

# **Northern Sonoma County APCD Bill Watch List**

## **FIRE RELATED BILLS**

### **SB 1260, as introduced, Jackson. Fire prevention and protection: prescribed burns.**

(1) Existing law requires each planning agency to prepare, and the legislative body of each county and city to adopt, a comprehensive, long-term general plan, including a safety element, for the physical development of the county or city, as provided. Existing law requires the draft element of, or draft amendment to, the safety element of a county or city's general plan to be submitted to the State Board of Forestry and Fire Protection and to every local agency that provides fire protection to territory within the city or county at least 90 days prior to specified events.

This bill would instead require the draft element of, or draft amendment to, the safety element be submitted to the above-described entities 180 days prior to the specified events. By requiring a higher level of service from a local agency with respect to the submittal of a safety element, the bill would impose a state-mandated local program.

(2) The Subdivision Map Act vests the authority to regulate and control the design and improvement of subdivisions in the legislative body of a local agency, and sets forth procedures governing the local agency's processing, approval, conditional approval, or disapproval, and filing of tentative, final, and parcel maps, and the modification thereof. The act generally requires a subdivider to file a tentative map or vesting tentative map with the local agency, as specified, and the local agency, in turn, to approve, conditionally approve, or disapprove the map within a specified time period. Before approving a tentative map, or a parcel map for which a tentative map was not required, for an area located in a state responsibility area or a very high fire hazard severity zone, existing law requires the local agency to make specified findings, including that the design and location of each lot in the subdivision and the subdivision as a whole are consistent with any regulations adopted by the Board of Forestry and Fire Protection relating to buildings or structures in hazardous fire areas or mountainous, forest, brush, and grass-covered lands, as specified.

This bill would instead require a finding that the subdivision is consistent with any regulations adopted by the board relating to buildings or structures in hazardous fire areas. The bill would require the local agency, upon approval of the tentative map in specified situations, to transmit a copy of the findings and maps to the board, thereby imposing a state-mandated local program.

(3) Existing law authorizes the Director of Forestry and Fire Protection to enter into an agreement, including a grant agreement, for prescribed burning operations or other hazardous fuel reduction efforts, with either the owner or any other person who has legal control of any property, any public agency with regulatory or natural resource management authority over any property that is included within any wildland, or any nonprofit organization for specified purposes. Existing law provides that a person who allows a fire upon his or her property to escape to the public or private property of another,

without exercising due diligence to control the fire, is liable to the owner of the property for the damages to the property caused by the fire.

This bill would provide that compliance with the provisions of law relating to prescribed burning-operation agreements with the director shall constitute prima facia evidence of due diligence with respect to the above provision relating to fire liability. The bill would require the Department of Forestry and Fire Protection to cooperate with private and public landowners in prescribed fire activities, as provided. The bill would require, to the extent feasible, the department's Vegetation Management Program Environmental Impact Report, when certified, to serve as the programmatic environmental document for prescribed burns in the Sierra-Cascade, central coast, and north coast regions of the state, as provided.

(4) Existing law authorizes a person, firm, corporation, or a group or combination thereof, that owns or controls brush-covered land, forest land, woodland, grassland, shrubland, or any combination thereof, within a state responsibility area to apply to the Department of Forestry and Fire Protection for permission to utilize prescribed burning operations for specified public purposes. Existing law authorizes various public agencies to use fire to abate fire hazards.

This bill would provide that a person, firm, corporation, or a group or combination thereof, that owns or controls brush-covered land, forest land, woodland, grassland, shrubland, or any combination thereof, within a state responsibility area authorized by the department to utilize prescribed burning operations for specified public purposes is also authorized to use fire to abate a fire hazard. This bill would authorize a person with a valid fire boss certificate, as provided, to apply for the prescribed burning permit on behalf of the person or entities described above.

The bill would require the department and the State Air Resources Board to develop and fund a program, upon appropriation, to enhance air quality and smoke monitoring, and to provide a public awareness campaign regarding prescribed burns.

(5) Existing law requires the State Fire Marshal to establish a program of fire prevention training for fire prevention inspectors employed by local fire protection agencies.

