



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

BOARD OF DIRECTORS  
LEGISLATIVE COMMITTEE

COMMITTEE MEMBERS

PAULINE RUSSO CUTTER – CHAIR  
MARGARET ABE-KOGA  
DAVID HAUBERT  
DAVID HUDSON  
BRAD WAGENKNECHT

ROB RENNIE – VICE-CHAIR  
ERIN HANNIGAN  
LYNDA HOPKINS  
SERGIO LOPEZ

**THIS MEETING WILL BE CONDUCTED UNDER PROCEDURES AUTHORIZED BY ASSEMBLY BILL 361 (RIVAS 2021) ALLOWING REMOTE MEETINGS. THIS MEETING WILL BE ACCESSIBLE VIA WEBCAST, TELECONFERENCE, AND ZOOM. A ZOOM PANELIST LINK WILL BE SENT SEPARATELY TO COMMITTEE OR BOARD MEMBERS**

- **THE PUBLIC MAY OBSERVE THIS MEETING THROUGH THE WEBCAST BY CLICKING THE LINK AVAILABLE ON THE AIR DISTRICT’S AGENDA WEBPAGE AT**

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- **THE PUBLIC MAY PARTICIPATE REMOTELY VIA ZOOM AT THE FOLLOWING LINK OR BY PHONE**

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# LEGISLATIVE COMMITTEE MEETING AGENDA

**MONDAY, MAY 9, 2022**

**1:00 PM**

1. **Call to Order - Roll Call**
2. **Pledge of Allegiance**
3. **Public Meeting Procedure**

*The Committee Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Committee members.*

*This meeting will be webcast. To see the webcast, please visit [www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas) at the time of the meeting. Closed captioning may contain errors and omissions and are not certified for their content or form.*

***Public Comment on Agenda Items:** The public may comment on each item on the agenda as the item is taken up. Members of the public who wish to speak on matters on the agenda for the meeting, will have two minutes each to address the Committee. No speaker who has already spoken on that item will be entitled to speak to that item again.*

## **CONSENT CALENDAR (Item 4)**

4. Approval of the Minutes of April 11, 2022

*The Committee will consider approving the attached draft minutes of the Legislative Committee meeting of April 11, 2022.*

## **PRESENTATION(S)**

5. Air District-Sponsored Bills

*This is an informational item only and will be presented by Alan Abbs, Legislative Officer.*

6. State Legislative Update

*This is an informational item only and will be presented by Alan Abbs, Legislative Officer.*

**OTHER BUSINESS**

7. Public Comment on Non-Agenda Matters

*Pursuant to Government Code Section 54954.3*

*Members of the public who wish to speak on matters not on the agenda for the meeting, will have two minutes each to address the Committee.*

8. Committee Member Comments

*Any member of the Committee, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)*

9. Time and Place of Next Meeting

*Monday, June 13, 2022, at 1:00 p.m., via webcast, teleconference, or Zoom, pursuant to procedures in accordance with Assembly Bill 361 (Rivas 2021).*

10. Adjournment

*The Committee meeting shall be adjourned by the Chair.*

**CONTACT:**

**MANAGER, EXECUTIVE OPERATIONS**  
**375 BEALE STREET, SAN FRANCISCO, CA 94105**  
[vjohnson@baaqmd.gov](mailto:vjohnson@baaqmd.gov)

**(415) 749-4941**  
**FAX: (415) 928-8560**  
**BAAQMD homepage:**  
[www.baaqmd.gov](http://www.baaqmd.gov)

- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the Air District's offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

**Accessibility and Non-Discrimination Policy**

The Bay Area Air Quality Management District (Air District) does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability, or any other attribute or belief protected by law.

It is the Air District's policy to provide fair and equal access to the benefits of a program or activity administered by Air District. The Air District will not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program or activity offered or conducted by the Air District. Members of the public who believe they or others were unlawfully denied full and equal access to an Air District program or activity may file a discrimination complaint under this policy. This non-discrimination policy also applies to other people or entities affiliated with Air District, including contractors or grantees that the Air District utilizes to provide benefits and services to members of the public.

Auxiliary aids and services including, for example, qualified interpreters and/or listening devices, to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the benefits, activities, programs and services will be provided by the Air District in a timely manner and in such a way as to protect the privacy and independence of the individual. Please contact the Non-Discrimination Coordinator identified below at least three days in advance of a meeting so that arrangements can be made accordingly.

If you believe discrimination has occurred with respect to an Air District program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at [www.baaqmd.gov/accessibility](http://www.baaqmd.gov/accessibility) to learn how and where to file a complaint of discrimination.

Questions regarding this Policy should be directed to the Air District's Non-Discrimination Coordinator, Suma Peesapati, at (415) 749-4967 or by email at [speesapati@baaqmd.gov](mailto:speesapati@baaqmd.gov).

# BAY AREA AIR QUALITY MANAGEMENT DISTRICT

375 BEALE STREET, SAN FRANCISCO, CA 94105

FOR QUESTIONS PLEASE CALL (415) 749-4941

## EXECUTIVE OFFICE:

### MONTHLY CALENDAR OF AIR DISTRICT MEETINGS

#### MAY 2022

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Community Equity, Health and Justice Committee	Thursday	5	9:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Legislative Committee	Monday	9	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Technology Implementation Office (TIO) Steering Committee	Friday	13	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Stationary Source and Climate Impacts Committee - CANCELLED	Monday	16	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Path to Clean Air Community Emissions Reduction Plan Steering Committee	Monday	16	5:30 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Meeting	Wednesday	18	9:00 a.m.	1 <sup>st</sup> Floor, Board Room (In person option available) <u>and REMOTE</u> pursuant to Assembly Bill 361
Board of Directors Administration Committee	Wednesday	18	11:00 a.m.	1 <sup>st</sup> Floor, Board Room (In person option available) <u>and REMOTE</u> pursuant to Assembly Bill 361
Board of Directors Budget and Finance Committee - CANCELLED	Wednesday	25	9:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Mobile Source and Climate Impacts Committee	Thursday	26	9:30 a.m.	Webcast only pursuant to Assembly Bill 361

## JUNE 2022

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Meeting	Wednesday	1	9:00 a.m.	1 <sup>st</sup> Floor, Board Room (In person option available) <b>and REMOTE</b> pursuant to Assembly Bill 361
Board of Directors Community Equity, Health and Justice Committee	Thursday	2	9:30 a.m.	Webcast only pursuant to Assembly Bill 361
Advisory Council Meeting - CANCELLED	Monday	13	8:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Legislative Committee	Monday	13	1:00 p.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Meeting	Wednesday	15	9:00 a.m.	1 <sup>st</sup> Floor, Board Room (In person option available) <b>and REMOTE</b> pursuant to Assembly Bill 361
Board of Directors Administration Committee	Wednesday	15	11:00 a.m.	1 <sup>st</sup> Floor, Board Room (In person option available) <b>and REMOTE</b> pursuant to Assembly Bill 361
Board of Directors Stationary Source and Climate Impacts Committee - CANCELLED	Monday	20	9:00 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Budget and Finance Committee	Wednesday	22	9:30 a.m.	Webcast only pursuant to Assembly Bill 361
Board of Directors Mobile Source and Climate Impacts Committee	Thursday	23	9:30 a.m.	Webcast only pursuant to Assembly Bill 361
Path to Clean Air Community Emissions Reduction Plan Steering Committee	Monday	27	5:30 p.m.	Webcast only pursuant to Assembly Bill 361

HL 5/4/2022 – 11:50 A.M.

G/Board/Executive Office/Moncal

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**  
Memorandum

To: Chairperson Pauline Russo Cutter and Members  
of the Legislative Committee

From: Alexander Crockett  
Interim Executive Officer/APCO

Date: May 9, 2022

Re: Approval of the Minutes of April 11, 2022

RECOMMENDED ACTION

Approve the attached draft minutes of the Legislative Committee (Committee) meeting of April 11, 2022.

BACKGROUND

None.

DISCUSSION

Attached for your review and approval are the draft minutes of the Committee meeting of April 11, 2022.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Alexander Crockett  
Interim Executive Officer/APCO

Prepared by: Alan Abbs  
Reviewed by: Alexander Crockett

ATTACHMENTS:

1. Draft Minutes of the Legislative Committee Meeting of April 11, 2022



Bay Area Air Quality Management District  
375 Beale Street, Suite 600  
San Francisco, CA 94105  
(415) 749-5073

Legislative Committee Meeting  
Monday, April 11, 2022

**DRAFT MINUTES**

*Note: Audio recordings of the meeting are available on the website of the Bay Area Air Quality Management District at [www.baaqmd.gov/bodagendas](http://www.baaqmd.gov/bodagendas)*

**This meeting was conducted under procedures in accordance with Assembly Bill 361. Members of the Committee participated by teleconference.**

**1. Call to Order - Roll Call**

Opening Comments: Legislative Committee (Committee) Chair Pauline Russo Cutter called the meeting to order at 1:01 p.m.

Roll Call:

Present: Committee Chairperson Pauline Russo Cutter; Vice Chairperson Rob Rennie; and Directors Margaret Abe-Koga, David Haubert, Lynda Hopkins; and Brad Wagenknecht.

Absent: Directors Erin Hannigan; and David Hudson.

**2. Pledge of Allegiance**

**3. Public Meeting Procedure**

**4. Approval of the Minutes of March 14, 2022**

Public Comments

No requests received.

Committee Comments

None.

## Committee Action

Director Abe-Koga made a motion, seconded by Director Wagenknecht, to **approve** the minutes of March 14, 2022; and the motion **carried** by the following vote of the Committee:

AYES: Abe-Koga, Cutter, Haubert, Hopkins, Rennie, and Wagenknecht.  
NOES: None  
ABSTAIN: None  
ABSENT: Hannigan; and Hudson.

