

February 17, 2026

Juliana Gmur
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Test Claim 25-TC-01, Local Public Employees: Vacant Positions

Dear Director Gmur:

The Department of Finance (Finance) has completed its review of test claim 25-TC-01 submitted to the Commission on State Mandates (Commission) by the County of Sacramento (Claimant), in which the Claimant alleges it incurred reimbursable, state-mandated costs associated with Chapter 409, Statutes of 2024 (Assembly Bill 2561 or AB 2561).

Prior to 2025, state law did not require local agencies to report vacancy data to their governing body.

Effective January 1, 2025, AB 2561 added section 3502.3 to the Government Code to require local public entities to present the status of vacancies and recruitment and retention efforts at a public hearing before the governing board at least once per fiscal year. This bill requires the public agency, during the hearing, to identify any necessary changes to policies, procedures, and recruitment activities that may lead to obstacles in the hiring process.

This bill also establishes the right of a recognized employee organization to present at the public hearing where local public entities present the status of vacancies and recruitment and retention efforts for positions within the respective bargaining unit. Additionally, this bill requires local public agencies to present specified vacancy data upon the request of the employee organization, if the vacancy rate within a single bargaining unit meets or exceeds 20 percent of total number of authorized full-time positions.

The Claimant alleges its Department of Personnel Services (DPS) incurred \$18,357 in state-mandated, reimbursable costs in fiscal year 2024-25 to comply with Government Code section 3502.3 and estimates \$19,274 in such costs in fiscal year 2025-26.

Training Costs:

The Claimant alleges that DPS incurred costs to research and attend trainings to understand the reporting requirements under Government Code section 3502.3 (a)(1):

"To comply with [Government Code section 3502.3 (a)(1)], County staff . . . [r]esearched and attended training to identify new reporting requirements to be presented to the County's Board of Supervisors. Training involved both time to attend the training in addition to registration fees."

According to the Declaration of James Robbins, DPS Division Chief, the Claimant alleges DPS incurred costs of \$532.65 in 2024-25 for research, training, and understanding the reporting obligations under AB 2561, as well as costs of \$225 in 2024-25 for training materials and webinars.

If the Commission determines the statute imposes a state-reimbursable mandate, Finance contends that researching and attending trainings to understand the new reporting requirements is a one-time activity, and once such activity is completed, the Claimant should not incur any ongoing costs.

Potential Future Costs:

According to the Declaration of James Robbins, the Claimant anticipates that, in a future year, it may be necessary to incur costs for professional services or other services and supplies to gather the relevant vacancy data as the Claimant upgrades its Enterprise system:

"We don't expect the need for professional services or other services and supplies in the coming year, but anticipate that could be necessary as the County upgrades it's Enterprise system in the future to ensure the data is still able to be obtained in a compliant format."

Finance notes that these activities are not required by the statute. The Claimant's decision to upgrade its Enterprise system is discretionary, and any subsequent increase in costs to gather data is incidental to that discretionary decision. Therefore, any potential costs arising from this system upgrade should be excluded from any calculation of state-mandated costs.

In summary, Finance contends that some activities the Claimant performed or intends to perform are not required by AB 2561 or are one-time in nature. If the Commission determines AB 2561 imposes reimbursable, state-mandated costs on local agencies, Finance recommends the Commission examine the estimated costs to ensure any activities not required by statute are not considered reimbursable.

If you have any questions regarding this letter, please contact Chris Hill, Principal Program Budget Analyst, at (916) 445-3274.

Sincerely,

A handwritten signature in black ink that reads "Rosanna Nguyen". The script is cursive and fluid.

ROSANNA NGUYEN

Program Budget Manager

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On February 17, 2026, I served the:

- **Current Mailing List dated February 3, 2026**
- **Finance's Comments on the Test Claim filed February 17, 2026**

Local Public Employees: Vacant Positions, 25-TC-01

Statutes 2024, Chapter 409, Section 2 (AB 2561); Government Code Section 3502.3 (a-c), effective January 1, 2025

County of Sacramento, Claimant

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on February 17, 2026 at Sacramento, California.



David Chavez

Commission on State Mandates

980 Ninth Street, Suite 300

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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 2/3/26

Claim Number: 25-TC-01

Matter: Local Public Employees: Vacant Positions

Claimant: County of Sacramento

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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