This bill would require the State Fire Marshal, on or before January 1, 2021, with the involvement of the Statewide Training and Education Advisory Committee, to develop a curriculum, or amend an existing curriculum, for a certification program for fire bosses, as provided.

(6) Existing law requires the Department of Forestry and Fire Protection to do certain things, including, but not limited to, providing fire prevention and firefighting implements and apparatus.

This bill would require the department, by working with specified entities, to enhance the department's education efforts regarding fire prevention and public safety. The bill would authorize the department to establish a grant program, upon appropriation by the Legislature, for these purposes.

(7) Existing law authorizes the state to assume a proportionate share of the costs of site preparation, prescribed burning operations, or other hazardous fuel reduction efforts conducted on wild lands other than wildlands under the jurisdiction of the federal government.

This bill would delete the cost-share restriction on wild lands under federal jurisdiction.

(8) This bill would make legislative findings and declarations as to the necessity of a special statute for the Sierra-Cascade, central coast, and north coast regions of the state.

(9) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

**AB 1956, as amended, Limón. Fire prevention activities.**

Existing law requires the director of the Department of Forestry and Fire Protection to establish a working group, consisting of specified members, to identify potential incentives for landowners to implement prefire activities, as defined, in state responsibility areas and urban wildland communities and to identify all federal, state, or local programs, private programs, and any other programs requiring a cost share that involves prefire activities.

This bill would revise and recast this law to, among other things, revise the membership and duties of the working group.

Existing law requires the State Board of Forestry and Fire Protection to establish a local assistance grant program using funds collected from a specified fire prevention fee for purposes of fire prevention activities designed to benefit habitable structures within state responsibility areas, as provided.

This bill would require the department, on or before July 1, 2019, to establish a local assistance grant program, funded upon appropriation by the Legislature, for fire prevention activities, as defined. The bill would require the department to prioritize projects that are multiyear efforts ~~to~~ *to, among other things,* improve resiliency on the landscape and adapt *landscapes* to *withstand* increased frequency and intensity of large wildfires.

**SB 1416, as introduced, McGuire. Business licenses: fees: fire inspections.**

Existing law authorizes the legislative body of an incorporated city to, in the exercise of its police power and for the purpose of regulation, license any kind of business not prohibited by law transacted and carried on within the limits of its jurisdiction. Existing law provides that the legislative body of a charter city, that fixes the rate of license fees upon a business operating both within and outside the legislative body's taxing jurisdiction, levy a license fee so that the measure of the fee fairly reflects that proportion of the activity actually carried on within the taxing jurisdiction.

This bill would require a city, county, or city and county to collect an additional fee from any applicant for a local business license or equivalent instrument or, in a jurisdiction that does not issue a business license, to collect an additional fee from the applicant for a building permit, to be used by the city, county, or city and county to increase the proactive inspections of commercial buildings for compliance with state and local fire code and building code requirements. The bill would require the local entity to create a fund, entitled the Proactive Building and Fire Inspection Fund, in which to 90% of the fees collected under these provisions would be deposited. The remaining 10% of the fees collected would be remitted to the State Fire Marshal for deposit into the Fire Inspection Assistance Fund for use in advising local agencies on implementing a system of proactive inspections to facilitate compliance with state and local fire and building codes. The bill would require the local entity to make an annual report to the State Fire Marshal regarding the amount and use of the fees collected, as specified. By imposing additional duties upon local entities, this bill would impose a state-mandated local program.

This bill would make findings and declarations as to the need for proactive inspections for building and fire code violations.

This bill would include a change in state statute that would result in a taxpayer paying a higher tax within the meaning of Section 3 of Article XIII A of the California Constitution, and thus would require for passage the approval of  $\frac{2}{3}$  of the membership of each house of the Legislature.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

**AB 2551, as introduced, Wood. Forest and Wildland Health Improvement and Fire Prevention Program.**

Existing law requires the Department of Forestry and Fire Prevention to implement various fire prevention programs intended to protect forest resources and prevent uncontrolled wildfires. The California Global Warming Solutions Act of 2006 requires all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available, upon appropriation by the Legislature, as specified, for greenhouse gas emissions reduction activities.