## PRESENTATIONS (Items 5 - 6)

### 5. Air District-Sponsored Bills

Alan Abbs, Legislative Officer, provided an oral update regarding Air District-sponsored bills. Mr. Abbs referenced three bills:

- **Assembly Bill (AB) 1897 (Wicks) – Nonvehicular Air Pollution Control: civil penalties: refineries.** Existing law prohibits a person from discharging from nonvehicular sources air contaminants or other materials that cause injury, detriment, nuisance, or annoyance to the public, or that endanger the comfort, repose, health, or safety of the public, or that cause, or have a natural tendency to cause, injury or damage to business or property. This bill would make a person who violates this provision liable for a civil penalty of not more than \$30,000 if the violation results from a discharge from a stationary source required by federal law to be included in an operating permit program established pursuant to Title V of the federal Clean Air Act, and the stationary source is a refinery, the discharge results in a severe disruption to the community, the discharge contains or includes one or more toxic air contaminants, as specified, and 25 or more people are exposed to the discharge. The bill would additionally make a person who violates this provision liable for a civil penalty of not more than \$100,000 for a subsequent violation within a 12-month period. The bill would require civil penalties collected pursuant to this provision, above the costs of prosecution, to be expended to mitigate the effects of air pollution in communities affected by the violation. Mr. Abbs reported that on April 18, 2022, this bill would be heard in the Assembly’s Committee on Natural Resources, and in the Assembly’s Judiciary Committee on April 25, 2022.
- **AB 2214 (C. Garcia) - California Environmental Quality Act (CEQA): schoolsites: acquisition of property: school districts, charter schools, and private schools.** CEQA prohibits an Environmental Impact Report or Negative Declaration from being approved for any project involving the purchase of a schoolsite or the construction of a new elementary or secondary school by a school district unless certain conditions are met relating to, among other things, hazardous emissions or substances safety considerations. This bill would impose those prohibitions on the governing body of a charter school and the governing body of a private school, and would make the provisions relating to school districts also applicable to charter schools and private schools. The bill would apply the Phase I environmental assessment requirements to school districts, charter schools, and private schools, without conditioning the requirements on the receipt of state funds. CEQA requires the Office of Planning and Research to prepare and adopt guidelines to implement CEQA, and requires those guidelines to include

a list of classes of projects that have been determined not to have a significant effect on the environment and that are required to be exempt from CEQA. This bill would prohibit a project that involves demolition, construction, or alteration of a public school, including a charter school, or a private school from being exempted from CEQA pursuant to those guidelines. Mr. Abbs reported that this language is similar to that of last year's version of this bill. This bill was scheduled to be heard in the Assembly's Committee on Education on April 20, 2022, and then, if it passes, in the Assembly's Committee on Environmental Safety and Toxic Materials on April 25, 2022.

- **AB 2721 (Lee) – Bay Area Air Quality Management District: district board: compensation.** This bill would revise the amount of compensation that a member of the board may receive for attending a meeting of the board or attending a meeting while on official business of the district to an amount not to exceed \$100 per meeting and \$200 per day. The bill would also authorize a member of the board to receive compensation for active transportation travel to one of these meetings and would subject this compensation to the \$6,000 total annual compensation limit. Mr. Abbs reported that this bill was referred to the Assembly's Committee on Natural Resources at the beginning of April, and he and Vice Chair Bauters gave testimony. This bill was to be heard on the Assembly floor on April 18, 2022.

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed reasons the (Lee and C. Garcia) school site bill did not pass last year; and the quality of the construction of the different school buildings.

Committee Action

None; receive and file.

**6. Consideration of New Bills**

Mr. Abbs gave the staff presentation *Consideration of New Bills*, including: outcome, outline, requested action, AB 2852 (Bloom); AB 2910 (Santiago); Senate Bill (SB) 1382 (Gonzalez); SB 1235 (Borgeas); and AB 2816 (Ting).

Public Comments

No requests received.

Committee Comments

The Committee and staff discussed whether SB 1235 (Borgeas) involves eliminating the permitting of backup generators, and which states require permitting similar to the Air District; and the degree to which the Air District should oppose SB 1235, and whether other air districts also oppose SB 1235.

## Committee Action

Director Abe-Koga made a motion, seconded by Committee Chair Cutter, to recommend the Board **adopt** the following positions on the following bills:

- **Support** AB 2852 (Bloom) - Air pollution control districts and air quality management districts: independent special districts: funding.
- **Support** AB 2910 (Santiago) - Nonvehicular air pollution: civil penalties.
- **Support** SB 1382 (Gonzalez) - Air pollution: Clean Cars 4 All Program: Sales and Use Tax Law: zero emissions vehicle exemption.
- **Oppose** SB 1235 (Borgeas) - Air pollution: portable equipment: emergency events.
- **Oppose Unless Amended** AB 2816 (Ting) - State Air Resources Board: zero-emission incentive programs: requirements.

The motion **carried** by the following vote of the Committee:

AYES: Abe-Koga, Cutter, Haubert, Rennie, and Wagenknecht.  
NOES: None.  
ABSTAIN: None.  
ABSENT: Hannigan, Hopkins, and Hudson.

After the vote, Mr. Abbs referenced other bills that the Air District is currently monitoring:

- **AB 2836 (E. Garcia) - Carl Moyer Memorial Air Quality Standards Attainment Program: vehicle registration fees: California tire fee.** This bill would extend the current authorization for the Carl Moyer Program to fund a broader range of projects that reduce emissions from covered sources until January 1, 2033. This bill was scheduled to be heard in the Assembly's Committee on Transportation, on April 18, 2022, and the Air District is a co-sponsor of the bill.
- **AB 2928 (Cooper) - Personal income taxes: Clean Cars 4 All Program: retirement and replacement.** Existing law requires the state board to annually post on its internet website a performance analysis of the replacement and mobility options component of the State's Clean Cars 4 All program (which includes information regarding how incentive levels can be modified to maximize participation and emissions reductions.) This bill would require the performance analysis to include information specifically regarding how incentive levels can be modified to maximize participation in low-income or disadvantaged communities. This bill will be heard in the Assembly's Committee on Transportation.
- **AB 1944 (Lee) - Local government: open and public meetings.** Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. This bill would require the agenda to identify any member of the legislative body that will participate in the meeting remotely. The bill would also require an updated agenda reflecting all of the members participating in the meeting remotely to be posted, if a member of the legislative body elects to participate in the meeting remotely after the agenda is posted. This bill would authorize, under specified circumstances and upon a determination by a majority vote of the legislative body, a member to be exempt from identifying the address of the member's teleconference location in the notice and agenda or

having the location be accessible to the public, if the member elects to teleconference from a location that is not a public place. This bill is scheduled to be heard in the Assembly's Committee on Local Government on April 19, 2022.

- **AB 2206 (Lee) - Nonattainment basins: employee parking: parking cash-out program.** Existing law requires, in any air basin designated as nonattainment for certain air quality standards, an employer, defined as an employer of 50 persons or more that provides a parking subsidy to employees, to also offer a parking cash-out program. Existing law defines "parking cash-out program" as an employer-funded program under which an employer offers to provide a cash allowance to an employee equivalent to the parking subsidy that the employer would otherwise pay to provide the employee with a parking space. Existing law defines a "parking subsidy" as the difference between the out-of-pocket amount paid by an employer on a regular basis in order to secure the availability of an employee parking space not owned by the employer and the price, if any, charged to an employee for use of that space. This bill would revise the definitions of "employer," "parking cash-out program," and "parking subsidy." The bill would require a lessor that enters into or renews a lease on or after January 1, 2023, with a lessee that is an employer and that offers parking to the employer to list the market-rate parking costs as a separate line item in the lease, as provided, or to provide a list of parking costs to the employer within 30 days after the lease is entered into or renewed. The bill would require an employer to offer a parking cash-out program even if the employer's lease does not comply with these requirements. This bill was to be heard in the Assembly's Committee on Transportation on April 18, 2022.
- **AB 2550 (Arambula) - State Air Resources Board: national ambient air quality standards: nonattainment districts.** This bill would require the state board, if a district in severe or extreme nonattainment for a national ambient air quality standard has not received a determination of attainment from the United States Environmental Protection Agency by the applicable attainment date for that standard, to undertake certain activities, including coordinating with the district and community-based organizations in the district and conducting outreach to under-resourced communities in the district to identify gaps in the state implementation plan and the district's attainment plan, rules, regulations, programs, and enforcement practices that impact the district's ability to attain and maintain that ambient air quality standard and to coordinate with the district to provide additional monitoring and enforcement capacity for stationary sources in the district, as provided. The bill would require the state board to conduct at least one public hearing in the district regarding the district's attainment plan, and would require the state board to solicit public comment on specified topics, including the state board's review of the district's attainment plan, rules, regulations, programs, and enforcement practices, data regarding stationary sources in the district, including monitoring and enforcement of those sources, and the state board's plan to coordinate with the district to provide additional monitoring and enforcement capacity for stationary sources in the district. This bill's sponsors are from the San Joaquin Valley.

## **OTHER BUSINESS**

### **7. Public Comment on Non-Agenda Matters**

No requests received.

**8. Committee Member Comments**

None.

**9. Time and Place of Next Meeting**

The next meeting will be held on Monday, May 9, 2022, at 1:00 p.m. via webcast, teleconference, or Zoom, pursuant to procedures in accordance with AB 361 (Rivas 2021).

**10. Adjournment**

Committee Chair Cutter adjourned the meeting at 1:52 p.m.

Luis Espino  
Acting Clerk of the Boards

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**  
Memorandum

To: Chairperson Pauline Russo Cutter and Members  
of the Legislative Committee

From: Alexander Crockett  
Interim Executive Officer/APCO

Date: May 9, 2022

Re: Air District-Sponsored Bills

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

This year, the Air District is sponsoring the following three bills:

- Assembly Bill (AB) 1897 (Wicks) – Nonvehicular air pollution control: civil penalties: refineries.
- AB 2214 (C. Garcia and Lee) – California Environmental Quality Act: schoolsites: acquisition of property: school districts, charter schools, and private schools.
- AB 2721 (Lee) – Bay Area Air Quality Management District: district board: compensation.

The Air District is also co-sponsoring the following bills:

- AB 2836 (E. Garcia) – Carl Moyer Memorial Air Quality Standards Attainment Program: vehicle registration fees: California tire fee.

DISCUSSION

Staff will provide the Legislative Committee with a summary and status of the three Air District-sponsored bills and one co-sponsored bill.

