>.

AB 1818 attempts to provide a place for students to more safely temporarily shelter in their cars if they need, by creating a pilot project by which certain CSU and CCC campuses will implement a student overnight parking program. It provides a general framework for the pilot program, generally specifying that a participating campus's plan for the program include: monitoring of the overnight parking facilities; an overnight parking form for students in need of overnight parking to submit to a pilot campus; designation of one or more specific parking areas for overnight parking; authorization for a student to use the parking area if they apply; rules for the use of overnight parking, including a zero tolerance policy for the use of drugs or alcohol; procedures for identifying participating students who have engaged in behaviors threatening to others in the program; and procedures for registering and verifying the identity of a student and their vehicle through the issuance of an overnight parking permit. An eligible student is one who is enrolled in coursework, has paid or had waived their enrollment fees, and who is in good standing with the campus. A student participating in the program must be allowed access to the overnight parking until they are provided access to a suitable alternative, like a grant to secure housing, a hotel voucher, or rapid rehousing referral services and placement. As AB 1818 is aimed at temporary shelter for students, it prohibits the parking of recreational vehicles (RVs) in an overnight parking area. To ensure that the outcomes and impact of the pilot program created by AB 1818 can be evaluated, AB 1818 requires participating campuses to report certain information to the Chancellor, and requires the Chancellors of the CCC and CSU to report to the Governor and Legislature regarding the program by January 31, 2028. AB 1818 sunsets its provisions on January 1, 2029.

Some concerns have been raised about the liability that CSU and CCC campuses would be assuming in creating such a program. To address this concern, AB 1818 specifies that a campus running an overnight parking pilot program compliant with AB 1818's requirements shall not be civilly liable for a campus employee's good faith act or omission that fails to prevent an injury to a participating student that occurs in or near, and during the operating hours of, the overnight parking. However, the campus may still be liable for any injury that results from gross negligence, intentional misconduct, or violations of other laws. These provisions would shield the universities from some level of liability in operating overnight parking areas, while ensuring that students experiencing homelessness and housing insecurity can still have a place that is safer and has at least some facilities to shelter in their vehicles when they need to.

## 5. Amendments

The author committed to various amendments in the Senate Education Committee that will be taken in this Committee. The amendments primarily change provisions of the bill outside of this Committee's jurisdiction. Generally, they require: that the pilot program be upon appropriation; that the pilot program establish hours of operation requirements for the overnight parking; and that overnight parking permits be valid for

two-week periods, with a process to renew. The completed RN for those amendments are attached at the end of this analysis.

## 6. Arguments in support

According to the California State University Employees Union, which represents 35,000 non-faculty staff and student assistants at CSU campuses and supports AB 1818:

Housing is the largest non-tuition cost of attending a higher education institution in California, and with housing costs across the state continuing to skyrocket, many are struggling to find and hold on to housing they can afford near their campus. While not a safe or viable long-term option, vehicles are already used as last resort emergency shelters. AB 1818 simply provides students experiencing homelessness with a safe place to park their vehicle to use as housing until they find a suitable alternative.

Housing is a basic need that influences physical and mental health more than any other [need]. Housing insecurity also has a direct negative impact on academic success, leading to students missing or dropping classes, missing necessary materials, withdrawing from school, and/or developing mental health issues. The dedicated staff and faculty at the CSU are invested in student wellness and success and this measure will provide support when students need it most.

## 7. Arguments in opposition

According to the California State University, which is opposed to AB 1818:

In 2019-20, the legislature created rapid rehousing programs at the CSU, University of California (UC), and CCC to aid students who experience housing insecurity, and then in 2021-22, the legislature funded programs to address students' basic needs. Most recently, in 2023-24, the state invested a combined \$33.1 million into basic needs and rapid rehousing programs. Since the creation of these programs, the CSU and each of our universities have made significant progress in building partnerships with community organizations, which has resulted in students having access to a variety of housing assistance programs that fit their specific needs. In 2022-23, the CSU reported that about 14,000 students received housing assistance through these programs.

Currently, 22 CSU universities have on-campus emergency housing programs, and all 23 universities offer emergency housing grants. On average, a student has access to 14 days of housing, with extensions being granted on a case-by-case situation. Support is also provided to students to assist with the transition from emergency housing to stable housing. These services are administered through



each university's basic needs office, case managers, and community-based organizations. Financial support is also made available to assist students with a deposit and the first month's rent if off-campus housing is chosen as a long-term housing option. Additionally, 16 CSU universities have off-campus emergency housing programs through housing partners, hotel vouchers, or rapid rehousing programs.

The pilot program proposed under AB 1818 would cost the CSU approximately \$3.5 million per year to administer. Funding to operate the pilot program would have to be diverted from the existing emergency housing and basic needs programs, which would jeopardize the long-term success of those programs and harm the students who rely on them.

In addition, if students are allowed to sleep in their cars overnight in a parking lot, the university would be liable for activities that are currently prohibited, just as they are for other campus activities. This bill intrudes into CSU's ability to control its campus grounds and does not address any health and safety issues posed by allowing parking lots and parking structures to be used as housing. Campus parking lots are not designed to safely accommodate overnight parking. For example, in winter months, students would be exposed to rain and cold temperatures without heat and in summer months, students would be exposed to extreme heat without air conditioning. Universities would have to retrofit parking lots with proper lighting, restrooms, privacy measures, security, and accompanying services – all of which carry additional expenses.

The CSU and our universities have many programs that support students who are experiencing financial issues, including financial aid, emergency loans, emergency housing, CalFresh enrollment and food pantries. These state funded programs have been designed to address meeting students' basic needs with dignity. All of these supportive services help students secure long-term housing, have access to healthy food, and make progress toward their degree. Permitting students to live in their cars in unsafe and outdoor conditions would be a substantial change from the successful programs that the CSU and our universities operate, while not creating a safe environment that fosters student success and well-being. In addition, it would fiscally impact existing basic needs and emergency housing programs, and add significant liability risk for each university.