This bill would require the department to establish, implement, and administer the Forest and Wildland Health Improvement and Fire Prevention Program, which is intended to promote forest and wildland health, restoration, and resilience, and improve fire prevention and preparedness throughout the state. The bill would require the department to take specified actions to improve forest and wildland health and resilience, including evaluating and proposing changes to statewide fire suppression goals and developing fire

preparedness and suppression training programs. The bill would also require the department, to the extent feasible, to collaborate with the Department of Corrections and Rehabilitation to utilize correctional officers and conservation crews for vegetation management and fire prevention activities.

The bill would require that not less than 18% of all the moneys in the fund be made available annually, upon appropriation in the annual budget act, to the department for projects that improve or restore forest and wildland health and fire resiliency and activities implemented pursuant to the program that reduce greenhouse gas emissions in the state caused by uncontrolled forest fires.

**AB 771, as introduced, Quirk. Burning of forest lands: forest land owners.**

Existing law authorizes any person, firm, or corporation, or any combination thereof, that owns or controls brush-covered land within a state responsibility area to apply to the Department of Forestry and Fire Protection for permission to burn the brush from the land. Existing law requires the department to provide advisory services to applicants for burn permits as to the precautions to be taken by the applicant to prevent damage to the property of others by reason of the prescribed burning, and to provide standby fire protection, as available.

This bill would require the department, by July 1, 2018, in consultation with the State Air Resources Board, local air districts, and other relevant organizations and individuals, to develop an Internet Web site that provides the public certain information relating to prescribed burns, including information on the regulations that govern prescribed burns for forest fuel treatment, and to develop a uniform prescribed burn template for forest landowners that provides standardized procedures associated with planning and implementation of a prescribed burn and meets specified objectives. The bill would authorize the department to contract with an institution of the University of California to perform any of these requirements.

**AB 2645, as introduced, Patterson. Greenhouse Gas Reduction Fund: forestry and fire prevention.**

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law continuously appropriates 35% of the annual proceeds of the fund for transit, affordable housing, and sustainable communities programs and 25% of the annual proceeds of the fund for certain components of a specified high-speed rail project.

Existing law, beginning with the 2017–18 fiscal year, suspended certain fire prevention fees.

This bill, beginning in the 2019–20 fiscal year, would continuously appropriate \$74,805,000 from the fund annually to the Department of Forestry and Fire Protection for

purposes of fire prevention activities that reduce greenhouse gas emissions. This bill also, beginning in the 2019–20 fiscal year, would continuously appropriate \$450,000,000 from the fund annually to the Department of Forestry and Fire Protection for state and local healthy forest and fire prevention programs and projects that improve forest health and reduce greenhouse gas emissions, for vegetation management projects of local entities that will reduce greenhouse gas emissions and maximize certain cobenefits, for the implementation of memorandums of understanding regarding federal lands for vegetation management that will reduce greenhouse gas emissions and maximize certain cobenefits, and for resource management, to be allocated as specified.

**AB 2091, as amended, Grayson. ~~Prescribed-Fire prevention: prescribed~~ burns.**

*(1) Existing law establishes in the Department of Forestry and Fire Protection the State Board of Forestry and Fire Protection consisting of 9 members appointed, selected, and approved for appointment on the basis of their educational and professional qualifications and their general knowledge of, interest in, and experience with, among other things, forest management practices.*

*This bill would rename the board to the State Board of Forestry and Fire Prevention and Protection. The bill would additionally require members to have general knowledge of, interest in, and experience with fire prevention. The bill would require at least one member to be selected with a background and understanding of fire prevention, including prescribed fire. The bill would require the board to appoint a prescribed fire advisory committee, as provided, and would require the board to consult with the advisory committee on development of training, certification, and recertification of prescribed burn managers and organizations.*

#### **Existing**

*(2) Existing law authorizes a person, firm, or corporation, or a group or combination of persons, firms, corporations, or groups, that owns or controls brush-covered land, forest lands, woodland, grassland, shrubland, or any combination thereof within a state responsibility area to apply to the ~~Department of Forestry and Fire Protection~~ *department* for permission to utilize a prescribed burning for specified public purposes.*