*AB 1897 (Wicks) - Nonvehicular air pollution control: civil penalties: refineries.*

CapitolTrack Bill Summary: Current law prohibits a person from discharging from nonvehicular sources air contaminants or other materials that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of those persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property. Under current law, a person who violates this

provision, or any other statute, rule, regulation, permit, or order, as provided, is strictly liable for a civil penalty of not more than \$10,000, unless that person alleges by affirmative defense and establishes that the act was not the result of intentional or negligent conduct, in which case the person is strictly liable for a civil penalty of not more than \$5,000. A violator who acts negligently, knowingly, willfully and intentionally, or with reckless disregard, is liable for a civil penalty in a greater amount, as specified. Current law requires the civil penalties to be assessed and recovered in a court of competent jurisdiction through a civil action brought by the Attorney General, a district attorney, or the attorney for the district in which the violation occurs. Current law precludes prosecution under specified statutes if civil penalties are recovered for the same offense. This bill would make a person who violates the above provision liable for a civil penalty of not more than \$30,000 if the violation results from a discharge from a stationary source required by federal law to be included in an operating permit program established pursuant to Title V of the federal Clean Air Act, and the stationary source is a refinery, as defined, the discharge results in a disruption to the community, and the discharge contains or includes one or more toxic air contaminants, as specified.

Current Status: AB 1897 was introduced by Assemblymember Wicks on February 9, 2022. This bill was double-referred, and it received a vote in favor of 8-2 in Assembly Natural Resources on April 18, 2022. The bill was then heard in Assembly Judiciary where it received a vote in favor of 7-2 on April 26, 2022. The bill has been referred to the Assembly Appropriations Committee – the hearing has not yet been scheduled.

*AB 2214 (C. Garcia and Lee) - California Environmental Quality Act: schoolsites: acquisition of property: school districts, charter schools, and private schools.*

CapitolTrack Bill Summary: Current law requires the governing board of a school district, before acquiring title to property for a new schoolsite or for an addition to a present schoolsite, to give notice in writing of the proposed acquisition to the planning commission. Current law requires the planning commission to investigate the proposed site and submit a written report to the governing board of the school district, as provided. Current law prohibits the governing board from acquiring title to the property until the report of the planning commission has been received. This bill would impose those prohibitions, and related requirements, on the governing body of a charter school and the governing body of a private school, and would make the provisions relating to school districts also applicable to charter schools and private schools, as provided. The bill would apply the Phase I environmental assessment requirements to charter schools and private schools, without conditioning the requirements on the receipt of state funds.

Current Status: AB 2214 was introduced by Assembly Members Cristina Garcia and Alex Lee on February 15, 2022. This bill was double-referred, and it received a vote in favor 5-1 in Assembly Education on April 20, 2022. The bill was then heard in Assembly Environmental Safety and Toxic Materials where it received a vote in favor of 6-3 on April 26, 2022. The bill has been referred to the Assembly Appropriations Committee – the hearing has not yet been scheduled.

*AB 2721 (Lee) - Bay Area Air Quality Management District: district board: compensation.*

CapitolTrack Bill Summary: Current law establishes a district board to govern the Bay Area Air Quality Management District and prescribes the membership of the district board. Current law authorizes the district board to provide, by ordinance, compensation not to exceed \$100 per day



for board members for attending meetings of the board or committees of the board or while on official business of the district and not to exceed \$6,000 per year. Existing law also requires board members to receive actual and necessary expenses incurred in the performance of their duties. This bill would revise the amount of compensation that a member of the board may receive for attending a meeting of the board or attending a meeting while on official business of the district to an amount not to exceed \$100 per meeting and \$200 per day. The bill would also authorize a member of the board to receive compensation for active transportation travel to one of these meetings and would subject this compensation to the \$6,000 total annual compensation limit.

Current Status: AB 2721 was introduced by Assemblymember Lee on February 18, 2022. This bill was single-referred, and it received a vote in favor of 10-0 in Assembly Natural Resources on April 4, 2022, and passed the Assembly Floor with a 66-3 vote on April 18, 2022. With the first house completed, AB 2721 was ordered to the Senate and is pending referral.

*AB 2836 (E. Garcia) - Carl Moyer Memorial Air Quality Standards Attainment Program: vehicle registration fees: California tire fee.*

CapitolTrack Summary: Current law, beginning January 1, 2024, limits the Carl Moyer Program to funding projects that reduce emissions of oxides of nitrogen (NOx) from covered sources. Current law, until January 1, 2024, defines covered source for purposes of the Carl Moyer Program to include any marine vessel and any other category necessary for the state and air districts to meet air quality goals. This bill would extend the current authorization for the Carl Moyer Program to fund a broader range of projects that reduce emissions from covered sources until January 1, 2033.

Current Status: AB 2836 was introduced by Assemblymember Eduardo Garcia on February 18, 2022. This bill was doubled-referred, and it received a vote in favor of 12-0 in Assembly Transportation on April 18, 2022. The bill was then heard in Assembly Natural Resources where it received a vote in favor of 9-0 on April 25, 2022. The bill has been referred to the Assembly Appropriations Committee – the hearing has not yet been scheduled.

The Board of Directors approved the Air District being added on as a co-sponsor at their April 6, 2022 Board meeting.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Alexander Crockett  
Interim Executive Officer/APCO

Prepared by: Alan Abbs  
Reviewed by: Alexander Crockett

ATTACHMENTS:

1. AB 1897 (Wicks) - Bill Text - As Amended on April 27, 2022
2. AB 2214 (C. Garcia and Lee) - Bill Text - As Amended on April 25, 2022
3. AB 2721 (Lee) - Bill Text - As Amended on March 10, 2022
4. AB 2836 (E. Garcia) - Bill Text - As Amended on March 30, 2022

AMENDED IN ASSEMBLY APRIL 27, 2022

AMENDED IN ASSEMBLY APRIL 20, 2022

AMENDED IN ASSEMBLY APRIL 7, 2022

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1897**

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**Introduced by Assembly Member Wicks**

February 9, 2022

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An act to amend Sections 42400.7, 42402, 42402.1, 42402.2, 42402.3, and 42403 of, and to add ~~Section~~ *Sections 42402.6 and 42412* to, the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 1897, as amended, Wicks. Nonvehicular air pollution control: civil penalties: refineries.

Existing law prohibits a person from discharging from nonvehicular sources air contaminants or other materials that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of those persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property. Under existing law, a person who violates this ~~provision is guilty of a misdemeanor, as specified, or provision, or any other statute, rule, regulation, permit, or order, as provided,~~ is strictly liable for a civil penalty of not more than \$10,000, unless that person alleges by affirmative defense and establishes that the act was not the result of intentional or negligent conduct, in which case the person is strictly liable for a civil penalty of not more than \$5,000. ~~A person who violates this provision and violator~~ who acts negligently, knowingly, willfully and intentionally, or with

reckless disregard, is liable for a civil penalty in a greater amount, as specified. *Existing law requires the civil penalties to be assessed and recovered in a court of competent jurisdiction through a civil action brought by the Attorney General, a district attorney, or the attorney for the district in which the violation occurs.* Existing law precludes prosecution under specified statutes if civil penalties are recovered pursuant to the above provisions for the same offense.

This bill would make a person who violates ~~this~~ *the above* provision liable for a civil penalty of not more than \$30,000 if the violation results from a discharge from a stationary source required by federal law to be included in an operating permit program established pursuant to Title V of the federal Clean Air Act, and the stationary source is a refinery, as defined, the discharge results in a disruption to the community, and the discharge contains or includes one or more toxic air contaminants, as specified. The bill would additionally make a person who violates this provision liable for a civil penalty of not more than \$100,000 for a subsequent violation within a 12-month period. The bill would require civil penalties collected pursuant to this provision, above the costs of prosecution, to be expended to mitigate the effects of air pollution in communities affected by the violation. The bill would prohibit this provision from applying if the violation is caused by unforeseen and unforeseeable criminal acts, acts of war, acts of terrorism, or civil unrest. The bill would ~~additionally~~ preclude prosecution under specified statutes if civil penalties are recovered pursuant to this provision. *The bill would authorize the Attorney General, a district attorney, or an attorney for the district in which the violation occurs who prevails in a civil action for a violation of the above provisions, or any other statute, rule, regulation, permit, or order, as provided, to recover the actual costs of investigation, expert witness fees, and reasonable attorney’s fees.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 42400.7 of the Health and Safety Code
- 2 is amended to read:
- 3 42400.7. (a) The recovery of civil penalties pursuant to
- 4 Section 39674, 42401, 42402, 42402.1, 42402.2, 42402.3, 42402.4,
- 5 or 42402.6 precludes prosecution under Section 42400, 42400.1,
- 6 42400.2, 42400.3, 42400.3.5, or 42400.4 for the same offense.

1 When a district refers a violation to a prosecuting agency, the filing  
2 of a criminal complaint is grounds requiring the dismissal of a  
3 civil action brought pursuant to this article for the same offense.

4 (b) If the pending civil action described in subdivision (a)  
5 includes a request for injunctive relief, that portion of the civil  
6 action shall not be dismissed upon the filing of a criminal complaint  
7 for the same offense.

8 SEC. 2. Section 42402 of the Health and Safety Code is  
9 amended to read:

10 42402. (a) Except as provided in Sections 42402.1, 42402.2,  
11 42402.3, 42402.4, and 42402.6, a person who violates this part,  
12 an order issued pursuant to Section 42316, or a rule, regulation,  
13 permit, or order of a district, including a district hearing board, or  
14 of the state board issued pursuant to Part 1 (commencing with  
15 Section 39000) to Part 4 (commencing with Section 41500),  
16 inclusive, is strictly liable for a civil penalty of not more than five  
17 thousand dollars (\$5,000).

18 (b) (1) A person who violates a provision of this part, an order  
19 issued pursuant to Section 42316, or a rule, regulation, permit, or  
20 order of a district, including a district hearing board, or of the state  
21 board issued pursuant to Part 1 (commencing with Section 39000)  
22 to Part 4 (commencing with Section 41500), inclusive, is strictly  
23 liable for a civil penalty of not more than ten thousand dollars  
24 (\$10,000).

25 (2) (A) If a civil penalty in excess of five thousand dollars  
26 (\$5,000) for each day in which a violation occurs is sought, there  
27 is no liability under this subdivision if the person accused of the  
28 violation alleges by affirmative defense and establishes that the  
29 violation was caused by an act that was not the result of intentional  
30 conduct or negligent conduct.

31 (B) Subparagraph (A) does not apply to a violation of a federally  
32 enforceable requirement that occurs at a Title V source in a district  
33 in which a Title V permit program has been fully approved.

34 (C) Subparagraph (A) does not apply to a person who is  
35 determined to have violated an annual facility emissions cap  
36 established pursuant to a market-based incentive program adopted  
37 by a district pursuant to subdivision (b) of Section 39616.