### **SUPPORT**

Alliance for Children's Rights  
California Coalition for Youth  
California Faculty Association  
California State University Employees Union (CSUEU)

Cft- a Union of Educators & Classified Professionals, Aft, Afl-cio  
Glide

Powerca Action

Public Advocates

**OPPOSITION**

Allan Hancock College

Antelope Valley Community College District

Association of California Community College Administrators

Bakersfield College

Berkeley City College

Butte-glenn Community College District

Cabrillo College

California Mobility and Parking Association

California State University, Office of The Chancellor

Cerritos College

Chabot- Las Positas Community College District

Chabot-las Positas Community College District

Citrus College

Clovis Community College

Coalinga College

College of Alameda

College of The Canyons

College of The Redwoods

College of The Sequoias

College of The Siskiyous

Community College League of California

Compton Community College District

Contra Costa Community College District

Copper Mountain College

Cuesta College

Foothill-de Anza Community College District

Fresno City College

Grossmont-cuyamaca Community College District

Irvine Valley College

Kern Community College District

Laney College

Lemoore College

Madera Community College

Mendocino-lake Community College District

Merced College

Merritt College

Miracosta College

Mt. San Antonio College

Napa Valley College  
North Orange County Community College District  
Palo Verde College  
Peralta Community College District  
Reedley College  
Rio Hondo College  
Riverside Community College District  
Saddleback College  
San Bernardino Community College District  
San Diego City College  
San Diego College of Continuing Education  
San Diego Community College District  
San Diego Mesa College  
San Diego Miramar College  
South Orange County Community College District  
State Center Community College District  
Victor Valley College  
West Hills Community College District  
Woodland Community College  
Yuba College  
Yuba Community College District

### **RELATED LEGISLATION**

Pending Legislation: AB 2707 (Fong, 2024) requires the Legislative Analyst’s Office (LAO) to conduct a study evaluating the demographics and unique issues and barriers faced by housing-insecure CCC students 25 years of age or older, and requires the LAO to submit a report to the Legislature on or before January 1, 2025 with the results of the study and policy recommendations. AB 2707 is currently in the Senate Appropriations Committee.

Prior Legislation:

AB 2416 (Gabriel, Ch. 285, Stats. 2020) required institutions of higher education to consider homelessness as an extenuating circumstance for considering if the student has met “satisfactory academic progress” requirements for student financial aid, and allowed students to appeal their loss of student financial aid if they fail to meet "satisfactory academic progress" due to homelessness.

AB 806 (Bloom, Ch. 163, Stats. 2019) removed the January 1, 2020 sunset in AB 1228 (Gipson, Ch. 571, Stats. 2015) that provided former homeless youth priority enrollment at campuses of the CCC, CSU, and the UC, aligned the definition of “homeless youth” to other provisions of existing law; and specified that current or former homeless youth are eligible for the CCC fee waiver.

AB 302 (Berman, 2019) would have required, on or before July 1, 2020, a CCC campus that has parking facilities on campus to grant overnight access to those facilities for the purpose of sleeping in the student's vehicle overnight to any student experiencing homelessness who is enrolled in coursework, has paid any enrollment fees that have not been waived, and is in good standing with the community college. This bill died on the inactive file on the Senate Floor.

AB 2784 (Caballero, 2018) would have established a program to provide loans for housing expenses to students experiencing homelessness at three CSU campuses. AB 2784 was held in the Assembly Appropriations Committee.

AB 1228 (Gipson, Ch. 571, Stats. 2015) extended priority for housing at the UC, the CSU, and the CCC to homeless youth, and requested campuses to develop plans to ensure that homeless and foster youth have housing during breaks.

AB 1393 (Skinner, Ch. 391, Stats. 2009) required CCC and CSU campuses to give priority for housing to current and former foster youth, and required that CCC and CSU campuses keep student housing open during school breaks, or on a year-round basis, to give first priority to current and former foster youth for residence for year-round occupation.

**PRIOR VOTES:**

Senate Education Committee (Ayes 5, Noes 0)

Assembly Floor (Ayes 63, Noes 0)

Assembly Appropriations Committee (Ayes 12, Noes 0)

Assembly Higher Education Committee (Ayes 10, Noes 0)

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AMENDMENTS TO ASSEMBLY BILL NO. 1818 (JACKSON)  
AS AMENDED IN SENATE JUNE 24, 2024

Amendment 1

On page 4, between lines 21 and 22, insert:

(8) Daily time of use or hours of operation requirements for overnight parking under the pilot program.

(9) Requirements establishing the validity of an overnight parking permit for a period of two weeks and a procedure for the subsequent renewal of an overnight parking permit.

Amendment 2

On page 4, in line 22, strike out “On or before July 1, 2025, the” and insert:

The

Amendment 3

On page 5, strike out lines 26 and 27 and insert:

(j) This section shall only be implemented upon an appropriation by the Legislature for purposes of this section.

Amendment 4

On page 7, between lines 3 and 4, insert:

(7) Daily time of use or hours of operation requirements for overnight parking under the pilot program.

(8) Requirements establishing the validity of an overnight parking permit for a period of two weeks and a procedure for the subsequent renewal of an overnight parking permit.

Amendment 5

On page 7, in line 4, strike out “On or before July 1, 2025, the” and insert:

The

Amendment 6

On page 8, strike out lines 7 and 8 and insert:

(j) This section shall only be implemented upon an appropriation by the Legislature for purposes of this section.