*This bill ~~would establish the Prescribed Burning Board in the department. The bill~~ would require the ~~board~~ *State Board of Forestry and Fire Prevention and Protection* to establish, on or before January 1, 2022, standards for prescribed burning, and establish standards for certification, recertification, and training for certified ~~and insured~~ prescribed burn managers, among other things. The bill would require the board to establish a schedule of fees for purposes of certifying a prescribed burn manager and would establish the Prescribed Burn Fund for deposit of those fees. The bill would authorize the board to spend the money in the fund, upon appropriation by the Legislature, for purposes of administering the certification program. ~~The bill would provide that an owner, lessee, or occupant of specified lands is not liable for property damage or for injury or death to persons caused by or resulting from prescribed burning conducted on the land if the burn is conducted under the supervision of a certified and insured prescribed burn manager, as provided. The bill would require the department to develop and implement an insurance pool for certified prescribed burn managers, as provided.~~*

**AB 2585, as introduced, Patterson. Prescribed burns: burn managers: liability.**

Existing law authorizes a person, firm, or corporation, or a group or combination of persons, firms, corporations, or groups, that owns or controls brush-covered land, forest lands, woodland, grassland, shrubland, or any combination thereof within a state responsibility area, as defined, to apply to the Department of Forestry and Fire Protection for permission to utilize prescribed burning for specified public purposes.

This bill would provide that a property owner and his or her agent conducting a prescribed burn, as defined, shall not be liable for damage or injury caused by fire or smoke, unless negligence is proven, when the prescribed burn meets specified conditions, including that the prescribed burn is conducted under the supervision of a certified prescribed burn manager, as defined, and proper burn permits have been obtained from all appropriate state and local agencies.

The bill would require the department, on or before January 1, 2020, to develop a training and certification program for prescribed burn managers. The bill would require the department, on or before July 1, 2020, subject to the receipt of funding, to secure an insurance policy to provide compensation for any injuries or property damage resulting from a prescribed burn operation performed according to the above provisions.

**SB 1002, as introduced, Nielsen. Safe Forests and Grasslands Act of 2018.**

Existing law requires the Department of Forestry and Fire Protection to implement and administer various programs designed to improve forests and grasslands and prevent and suppress fires in state responsibility areas, as defined.

This bill would declare the intent of the Legislature to enact subsequent legislation to create the Safe Forests and Grasslands Act of 2018 to improve the health of the state's forests and grasslands, reduce wildlife fuel, provide for bioenergy production, and reduce uncontrolled fires in state responsibility areas.

**Air Quality Bills**

**AB 378, as amended, Cristina Garcia. Greenhouse gases, criteria air pollutants, and toxic air contaminants.**

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. The act requires the state board to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by 2030.

The act requires the state board, when adopting rules and regulations to achieve greenhouse gas emissions reductions beyond the statewide greenhouse gas emissions limit and to protect the state's most impacted and disadvantaged communities, to follow

specified requirements, consider the social costs of the emissions of greenhouse gases, and prioritize specified emission reduction rules and regulations.

This bill would additionally require the state board to consider and account for the social costs of the emissions ~~and of~~ greenhouse gases when adopting those rules and regulations. The bill would authorize the state board to adopt or amend regulations that establish a market-based compliance mechanism, applicable from January 1, 2021, to December 31, 2030, to complement direct emissions reduction measures in ensuring that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by 2030. ~~The bill would prohibit the state board from permitting a facility to increase its annual emissions of greenhouse gases compared to the annual average of emissions of greenhouse gases reported during specified years.~~ The bill would authorize the state board to adopt no-trade zones or facility-specific declining greenhouse gas emissions limits where facilities' emissions contribute to a cumulative pollution burden that creates a significant health impact.

This bill would require the state board, in consultation with affected air pollution control and air quality management districts, to adopt air pollutant emissions standards for emissions of criteria air pollutants and toxic air contaminants at industrial facilities that are subject to a market-based compliance mechanism. The bill would prohibit the state board from allocating allowances as part of a market-based compliance mechanism to industrial facilities that do not meet the air pollutant emissions standards for criteria air pollutants and toxic air contaminants.