38 (c) A person who owns or operates a source of air contaminants  
39 in violation of Section 41700 that causes actual injury, as defined  
40 in subdivision (d) of Section 42400, to the health and safety of a

1 considerable number of persons or the public, is liable for a civil  
2 penalty of not more than fifteen thousand dollars (\$15,000).

3 (d) Each day during a portion of which a violation occurs is a  
4 separate offense.

5 SEC. 3. Section 42402.1 of the Health and Safety Code is  
6 amended to read:

7 42402.1. (a) Except as provided in Section 42402.6, a person  
8 who negligently emits an air contaminant in violation of this part  
9 or a rule, regulation, permit, or order of the state board or of a  
10 district, including a district hearing board, pertaining to emission  
11 regulations or limitations is liable for a civil penalty of not more  
12 than twenty-five thousand dollars (\$25,000).

13 (b) A person who negligently emits an air contaminant in  
14 violation of Section 41700 that causes great bodily injury, as  
15 defined in subdivision (f) of Section 12022.7 of the Penal Code,  
16 to a person or that causes the death of a person, is liable for a civil  
17 penalty of not more than one hundred thousand dollars (\$100,000).

18 (c) Each day during a portion of which a violation occurs is a  
19 separate offense.

20 SEC. 4. Section 42402.2 of the Health and Safety Code is  
21 amended to read:

22 42402.2. (a) Except as provided in Section 42402.6, a person  
23 who emits an air contaminant in violation of a provision of this  
24 part, or a rule, regulation, permit, or order of the state board or of  
25 a district, including a district hearing board, pertaining to emission  
26 regulations or limitations, and who knew of the emission and failed  
27 to take corrective action, as defined in subdivision (b) of Section  
28 42400.2, within a reasonable period of time under the  
29 circumstances, is liable for a civil penalty of not more than forty  
30 thousand dollars (\$40,000).

31 (b) A person who owns or operates a source of air contaminants  
32 in violation of Section 41700 that causes great bodily injury, as  
33 defined in subdivision (f) of Section 12022.7 of the Penal Code,  
34 to a person or that causes the death of a person, and who knew of  
35 the emission and failed to take corrective action, as defined in  
36 subdivision (b) of Section 42400.2, within a reasonable period of  
37 time under the circumstances, is liable for a civil penalty not to  
38 exceed two hundred fifty thousand dollars (\$250,000).

39 (c) Each day during a portion of which a violation occurs is a  
40 separate offense.

1 SEC. 5. Section 42402.3 of the Health and Safety Code is  
2 amended to read:

3 42402.3. (a) Except as provided in Section 42402.6, a person  
4 who willfully and intentionally emits an air contaminant in  
5 violation of this part or a rule, regulation, permit, or order of the  
6 state board, or of a district, including a district hearing board,  
7 pertaining to emission regulations or limitations, is liable for a  
8 civil penalty of not more than seventy-five thousand dollars  
9 (\$75,000).

10 (b) A person who willfully and intentionally, or with reckless  
11 disregard for the risk of great bodily injury, as defined in  
12 subdivision (f) of Section 12022.7 of the Penal Code, to, or death  
13 of, a person, emits an air contaminant in violation of Section 41700  
14 that results in an unreasonable risk of great bodily injury to, or  
15 death of, a person, is liable for a civil penalty of not more than one  
16 hundred twenty-five thousand dollars (\$125,000). If the violator  
17 is a corporation, the maximum penalty may be up to five hundred  
18 thousand dollars (\$500,000).

19 (c) A person who willfully and intentionally, or with reckless  
20 disregard for the risk of great bodily injury, as defined in  
21 subdivision (f) of Section 12022.7 of the Penal Code, to, or death  
22 of, a person, emits an air contaminant in violation of Section 41700  
23 that causes great bodily injury, as defined in subdivision (f) of  
24 Section 12022.7 of the Penal Code, to a person or that causes the  
25 death of a person, is liable for a civil penalty of not more than two  
26 hundred fifty thousand dollars (\$250,000). If the violator is a  
27 corporation, the maximum penalty may be up to one million dollars  
28 (\$1,000,000).

29 (d) Each day during a portion of which a violation occurs is a  
30 separate offense.

31 SEC. 6. Section 42402.6 is added to the Health and Safety  
32 Code, to read:

33 42402.6. (a) (1) A person is liable for a civil penalty of not  
34 more than thirty thousand dollars (\$30,000) if the person violates  
35 Section 41700 and all of the following occur:

36 (A) (i) The discharge is from a Title V source that is a refinery.

37 (ii) For purposes of this subparagraph, “refinery” means an  
38 establishment that is located on one or more contiguous or adjacent  
39 properties that produces gasoline, diesel fuel, aviation fuel,  
40 lubricating oil, asphalt, petrochemical feedstock, or other similar

1 product through the processing of crude oil or alternative feedstock,  
2 redistillation of unfinished petroleum derivatives, cracking, or  
3 other processes.

4 (B) The discharge results in a disruption to the community,  
5 including, but not limited to, residential displacement, shelter in  
6 place, evacuation, or destruction of property.

7 (C) The discharge contains or includes one or more toxic air  
8 contaminants, as identified by the state board pursuant to Section  
9 39657.

10 (2) A person shall be liable for a civil penalty of not more than  
11 one hundred thousand dollars (\$100,000) for a discharge subject  
12 to paragraph (1) if that discharge occurs within 12 months of a  
13 prior discharge subject to paragraph (1).

14 (b) Except as provided in subdivision (b) of Section 42402.2 or  
15 subdivision (b) or (c) of Section 42402.3, a civil penalty described  
16 in subdivision (a) shall apply on the initial date of a violation.

17 (c) If a violation of subdivision (a) continues to occur subsequent  
18 to the initial date of the violation, the civil penalty described in  
19 Section 42402, 42402.1, 42402.2, or 42402.3 shall apply to those  
20 subsequent days.

21 (d) The civil penalty described in paragraphs (1) and (2) of  
22 subdivision (a) shall not apply if the violation is caused by  
23 unforeseen and unforeseeable criminal acts, acts of war, acts of  
24 terrorism, or civil unrest.

25 (e) Civil penalties collected pursuant to this section above the  
26 costs of prosecution shall be expended to mitigate the effects of  
27 air pollution in communities affected by the violation.

28 SEC. 7. Section 42403 of the Health and Safety Code is  
29 amended to read:

30 42403. (a) The civil penalties prescribed in Sections 39674,  
31 42401, 42402, 42402.1, 42402.2, 42402.3, and 42402.6 shall be  
32 assessed and recovered in a civil action brought in the name of the  
33 people of the State of California by the Attorney General, by a  
34 district attorney, or by the attorney for the district in which the  
35 violation occurs in a court of competent jurisdiction.

36 (b) In determining the amount of the civil penalty assessed, the  
37 court, or in reaching a settlement, the district, shall take into  
38 consideration all relevant circumstances, including, but not limited  
39 to, the following:

40 (1) The extent of harm caused by the violation.



- 1 (2) The nature and persistence of the violation.
- 2 (3) The length of time over which the violation occurs.
- 3 (4) The frequency of past violations.
- 4 (5) The record of maintenance.
- 5 (6) The unproven or innovative nature of the control equipment.
- 6 (7) Action, if any, taken by the defendant, including the nature,
- 7 extent, and time of response of the cleanup and construction
- 8 undertaken, to mitigate the violation.
- 9 (8) The financial burden to the defendant.

10 *SEC. 8. Section 42412 is added to the Health and Safety Code,*  
11 *to read:*

12 *42412. In any action brought pursuant to this article, a*  
13 *prevailing plaintiff may recover its actual costs of investigation,*  
14 *expert witness fees, and reasonable attorney's fees.*

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AMENDED IN ASSEMBLY APRIL 25, 2022

AMENDED IN ASSEMBLY MARCH 31, 2022

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2214**

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**Introduced by Assembly Members Cristina Garcia and Lee**

February 15, 2022

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An act to amend Sections 17212, 17213.1, and 17251 of, and to add Article 3 (commencing with Section 17235) to Chapter 1 of Part 10.5 of Division 1 of Title 1 of, the Education Code, and to amend Sections ~~21084, 21151.2, 21151.2~~ and 21151.8 of the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 2214, as amended, Cristina Garcia. California Environmental Quality Act: schoolsites: acquisition of property: school districts, charter schools, and private schools.

(1) The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. CEQA prohibits an environmental impact report or negative declaration from being approved for any project involving the purchase of a schoolsite or the construction of a new elementary or secondary school by a school district unless certain conditions are met relating to, among other things, hazardous emissions or substances safety considerations, as provided.

Existing law requires the governing board of a school district, as a condition of receiving state funding under the Leroy F. Greene School Facilities Act of 1998, to conduct a Phase I environmental assessment of a proposed schoolsite before acquiring the site, as provided.

Existing law requires the State Department of Education, upon the request of the governing board of a school district, to advise the governing board on the acquisition of new schoolsites, as specified.

Existing law requires the governing board of a school district, before acquiring title to property for a new schoolsite or for an addition to a present schoolsite, to give notice in writing of the proposed acquisition to the planning commission. Existing law requires the planning commission to investigate the proposed site and submit a written report to the governing board of the school district, as provided. Existing law prohibits the governing board from acquiring title to the property until the report of the planning commission has been received.

This bill would impose those prohibitions, and related requirements, on the governing body of a charter school and the governing body of a private school, and would make the provisions relating to school districts also applicable to charter schools and private schools, as provided. The bill would apply the Phase I environmental assessment requirements to ~~school districts, charter schools,~~ *charter schools* and private schools, without conditioning the requirements on the receipt of state funds. By imposing new requirements on school districts, charter schools, lead agencies, cities, and counties, the bill would impose a state-mandated local program.