This bill would require the state board, in ensuring that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by 2030, to adopt the most effective and equitable mix of emissions reduction measures and ensure that emissions reduction measures collectively and individually support achieving air quality and other environmental and public health goals.

**AB 2453, as amended, Eduardo Garcia. Air pollution: schools.**

*(1) Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the State Allocation Board to allocate to applicant school districts prescribed per-unhoused-pupil state funding for the construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition.*

*This bill would authorize a grant for modernization under the act to be used to limit pupil exposure to harmful air pollutants by updating air filtration systems.*

*(2) The Air Toxics "Hot Spots" Information and Assessment Act of 1987 requires the State Air Resources Board to compile a list of substances that present a chronic or acute threat to public health when present in the ambient air, subjects certain facilities to the act according to a schedule, and requires the operator of a subject facility to prepare and submit to an air pollution control or air quality management district a proposed comprehensive emissions inventory plan, for approval by the air district.*

*The act also requires the state board to select locations around the state for the preparation of community emissions reduction programs, and to provide grants to community-based organizations for technical assistance and to support community*

*participation in the programs. The act requires an air district containing a selected location, within one year of the state board's selection, to adopt a community emissions reduction program.*

*This bill would authorize schools located in communities with facilities identified under the act as a source of toxic air contaminants to work with air districts to identify school sites for air quality adaptation efforts. The bill also would authorize schools located near a facility designated by an air district as a high priority category to be eligible for a grant as part of a community emissions reduction program to implement air quality mitigation efforts.*

**SB 1144, as introduced, Dodd. Nonvehicular air pollution: penalties and fines.**

(1) Existing law generally designates air pollution control and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing law establishes maximum criminal and civil penalties for any person, as defined, for violations of air pollution laws from nonvehicular sources. Existing law generally establishes the maximum criminal and civil penalties at \$5,000, annually adjusted based on the California Consumer Price Index.

This bill would establish additional civil penalties and fines on specified petroleum refineries, petrochemical plants, and fossil-fuel-burning, electricity-generating power plants that emit an air contaminant in violation of specified rules, regulations, emissions limitations, permits, or orders of a district or district hearing board and when the violation presents a serious threat to the health or welfare of the public. The bill also would make various conforming changes. By adding to the duties of air districts, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

**TRANSPORTATION RELATED BILLS**

**AB 2885, as introduced, Rodriguez. Air Quality Improvement Program: Clean Vehicle Rebate Project.**

Existing law establishes the Air Quality Improvement Program that is administered by the State Air Resources Board for the purposes of funding projects related to, among other things, the reduction of criteria air pollutants and improvement of air quality. Pursuant to its existing statutory authority, the state board has established the Clean Vehicle Rebate Project, as a part of the Air Quality Improvement Program, to promote the production and use of zero-emission vehicles by providing rebates for the purchase of new zero-emission vehicles. Existing law, until July 1, 2019, requires the state board, for the purposes of the Clean Vehicle Rebate Project, to, among other things, provide outreach to low-income

households to increase consumer awareness of the rebate project, increase rebate payments by \$500 for low-income applicants, as defined, and prioritize rebate payments for low-income applicants.

This bill would additionally require the state board to provide outreach to disadvantaged communities, as defined. The bill would increase rebate payments by \$500 for eligible applicants with vehicles registered in disadvantaged communities and \$1,000 for applicants who are both low income and have an eligible vehicle registered in a disadvantaged community. The bill would require the state board to prioritize rebate payments to both low-income applicants and applicants that have eligible vehicles registered in disadvantaged communities, with the highest priority to be granted to applicants who meet both conditions.

**AB 193, as amended, Cervantes. Air Quality Improvement Program: Clean Reused Vehicle Rebate Project.**

Existing law establishes the Air Quality Improvement Program that is administered by the State Air Resources Board for the purposes of funding projects related to, among other things, the reduction of criteria air pollutants and improvement of air quality. Pursuant to its existing statutory authority, the state board has established the Clean Vehicle Rebate Project, as a part of the Air Quality Improvement Program, to promote the production and use of zero-emission vehicles by providing rebates for the purchase of new zero-emission vehicles.