~~(2) Under existing law, CEQA requires the Office of Planning and Research to prepare and adopt guidelines to implement CEQA, and requires those guidelines to include a list of classes of projects that have been determined not to have a significant effect on the environment and that are required to be exempt from CEQA.~~

~~This bill would prohibit a project that involves demolition, construction, or alteration of a public school, including a charter school, or a private school from being exempted from CEQA pursuant to those guidelines.~~

~~(3)~~

(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 with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 17212 of the Education Code is amended  
2 to read:

3 17212. (a) (1) The governing board of a school district, or the  
4 governing body of a charter school, before acquiring any site on  
5 which it proposes to construct any school building as defined in  
6 Section 17283 shall have the site, or sites, under consideration  
7 investigated by competent personnel to ensure that the final site  
8 selection is determined by an evaluation of all factors affecting  
9 the public interest and is not limited to selection on the basis of  
10 raw land cost only. If the prospective schoolsite is located within  
11 the boundaries of any special studies zone or within an area  
12 designated as geologically hazardous in the safety element of the  
13 local general plan as provided in subdivision (g) of Section 65302  
14 of the Government Code, the investigation shall include any  
15 geological and soil engineering studies by competent personnel  
16 needed to provide an assessment of the nature of the site and  
17 potential for earthquake or other geologic hazard damage.

18 (2) The geological and soil engineering studies of the site shall  
19 be of a nature that will preclude siting of a school in any location  
20 where the geological and site characteristics are such that the  
21 construction effort required to make the school building safe for  
22 occupancy is economically unfeasible. No studies are required to  
23 be made if the site or sites under consideration have been the  
24 subject of adequate prior studies. The evaluation shall also include  
25 location of the site with respect to population, transportation, water  
26 supply, waste disposal facilities, utilities, traffic hazards, surface  
27 drainage conditions, and other factors affecting the operating costs,  
28 as well as the initial costs, of the total project.

29 (b) For the purposes of this article, “special studies zone” means  
30 an area that is identified as a special studies zone on any map, or  
31 maps, compiled by the State Geologist pursuant to Chapter 7.5

1 (commencing with Section 2621) of Division 2 of the Public  
2 Resources Code.

3 SEC. 2. Section 17213.1 of the Education Code is amended to  
4 read:

5 ~~17213.1. The governing board of a school district, the~~  
6 ~~governing~~

7 *17213.1. As a condition of receiving state funding pursuant to*  
8 *Chapter 12.5 (commencing with Section 17070.10), the governing*  
9 *board of a school district shall comply with subdivision (a), and*  
10 *is not required to comply with subdivision (a) of Section 17213,*  
11 *before acquiring a schoolsite, or if the school district owns or*  
12 *leases a schoolsite, before the construction of a project. The*  
13 *governing body of a charter school, school or the governing body*  
14 *of a private school shall comply with subdivision (a), before*  
15 *acquiring a schoolsite, or if the school district, charter school,*  
16 *charter school or private school owns or leases a schoolsite, before*  
17 *the construction of a project.*

18 (a) Before acquiring a schoolsite, the governing board or body  
19 shall contract with an environmental assessor to supervise the  
20 preparation of, and sign, a Phase I environmental assessment of  
21 the proposed schoolsite unless the governing board or body decides  
22 to proceed directly to a preliminary endangerment assessment, in  
23 which case it shall comply with paragraph (4).

24 (1) The Phase I environmental assessment shall contain one of  
25 the following recommendations:

- 26 (A) A further investigation of the site is not required.
- 27 (B) A preliminary endangerment assessment is needed, including
- 28 sampling or testing, to determine the following:
- 29 (i) If a release of hazardous material has occurred and, if so, the
- 30 extent of the release.
- 31 (ii) If there is the threat of a release of hazardous materials.
- 32 (iii) If a naturally occurring hazardous material is present.

33 (2) If the Phase I environmental assessment concludes that  
34 further investigation of the site is not required, the signed  
35 assessment, proof that the environmental assessor meets the  
36 qualifications specified in subdivision (b) of Section 17210, and  
37 the renewal fee shall be submitted to the Department of Toxic  
38 Substances Control. The Department of Toxic Substances Control  
39 shall conduct its review and approval, within 30 calendar days of  
40 its receipt of that assessment, proof of qualifications, and the

1 renewal fee. In those instances in which the Department of Toxic  
2 Substances Control requests additional information after receipt  
3 of the Phase I environmental assessment pursuant to paragraph  
4 (3), the Department of Toxic Substances Control shall conduct its  
5 review and approval within 30 calendar days of its receipt of the  
6 requested additional information. If the Department of Toxic  
7 Substances Control concurs with the conclusion of the Phase I  
8 environmental assessment that a further investigation of the site  
9 is not required, the Department of Toxic Substances Control shall  
10 approve the Phase I environmental assessment and shall notify, in  
11 writing, the State Department of Education and the governing  
12 board of the school district, the governing body of the charter  
13 school, or the governing body of the private school of the approval.

14 (3) If the Department of Toxic Substances Control determines  
15 that the Phase I environmental assessment is not complete or  
16 disapproves the Phase I environmental assessment, the department  
17 shall inform the school district, charter school, or private school  
18 of the decision, the basis for the decision, and actions necessary  
19 to secure department approval of the Phase I environmental  
20 assessment. The school district, charter school, or private school  
21 shall take actions necessary to secure the approval of the Phase I  
22 environmental assessment, elect to conduct a preliminary  
23 endangerment assessment, or elect not to pursue the acquisition  
24 or the construction project. To facilitate completion of the Phase  
25 I environmental assessment, the information required by this  
26 paragraph may be provided by telephonic or electronic means.

27 (4) (A) If the Department of Toxic Substances Control  
28 concludes after its review of a Phase I environmental assessment  
29 pursuant to this section that a preliminary endangerment assessment  
30 is needed, the Department of Toxic Substances Control shall notify,  
31 in writing, the State Department of Education and the governing  
32 board of the school district, the governing body of the charter  
33 school, or the governing body of the private school of that decision  
34 and the basis for that decision. The school district, charter school,  
35 or private school shall submit to the State Department of Education  
36 the Phase I environmental assessment and requested additional  
37 information, if any, that was reviewed by the Department of Toxic  
38 Substances Control pursuant to that subparagraph. Submittal of  
39 the Phase I assessment and additional information, if any, to the  
40 State Department of Education shall be before the State Department

1 of Education issuance of final site or plan approvals affected by  
2 that Phase I assessment.

3 (B) If the Phase I environmental assessment concludes that a  
4 preliminary endangerment assessment is needed, or if the  
5 Department of Toxic Substances Control concludes after it reviews  
6 a Phase I environmental assessment pursuant to this section that  
7 a preliminary endangerment assessment is needed, the school  
8 district, charter school, or private school shall either contract with  
9 an environmental assessor to supervise the preparation of, and  
10 sign, a preliminary endangerment assessment of the proposed  
11 schoolsite and enter into an agreement with the Department of  
12 Toxic Substances Control to oversee the preparation of the  
13 preliminary endangerment assessment or elect not to pursue the  
14 acquisition or construction project. The agreement entered into  
15 with the Department of Toxic Substances Control may be entitled  
16 an “Environmental Oversight Agreement” and shall reference this  
17 paragraph. A school district, charter school, or private school may,  
18 with the concurrence of the Department of Toxic Substances  
19 Control, enter into an agreement with the Department of Toxic  
20 Substances Control to oversee the preparation of a preliminary  
21 endangerment assessment without first having prepared a Phase I  
22 environmental assessment. Upon request from the school district,  
23 charter school, or private school, the Director of Toxic Substances  
24 Control shall exercise its authority to designate a person to enter  
25 the site and inspect and obtain samples pursuant to Section 25358.1  
26 of the Health and Safety Code, if the director determines that the  
27 exercise of that authority will assist in expeditiously completing  
28 the preliminary endangerment assessment. The preliminary  
29 endangerment assessment shall contain one of the following  
30 conclusions:

31 (i) A further investigation of the site is not required.

32 (ii) A release of hazardous materials has occurred, and if so, the  
33 extent of the release, that there is the threat of a release of  
34 hazardous materials, or that a naturally occurring hazardous  
35 material is present, or any combination thereof.

36 (5) The school district, charter school, or private school shall  
37 submit the preliminary endangerment assessment to the Department  
38 of Toxic Substances Control for its review and approval and to  
39 the State Department of Education for its files. The school district,  
40 charter school, or private school may entitle a document that is

1 meant to fulfill the requirements of a preliminary endangerment  
2 assessment a “preliminary environmental assessment” and that  
3 document shall be deemed to be a preliminary endangerment  
4 assessment if it specifically refers to the statutory provisions whose  
5 requirements it intends to meet and the document meets the  
6 requirements of a preliminary endangerment assessment.

7 (6) At the same time a school district, charter school, or private  
8 school submits a preliminary endangerment assessment to the  
9 Department of Toxic Substances Control pursuant to paragraph  
10 (5), the school district, charter school, or private school shall  
11 publish a notice that the assessment has been submitted to the  
12 department in a local newspaper of general circulation, and shall  
13 post the notice in a prominent manner at the proposed schoolsite  
14 that is the subject of that notice. The notice shall state the school  
15 district’s, charter school’s, or private school’s determination to  
16 make the preliminary endangerment assessment available for public  
17 review and comment pursuant to subparagraph (A) or ~~(B)~~: (C):

18 (A) If the school district, charter school, or private school  
19 chooses to make the assessment available for public review and  
20 comment pursuant to this subparagraph, it shall offer to receive  
21 written comments for a period of at least 30 calendar days after  
22 the assessment is submitted to the Department of Toxic Substances  
23 Control, commencing on the date the notice is originally published,  
24 and shall hold a public hearing to receive further comments. The  
25 school district, charter school, or private school shall make all of  
26 the following documents available to the public upon request  
27 through the time of the public hearing:

- 28 (i) The preliminary endangerment assessment.
- 29 (ii) The changes requested by the Department of Toxic  
30 Substances Control for the preliminary endangerment assessment,  
31 if any.
- 32 (iii) Any correspondence between the school district, charter  
33 school, or private school, and the Department of Toxic Substances  
34 Control that relates to the preliminary endangerment assessment.

35 ~~For the~~  
36 (B) ~~For the purposes of this subparagraph,~~ *subparagraph (A),*  
37 *the notice of the public hearing shall include the date and location*  
38 *of the public hearing, and the location where the public may review*  
39 *the documents described in clauses (i) to (iii), inclusive. inclusive,*  
40 *of subparagraph (A).* If the preliminary endangerment assessment



1 is revised or altered following the public hearing, the school  
2 district, charter school, or private school shall make those revisions  
3 or alterations available to the public. The school district, charter  
4 school, or private school shall transmit a copy of all public  
5 comments received by the school district, charter school, or private  
6 school on the preliminary endangerment assessment to the  
7 Department of Toxic Substances Control. The Department of Toxic  
8 Substances Control shall complete its review of the preliminary  
9 endangerment assessment and public comments received thereon  
10 and shall either approve or disapprove the assessment within 30  
11 calendar days of the close of the public review period. If the  
12 Department of Toxic Substances Control determines that it is likely  
13 to disapprove the assessment prior to its receipt of the public  
14 comments, it shall inform the school district, charter school, or  
15 private school of that determination and of any action that the  
16 school district, charter school, or private school is required to take  
17 for the Department of Toxic Substances Control to approve the  
18 assessment.