This bill would require the state board to establish the Clean Reused Vehicle Rebate Project, as a part of the Air Quality Improvement Program, to provide rebates for the acquisition of an eligible used vehicle, as defined; the replacement or refurbishment of an electric vehicle battery and related components for an eligible used vehicle or a vehicle service contract, as defined, for the battery or related components; or a vehicle service contract to cover unexpected vehicle repairs not covered by the manufacturer's warranty related to unique problems in eligible used vehicles, as specified. The bill would make the implementation of the Clean Reused Vehicle Rebate Project contingent upon an appropriation of moneys for those purposes in the annual Budget Act or another statute.

**AB 2877, as amended, Mathis. Vehicular air pollution: nonemergency medical transport.**

*The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board as a part of the market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund.*

*Existing law establishes the Air Quality Improvement Program that is administered by the state board for purposes of funding projects related to, among other things, the reduction of criteria air pollutants and improvement of air quality.*

*This bill would require the state board to develop and implement a program, as a part of the Air Quality Improvement Program, to provide grants to a county with rural, desert, or*

*mountain regions for the purchase of clean vehicles to provide seniors and disabled populations located in a rural, desert, or mountain region with nonemergency medical transportation services. The bill would authorize the state board to expend moneys appropriated by the Legislature from the Air Quality Improvement Fund or the Greenhouse Gas Reduction Fund for the implementation of the program.*

**AB 2127, as introduced, Ting. electric vehicle infrastructure: assessment and roadmap.**

Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission), on a biennial basis, to adopt an integrated energy policy report containing an overview of major energy trends and issues facing the state. Existing requires the Energy Commission, as a part of the report, to conduct transportation forecasting and assessment activities that include, among other things, an assessment of trends in transportation fuels, technologies, and infrastructure supply and demand.

Existing law requires the Public Utilities Commission (PUC), in consultation with the State Air Resources Board and the Energy Commission, to direct the electrical corporations to file applications for programs and investment to accelerate widespread transportation electrification to achieve certain state goals.

This bill would require the Energy Commission, in consultation with the State Air Resources Board and the PUC, to create a statewide assessment of electric vehicle charging infrastructure needed to support the levels of electric vehicle adoption needed for the state to reduce emissions of greenhouse gases to 40% below 1990 levels by 2030.

**AB 1796, as introduced, Muratsuchi. Rental property: electric vehicle charging stations.**

Existing law requires a lessor of a dwelling to approve a written request of a lessee to install an electric vehicle charging station at a parking space allotted for the lessee in accordance with specified requirements. Existing law provides exemptions for specified dwellings, including an exemption for a dwelling that is subject to the residential rent control ordinance of a public entity.

This bill would eliminate that exemption, thereby requiring a lessor of a dwelling subject to the residential rent control ordinance of a public entity to approve a written request of a lessee to install an electric vehicle charging station in accordance with specified requirements.

**AB 2832, as introduced, Dahle. Recycling and reuse: lithium-ion batteries.**

The Rechargeable Battery Recycling Act of 2006 requires every retailer, as defined, to have in place a system for the acceptance and collection of used rechargeable batteries for reuse, recycling, or proper disposal. Existing law requires the system for the acceptance and collection of used rechargeable batteries to include, at a minimum, specified elements, including, among others, the take-back of a used rechargeable battery of the type or brand that the retailer sold or previously sold at no cost to the consumer. Existing law defines “rechargeable battery” for purposes of these provisions

to mean a small, nonvehicular, rechargeable nickel-cadmium, nickel metal hydride, lithium-ion, or sealed lead-acid battery, or a battery pack containing these types of batteries.

This bill would require the Department of Toxic Substances Control to work collaboratively with specified state entities and stakeholders to identify approaches for the reuse or recycling of lithium-ion batteries from electric vehicles when the batteries are no longer suitable for their intended purposes, and to submit a report to the Legislature, on or before July 1, 2020, based on their findings. The bill would require the Department of Toxic Substances Control to develop a grant program to fund the development of recycling and reuse opportunities for lithium-ion batteries from electric vehicles when the batteries are no longer suitable for their intended purposes. The bill would require the Department of Resources Recycling and Recovery to develop a process for a consumer to properly dispose of a lithium-ion battery from an electric vehicle, at no cost to the consumer.