19 ~~(B)~~

20 (C) If the school district, charter school, or private school  
21 chooses to make the preliminary endangerment assessment  
22 available for public review and comment pursuant to this  
23 subparagraph, the Department of Toxic Substances Control shall  
24 complete its review of the assessment within 60 calendar days of  
25 receipt of the assessment and shall either return the assessment to  
26 the school district, charter school, or private school with comments  
27 and requested modifications or requested further assessment or  
28 concur with the adequacy of the assessment pending review of  
29 public comment. If the Department of Toxic Substances Control  
30 concurs with the adequacy of the assessment, and the school  
31 district, charter school, or private school proposes to proceed with  
32 site acquisition or a construction project, the school district, charter  
33 school, or private school shall make the assessment available to  
34 the public on the same basis and at the same time it makes available  
35 the draft environmental impact report or negative declaration  
36 pursuant to the California Environmental Quality Act (Division  
37 13 (commencing with Section 21000) of the Public Resources  
38 Code) for the site, unless the document developed pursuant to the  
39 California Environmental Quality Act (Division 13 (commencing  
40 with Section 21000) of the Public Resources Code) will not be

1 made available until more than 90 days after the assessment is  
2 approved, in which case the school district, charter school, or  
3 private school shall, within 60 days of the approval of the  
4 assessment, separately publish a notice of the availability of the  
5 assessment for public review in a local newspaper of general  
6 circulation. The school district, charter school, or private school  
7 shall hold a public hearing on the preliminary endangerment  
8 assessment and the draft environmental impact report or negative  
9 declaration at the same time, pursuant to the California  
10 Environmental Quality Act (Division 13 (commencing with Section  
11 21000) of the Public Resources Code). All public comments  
12 pertaining to the preliminary endangerment assessment shall be  
13 forwarded to the Department of Toxic Substances Control  
14 immediately. The Department of Toxic Substances Control shall  
15 review the public comments forwarded by the school district,  
16 charter school, or private school, and shall approve or disapprove  
17 the preliminary endangerment assessment within 30 days of the  
18 district's, charter school's, or private school's approval action of  
19 the environmental impact report or the negative declaration.

20 (7) The school district, charter school, or private school shall  
21 comply with the public participation requirements of Sections  
22 25358.7 and 25358.7.1 of the Health and Safety Code and other  
23 applicable provisions of the state act with respect to those response  
24 actions only if further response actions beyond a preliminary  
25 endangerment assessment are required and the school district,  
26 charter school, or private school determines that it will proceed  
27 with the acquisition or construction project.

28 (8) If the Department of Toxic Substances Control disapproves  
29 the preliminary endangerment assessment, it shall inform the school  
30 district, charter school, or private school of the decision, the basis  
31 for the decision, and actions necessary to secure the Department  
32 of Toxic Substances Control approval of the assessment. The  
33 school district, charter school, or private school shall take actions  
34 necessary to secure the approval of the Department of Toxic  
35 Substances Control of the preliminary endangerment assessment  
36 or elect not to pursue the acquisition or construction project.

37 (9) If the preliminary endangerment assessment determines that  
38 a further investigation of the site is not required and the Department  
39 of Toxic Substances Control approves this determination, it shall  
40 notify the State Department of Education and the school district,

1 charter school, or private school of its approval. The school district,  
2 charter school, or private school may then proceed with the  
3 acquisition or construction project.

4 (10) If the preliminary endangerment assessment determines  
5 that a release of hazardous material has occurred, that there is the  
6 threat of a release of hazardous materials, that a naturally occurring  
7 hazardous material is present, or any combination thereof, that  
8 requires further investigation, and the Department of Toxic  
9 Substances Control approves this determination, the school district,  
10 charter school, or private school may elect not to pursue the  
11 acquisition or construction project. If the school district, charter  
12 school, or private school elects to pursue the acquisition or  
13 construction project, it shall do all of the following:

14 (A) Prepare a financial analysis that estimates the cost of  
15 response action that will be required at the proposed schoolsite.

16 (B) Assess the benefits that accrue from using the proposed  
17 schoolsite when compared to the use of alternative schoolsites, if  
18 any.

19 (C) Obtain the approval of the State Department of Education  
20 that the proposed schoolsite meets the schoolsite selection standards  
21 adopted by the State Department of Education pursuant to  
22 subdivision (b) of Section 17251.

23 (D) Evaluate the suitability of the proposed schoolsite in light  
24 of the recommended alternative schoolsite locations in order of  
25 merit if the school district has requested the assistance of the State  
26 Department of Education, based upon the standards of the State  
27 Department of Education, pursuant to subdivision (a) of Section  
28 17251.

29 (11) The school district, charter school, or private school shall  
30 reimburse the Department of Toxic Substances Control for all of  
31 the department’s response costs.

32 (b) The costs incurred by the school districts when complying  
33 with this section are allowable costs for purposes of an applicant  
34 under Chapter 12.5 (commencing with Section 17070.10) of Part  
35 10 and may be reimbursed in accordance with Section 17072.13.

36 (c) A school district, charter school, or private school that  
37 releases a Phase I environmental assessment, a preliminary  
38 endangerment assessment, or information concerning either of  
39 these assessments, any of which is required by this section, may  
40 not be held liable in any action filed against the school district,

1 charter school, or private school for making either of these  
2 assessments available for public review.

3 (d) The changes made to this section by the act amending this  
4 section during the 2001 portion of the 2001–02 Regular Session  
5 do not apply to a schoolsite acquisition project or a school  
6 construction project, if either of the following occurred on or before  
7 the effective date of the act amending this section during the 2001  
8 portion of the 2001–02 Regular Session:

9 (1) The final preliminary endangerment assessment for the  
10 project was approved by the Department of Toxic Substances  
11 Control pursuant to this section as this section read on the date of  
12 the approval.

13 (2) The school district seeking state funding for the project  
14 completed a public hearing for the project pursuant to this section,  
15 as this section read on the date of the hearing.

16 ~~(e) The changes made to this section by Assembly Bill 2214 of  
17 the 2021–22 Regular Session apply to a schoolsite acquisition  
18 project or a schoolsite construction project pending approval before  
19 a local or state agency on or before January 1, 2023, in addition  
20 to a new schoolsite acquisition project or a schoolsite construction  
21 project on or after January 1, 2023.~~

22 SEC. 3. Article 3 (commencing with Section 17235) is added  
23 to Chapter 1 of Part 10.5 of Division 1 of Title 1 of the Education  
24 Code, to read:

25

26 Article 3. Charter School and Private School Schoolsites

27

28 17235. (a) For purposes of this section, the following  
29 definitions apply:

30 (1) “Administering agency” means an agency authorized  
31 pursuant to Section 25502 of the Health and Safety Code to  
32 implement and enforce Chapter 6.95 (commencing with Section  
33 25500) of Division 20 of the Health and Safety Code.

34 (2) “Extremely hazardous substance” has the same meaning as  
35 defined in paragraph (2) of subdivision (i) of Section 25532 of the  
36 Health and Safety Code.

37 (3) “Facilities” means a source with a potential to use, generate,  
38 emit, or discharge hazardous air pollutants, including, but not  
39 limited to, pollutants that meet the definition of a hazardous  
40 substance, and whose process or operation is identified as an

1 emission source pursuant to the most recent list of source categories  
2 published by the State Air Resources Board.

3 (4) “Freeway or other busy traffic corridor” means those  
4 roadways that, on an average day, have traffic in excess of 50,000  
5 vehicles in a rural area, as defined in Section 50101 of the Health  
6 and Safety Code, and 100,000 vehicles in an urban area, as defined  
7 in Section 50104.7 of the Health and Safety Code.

8 (5) “Handle” has the same meaning as defined in Section 25501  
9 of the Health and Safety Code.

10 (6) “Hazardous air emissions” means emissions into the ambient  
11 air of air contaminants that have been identified as a toxic air  
12 contaminant by the State Air Resources Board or by the air  
13 pollution control officer for the jurisdiction in which the project  
14 is located. As determined by the air pollution control officer,  
15 hazardous air emissions also means emissions into the ambient air  
16 from any substances identified in subdivisions (a) to (f), inclusive,  
17 of Section 44321 of the Health and Safety Code.

18 (7) “Hazardous substance” has the same meaning as defined in  
19 Section 25316 of the Health and Safety Code.

20 (8) “Hazardous waste” has the same meaning as defined in  
21 Section 25117 of the Health and Safety Code.

22 (9) “Hazardous waste disposal site” has the same meaning as  
23 “disposal site,” as defined in Section 25114 of the Health and  
24 Safety Code.

25 (b) The governing body of a charter school or the governing  
26 board of a private school shall not approve the acquisition or  
27 purchase of a schoolsite, or the construction of a new elementary  
28 or secondary school, by, or for use by, a charter school or a private  
29 school unless all of the following occur:

30 (1) The city or county determines that the property proposed to  
31 be acquired or purchased, or to be constructed upon, is not any of  
32 the following:

33 (A) The site of a current or former hazardous waste disposal  
34 site or solid waste disposal site, unless, if the site was a former  
35 solid waste disposal site, the city or county concludes that the  
36 wastes have been removed.

37 (B) A hazardous substance release site identified by the  
38 Department of Toxic Substances Control in a current list adopted  
39 pursuant to Section 25356 of the Health and Safety Code for

1 removal or remedial action pursuant to Chapter 6.8 (commencing  
2 with Section 25300) of Division 20 of the Health and Safety Code.

3 (C) A site that contains one or more pipelines, situated  
4 underground or aboveground, that carry hazardous substances,  
5 extremely hazardous substances, or hazardous wastes, unless the  
6 pipeline is a natural gas line that is used only to supply natural gas  
7 to that school or neighborhood, or other nearby schools.

8 (2) (A) The governing body or board has notified in writing  
9 and consulted with the administering agency in which the proposed  
10 schoolsite is located, and with any air pollution control district or  
11 air quality management district having jurisdiction in the area, to  
12 identify both permitted and nonpermitted facilities within that  
13 district's authority, including, but not limited to, freeways or other  
14 busy traffic corridors, large agricultural operations, and railyards,  
15 within one-fourth of one mile of the proposed schoolsite, that might  
16 reasonably be anticipated to emit hazardous emissions or handle  
17 hazardous or extremely hazardous substances or waste. The  
18 notification by the governing body or board shall include a list of  
19 the locations for which information is sought.

20 (B) Each administering agency, air pollution control district, or  
21 air quality management district receiving written notification from  
22 a governing body or board to identify facilities pursuant to  
23 subparagraph (A) shall provide the requested information and  
24 provide a written response to the governing body or board within  
25 30 days of receiving the notification.

26 (3) The city or county makes one of the following written  
27 findings:

28 (A) Consultation identified no facilities of the type specified in  
29 paragraph (2) or other significant pollution sources.

30 (B) One or more facilities specified in paragraph (2) or other  
31 pollution sources exist, but one of the following conditions applies:

32 (i) The health risks from the facilities or other pollution sources  
33 do not and will not constitute an actual or potential endangerment  
34 of public health to persons who would attend or be employed at  
35 the proposed school.

36 (ii) Corrective measures required under an existing order by  
37 another agency having jurisdiction over the facilities or other  
38 pollution sources will, before the school is occupied, result in the  
39 mitigation of all chronic or accidental hazardous air emissions to  
40 levels that do not constitute an actual or potential endangerment

1 of public health to persons who would attend or be employed at  
2 the proposed school. If the city or county makes a finding pursuant  
3 to this clause, it shall also make a subsequent finding, before  
4 occupancy of the school, that the emissions have been so mitigated.

5 (iii) For a schoolsite with a boundary that is within 500 feet of  
6 the edge of the closest traffic lane of a freeway or other busy traffic  
7 corridor, the city or county determines, through analysis pursuant  
8 to paragraph (2) of subdivision (b) of Section 44360 of the Health  
9 and Safety Code, based on appropriate air dispersion modeling,  
10 and after considering any potential mitigation measures, that the  
11 air quality at the proposed site is such that neither short-term nor  
12 long-term exposure poses significant health risks to pupils.

13 (C) One or more facilities specified in paragraph (2) or other  
14 pollution sources exist, but conditions in clause (i), (ii), or (iii) of  
15 subparagraph (B) cannot be met, and the charter school or private  
16 school is unable to locate an alternative site that is suitable due to  
17 a severe shortage of sites that meet the requirements in this section.

18 SEC. 4. Section 17251 of the Education Code is amended to  
19 read:

20 17251. The department shall:

21 (a) Upon the request of the governing board of a school district  
22 or the governing body of a charter school, advise the governing  
23 board of the school district or the governing body of the charter  
24 school on the acquisition of new schoolsites and, after a review of  
25 available plots, give the governing board of the school district or  
26 the governing body of the charter school in writing a list of the  
27 recommended locations in the order of their merit, considering  
28 especially the matters of educational merit, safety, reduction of  
29 traffic hazards, and conformity to the land use element in the  
30 general plan of the city, county, or city and county having  
31 jurisdiction. The governing board of the school district or the  
32 governing body of the charter school may purchase a site deemed  
33 unsuitable for school purposes by the department only after  
34 reviewing the report of the department on proposed sites at a public  
35 hearing. The department shall charge the school district or charter  
36 school a reasonable fee for each schoolsite reviewed not to exceed  
37 the actual administrative costs incurred for that purpose.

38 (b) Develop standards for use by a school district or charter  
39 school in the selection of schoolsites, in accordance with the  
40 objectives set forth in subdivision (a). The department shall

1 investigate complaints of noncompliance with site selection  
2 standards, and shall notify the governing board of the school district  
3 or the governing body of the charter school of the results of the  
4 investigation. If that notification is received before the acquisition  
5 of the site, the governing board of the school district or the  
6 governing body of the charter school shall discuss the findings of  
7 the investigation in a public hearing.

8 (c) Establish standards for use by school districts and charter  
9 schools to ensure that the design and construction of school  
10 facilities are educationally appropriate, promote school safety, and  
11 provide school districts and charter schools with flexibility in  
12 designing instructional facilities.

13 (d) Upon the request of the governing board of a school district  
14 or the governing body of a charter school, review plans and  
15 specifications for school buildings in the school district or charter  
16 school. The department shall charge the school district or charter  
17 school, for the review of plans and specifications, a reasonable fee  
18 not to exceed the actual administrative costs incurred for that  
19 purpose.

20 (e) Upon the request of the governing board of a school district  
21 or the governing body of a charter school, make a survey of the  
22 building needs of the school district or charter school, advise the  
23 governing board of the school district or the governing body of  
24 the charter school concerning the building needs, and suggest plans  
25 for financing a building program to meet the needs. The department  
26 shall charge the school district or charter school, for the cost of  
27 the survey, a reasonable fee not to exceed the actual administrative  
28 costs incurred for that purpose.

29 (f) Provide information relating to the impact or potential impact  
30 upon a schoolsite of hazardous substances, solid waste, safety,  
31 hazardous air emissions, and other information as the department  
32 may deem appropriate.

33 (g) (1) Develop strategies to assist small school districts with  
34 technical assistance relating to school construction and the funding  
35 of school facilities. The strategies may include informing those  
36 small school districts of how to receive the approval required for  
37 school construction, including the requirements of the Division of  
38 the State Architect, and how to secure state funding, including  
39 from the state bond funds made available pursuant to the Leroy F.



1 Greene School Facilities Act of 1998 (Chapter 12.5 (commencing  
2 with Section 17070.10) of Part 10).

3 (2) For purposes of this subdivision, “small school district”  
4 means a school district with fewer than 2,501 units of average  
5 daily attendance.

6 ~~SEC. 5. Section 21084 of the Public Resources Code is~~  
7 ~~amended to read:~~

8 ~~21084. (a) The guidelines prepared and adopted pursuant to~~  
9 ~~Section 21083 shall include a list of classes of projects that have~~  
10 ~~been determined not to have a significant effect on the environment~~  
11 ~~and that shall be exempt from this division. In adopting the~~  
12 ~~guidelines, the Secretary of the Natural Resources Agency shall~~  
13 ~~make a finding that the listed classes of projects referred to in this~~  
14 ~~section do not have a significant effect on the environment.~~

15 ~~(b) A project’s greenhouse gas emissions shall not, in and of~~  
16 ~~themselves, be deemed to cause an exemption adopted pursuant~~  
17 ~~to subdivision (a) to be inapplicable if the project complies with~~  
18 ~~all applicable regulations or requirements adopted to implement~~  
19 ~~statewide, regional, or local plans consistent with Section 15183.5~~  
20 ~~of Title 14 of the California Code of Regulations.~~

21 ~~(c) A project that may result in damage to scenic resources,~~  
22 ~~including, but not limited to, trees, historic buildings, rock~~  
23 ~~outcroppings, or similar resources, within a highway designated~~  
24 ~~as an official state scenic highway, pursuant to Article 2.5~~  
25 ~~(commencing with Section 260) of Chapter 2 of Division 1 of the~~  
26 ~~Streets and Highways Code, shall not be exempted from this~~  
27 ~~division pursuant to subdivision (a). This subdivision does not~~  
28 ~~apply to improvements as mitigation for a project for which a~~  
29 ~~negative declaration has been approved or an environmental impact~~  
30 ~~report has been certified.~~

31 ~~(d) A project located on a site that is included on any list~~  
32 ~~compiled pursuant to Section 65962.5 of the Government Code~~  
33 ~~shall not be exempted from this division pursuant to subdivision~~  
34 ~~(a).~~

35 ~~(e) A project that may cause a substantial adverse change in the~~  
36 ~~significance of a historical resource, as specified in Section~~  
37 ~~21084.1, shall not be exempted from this division pursuant to~~  
38 ~~subdivision (a).~~

39 ~~(f) A project that involves demolition, construction, or alteration~~  
40 ~~of a public school, including a charter school, or a private school~~

1 shall not be exempted from this division pursuant to subdivision  
2 (a):

3 ~~SEC. 6.~~

4 *SEC. 5.* Section 21151.2 of the Public Resources Code is  
5 amended to read:

6 21151.2. (a) To promote the health and safety of pupils and  
7 comprehensive community planning, the governing board or body  
8 of each school district, charter school, or private school shall,  
9 before acquiring title to property for a new schoolsite or for an  
10 addition to a present schoolsite, give the planning commission  
11 having jurisdiction notice in writing of the proposed acquisition.

12 (b) The planning commission shall investigate the proposed site  
13 and within 30 days after receipt of the notice shall submit to the  
14 governing board or body of the school district, charter school, or  
15 private school a written report of the investigation and its  
16 recommendations concerning acquisition of the site.

17 (c) The governing board or body of the school district, charter  
18 school, or private school shall not acquire title to the property until  
19 the report of the planning commission has been received.

20 (d) If the report does not favor the acquisition of the property  
21 for a schoolsite, or for an addition to a present schoolsite, the  
22 governing board or body of the school district, charter school, or  
23 private school shall not acquire title to the property until 30 days  
24 after the commission's report is received.

25 ~~SEC. 7.~~

26 *SEC. 6.* Section 21151.8 of the Public Resources Code is  
27 amended to read:

28 21151.8. (a) A lead agency shall not certify an environmental  
29 impact report or approve a negative declaration for a project  
30 involving the purchase of a schoolsite or the construction of a new  
31 elementary or secondary school by a school district, a charter  
32 school, or a private school unless all of the following occur:

33 (1) The environmental impact report or negative declaration  
34 includes information that is needed to determine if the property  
35 proposed to be purchased, or to be constructed upon, is any of the  
36 following:

37 (A) The site of a current or former hazardous waste disposal  
38 site or solid waste disposal site and, if so, whether the wastes have  
39 been removed.

1 (B) A hazardous substance release site identified by the  
2 Department of Toxic Substances Control in a current list adopted  
3 pursuant to Section 25356 of the Health and Safety Code for  
4 removal or remedial action pursuant to Chapter 6.8 (commencing  
5 with Section 25300) of Division 20 of the Health and Safety Code.