## **ODORS**

### **AB 1975, as introduced, Chu. Nuisance: odors.**

(1) Existing law prohibits, with specified exceptions, the discharge of any air contaminant or other material that causes injury, detriment, nuisance, or annoyance to, or that endangers, the public. Existing law exempts from that prohibition, among other things, all odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals; odors emanating directly from a facility or operation that produces, manufactures, or handles compost, as defined; and odors emanating from operations that compost green material or animal waste products derived from agricultural operations, as specified.

Existing law also requires an air pollution control or air quality management district that receives a complaint regarding an odor emanating from an exempt composting operation to refer the complaint to an enforcement agency with jurisdiction pursuant to the California Integrated Waste Management Act of 1989, and requires that agency to take appropriate enforcement action.

This bill would require the Department of Resources Recycling and Recovery, no later than July 1, 2019, to establish the South Bay Interagency Odor Taskforce, with a specified membership, to identify sources of odor emissions and nuisance complaints based on odor emissions received by the Bay Area Air Quality Management District and the City of Milpitas, the City of Fremont, the City of Santa Clara, and the City of San Jose. The bill would require the taskforce, no later than January 1, 2020, to take specified actions, including, among others, developing and implementing a protocol for joint inspections by the air district and the enforcement agency represented on the taskforce. By adding to the duties of local agencies, this bill would impose a state-mandated local program.

(2) This bill would make legislative findings and declarations as to the necessity of a special statute for certain cities in the County of Santa Clara.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

## **CARL MOYER**

### **AB 2008, as amended, Salas. Income taxes: exclusion: Carl Moyer Memorial Air Quality Standards Attainment Programs grants.**

The Personal Income Tax Law and the Corporation Tax Law define gross income as all income from whatever source derived, unless specifically excluded.

This bill would, under both laws, exclude from gross income any amount provided to a taxpayer pursuant to the Carl Moyer Memorial Air Quality Standards Attainment ~~Program for the purchase of new zero or low-emission engines.~~ *Program, as provided, until January 1, 2024. The bill would require an air district to provide the taxpayer with a certification of the amount issued pursuant to the program, available upon request to the Franchise Tax Board, and to annually provide the Franchise Tax Board with a data file containing specified information relating to the program. By imposing new requirements on air districts, the bill would create a state-mandated local program.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.*

### **AB 2336, as amended, Salas. ~~Carl Moyer Memorial Air Quality Standards Attainment Program.~~ Schoolbuses: retrofit and replacement.**

*Existing law establishes various programs for the reduction of vehicular air pollution, including the Lower-Emission School Bus Program adopted by the State Air Resources Board. The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B at the November 7, 2006, general election, authorizes the issuance of \$19.925 billion of general obligation bonds for specified purposes, including \$200 million for schoolbus retrofit and replacement purposes. Existing law requires the state board to allocate those bond moneys for the schoolbus retrofit and replacement program to air pollution control and air quality management districts by prioritizing the retrofit or replacement of the most polluting schoolbuses in small air districts first and then medium air districts, as specified. Existing law requires each allocation to provide sufficient funding for at least one project to be implemented as part of the Lower-Emission School Bus Program.*

*This bill instead would require the state board to prioritize the retrofit or replacement of the most polluting schoolbuses that operate in air districts that are designated federal extreme nonattainment, followed by small air districts, and then medium air districts, as specified.*

~~Existing law establishes the Carl Moyer Memorial Air Quality Standards Attainment Program, which is administered by the State Air Resources Board. The program authorizes the state board to provide grants to offset the incremental cost of eligible projects that reduce emissions from covered vehicular sources. The program also authorizes funding for a fueling infrastructure demonstration program and for technology development efforts that are expected to result in commercially available technologies in the near-term that would improve the ability of the program to achieve its goals. This bill would make technical, nonsubstantive changes to these provisions.~~