6 (C) A site that contains one or more pipelines, situated  
7 underground or aboveground, that carries hazardous substances,  
8 extremely hazardous substances, or hazardous wastes, unless the  
9 pipeline is a natural gas line that is used only to supply natural gas  
10 to that school or neighborhood, or other nearby schools.

11 (D) A site that is within 500 feet of the edge of the closest traffic  
12 lane of a freeway or other busy traffic corridor.

13 (2) (A) The lead agency in preparing the environmental impact  
14 report or negative declaration has notified in writing and consulted  
15 with the administering agency in which the proposed schoolsite  
16 is located, pursuant to Section 2735.3 of Title 19 of the California  
17 Code of Regulations, and with any air pollution control district or  
18 air quality management district having jurisdiction in the area, to  
19 identify both permitted and nonpermitted facilities within that  
20 district’s authority, including, but not limited to, freeways or other  
21 busy traffic corridors, large agricultural operations, and railyards,  
22 within one-fourth of one mile of the proposed schoolsite, that might  
23 reasonably be anticipated to emit hazardous emissions or handle  
24 hazardous or extremely hazardous substances or waste. The  
25 notification by the lead agency shall include a list of the locations  
26 for which information is sought.

27 (B) Each administering agency, air pollution control district, or  
28 air quality management district receiving written notification from  
29 a lead agency to identify facilities pursuant to subparagraph (A)  
30 shall provide the requested information and provide a written  
31 response to the lead agency within 30 days of receiving the  
32 notification. The environmental impact report or negative  
33 declaration shall be conclusively presumed to comply with  
34 subparagraph (A) as to the area of responsibility of an agency that  
35 does not respond within 30 days.

36 (C) If the lead agency has carried out the consultation required  
37 by subparagraph (A), the environmental impact report or the  
38 negative declaration shall be conclusively presumed to comply  
39 with subparagraph (A), notwithstanding any failure of the

1 consultation to identify an existing facility or other pollution source  
2 specified in subparagraph (A).

3 (3) The lead agency makes one of the following written findings:

4 (A) Consultation identified no facilities of this type or other  
5 significant pollution sources specified in paragraph (2).

6 (B) The facilities or other pollution sources specified in  
7 paragraph (2) exist, but one of the following conditions applies:

8 (i) The health risks from the facilities or other pollution sources  
9 do not and will not constitute an actual or potential endangerment  
10 of public health to persons who would attend or be employed at  
11 the proposed school.

12 (ii) Corrective measures required under an existing order by  
13 another agency having jurisdiction over the facilities or other  
14 pollution sources will, before the school is occupied, result in the  
15 mitigation of all chronic or accidental hazardous air emissions to  
16 levels that do not constitute an actual or potential endangerment  
17 of public health to persons who would attend or be employed at  
18 the proposed school. If the lead agency makes a finding pursuant  
19 to this clause, it shall also make a subsequent finding, before  
20 occupancy of the school, that the emissions have been so mitigated.

21 (iii) For a schoolsite with a boundary that is within 500 feet of  
22 the edge of the closest traffic lane of a freeway or other busy traffic  
23 corridor, the lead agency determines, through analysis pursuant to  
24 paragraph (2) of subdivision (b) of Section 44360 of the Health  
25 and Safety Code, based on appropriate air dispersion modeling,  
26 and after considering any potential mitigation measures, that the  
27 air quality at the proposed site is such that neither short-term nor  
28 long-term exposure poses significant health risks to pupils.

29 (C) The facilities or other pollution sources specified in  
30 paragraph (2) exist, but conditions in clause (i), (ii), or (iii) of  
31 subparagraph (B) cannot be met, and the lead agency is unable to  
32 locate an alternative site that is suitable due to a severe shortage  
33 of sites that meet the requirements in subdivision (a) of Section  
34 17213 of the Education Code. If the lead agency makes this finding,  
35 the lead agency shall adopt a statement of overriding considerations  
36 pursuant to Section 15093 of Title 14 of the California Code of  
37 Regulations.

38 (b) For purposes of this section, the following definitions apply:

39 (1) "Administering agency" means an agency authorized  
40 pursuant to Section 25502 of the Health and Safety Code to

1 implement and enforce Chapter 6.95 (commencing with Section  
2 25500) of Division 20 of the Health and Safety Code.

3 (2) “Extremely hazardous substances” means an extremely  
4 hazardous substance, as defined pursuant to paragraph (2) of  
5 subdivision (i) of Section 25532 of the Health and Safety Code.

6 (3) “Facilities” means a source with a potential to use, generate,  
7 emit, or discharge hazardous air pollutants, including, but not  
8 limited to, pollutants that meet the definition of a hazardous  
9 substance, and whose process or operation is identified as an  
10 emission source pursuant to the most recent list of source categories  
11 published by the State Air Resources Board.

12 (4) “Freeway or other busy traffic corridor” means those  
13 roadways that, on an average day, have traffic in excess of 50,000  
14 vehicles in a rural area, as defined in Section 50101 of the Health  
15 and Safety Code, and 100,000 vehicles in an urban area, as defined  
16 in Section 50104.7 of the Health and Safety Code.

17 (5) “Handle” means handle as defined in Article 1 (commencing  
18 with Section 25500) of Chapter 6.95 of Division 20 of the Health  
19 and Safety Code.

20 (6) “Hazardous air emissions” means emissions into the ambient  
21 air of air contaminants that have been identified as a toxic air  
22 contaminant by the State Air Resources Board or by the air  
23 pollution control officer for the jurisdiction in which the project  
24 is located. As determined by the air pollution control officer,  
25 hazardous air emissions also means emissions into the ambient air  
26 from any substances identified in subdivisions (a) to (f), inclusive,  
27 of Section 44321 of the Health and Safety Code.

28 (7) “Hazardous substance” means a substance defined in Section  
29 25316 of the Health and Safety Code.

30 (8) “Hazardous waste” means a waste defined in Section 25117  
31 of the Health and Safety Code.

32 (9) “Hazardous waste disposal site” means a site defined in  
33 Section 25114 of the Health and Safety Code.

34 ~~SEC. 8.~~

35 *SEC. 7.* No reimbursement is required by this act pursuant to  
36 Section 6 of Article XIII B of the California Constitution because  
37 a local agency or school district has the authority to levy service  
38 charges, fees, or assessments sufficient to pay for the program or  
39 level of service mandated by this act, within the meaning of Section  
40 17556 of the Government Code.

1     However, if the Commission on State Mandates determines that  
2     this act contains other costs mandated by the state, reimbursement  
3     to local agencies and school districts for those costs shall be made  
4     pursuant to Part 7 (commencing with Section 17500) of Division  
5     4 of Title 2 of the Government Code.

O

AMENDED IN ASSEMBLY MARCH 10, 2022

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2721**

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**Introduced by Assembly Member Lee**

February 18, 2022

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An act to amend Section 40227 of the Health and Safety Code, relating to the Bay Area Air Quality Management District.

LEGISLATIVE COUNSEL'S DIGEST

AB 2721, as amended, Lee. Bay Area Air Quality Management District: district board: ~~compensation and expenses.~~ *compensation.*

Existing law establishes the Bay Area Air Quality Management District, which is vested with the authority to regulate air emissions located in the boundaries of the Counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara and portions of the Counties of Solano and Sonoma. Existing law establishes a district board to govern the district and prescribes the membership of the district board. Existing law authorizes the district board to provide, by ordinance, compensation *not to exceed \$100 per day* for board members for attending meetings *of the board or committees of the board* or while on official business of the ~~district and~~ *district and not to exceed \$6,000 per year.* Existing law also requires board members to receive actual and necessary expenses incurred in the performance of their ~~duties,~~ as specified: *duties.*

This bill would state the intent of the Legislature to enact subsequent legislation that would make changes to the compensation and expenses that members of the district board receive in the performance of their board duties: *revise the amount of compensation that a member of the board may receive for attending a meeting of the board or attending a*

meeting while on official business of the district to an amount not to exceed \$100 per meeting and \$200 per day. The bill would also authorize a member of the board to receive compensation for active transportation travel to one of these meetings and would subject this compensation to the \$6,000 total annual compensation limit.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 40227 of the Health and Safety Code is  
2 amended to read:

3 40227. (a) Each member of the bay district board shall receive  
4 actual and necessary expenses incurred in the performance of ~~board~~  
5 ~~duties, and board duties.~~

6 (b) Each member of the bay district board may receive  
7 compensation, to be determined by the bay district ~~board, not to~~  
8 ~~exceed one hundred dollars (\$100) for each day attending the~~  
9 ~~meetings board subject to subdivision (c), for any of the following:~~

10 (1) Attending a meeting of the bay district board ~~and or a~~  
11 ~~committee meetings thereof, or, of the bay district board.~~

12 (2) Attending a meeting, upon authorization of the bay district  
13 board, while on official business of the bay ~~district, but the~~ district.

14 (3) Active transportation travel to a meeting described in  
15 paragraph (1) or (2).

16 (c) The compensation provided for attending a meeting pursuant  
17 to paragraph (1) or (2) of subdivision (b) shall not exceed one  
18 hundred dollars (\$100) for each meeting and shall not exceed two  
19 hundred dollars (\$200) per day. The compensation provided  
20 pursuant to subdivision (b) shall not exceed six thousand dollars  
21 (\$6,000) in any one year. ~~Compensation~~

22 (d) Compensation pursuant to this section shall be fixed by  
23 ordinance.

24 SECTION 1. ~~In order to promote active transportation, reduce~~  
25 ~~air pollution, and protect public health in the bay area region, it is~~  
26 ~~the intent of the Legislature to enact subsequent legislation that~~  
27 ~~would make changes to the compensation and expenses that~~



- 1 ~~members of the board of the Bay Area Air Quality Management~~
- 2 ~~District receive in the performance of their board duties.~~

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AMENDED IN ASSEMBLY MARCH 30, 2022

AMENDED IN ASSEMBLY MARCH 24, 2022

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2836**

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**Introduced by Assembly Member Eduardo Garcia**

February 18, 2022

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An act to amend Sections 40612, 41081, 44225, 44229, 44275, 44280, 44281, 44282, 44283, and 44287 of the Health and Safety Code, to amend Sections 42885 and 42889 of the Public Resources Code, and to amend Section 9250.2 of the Vehicle Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 2836, as amended, Eduardo Garcia. Carl Moyer Memorial Air Quality Standards Attainment Program: vehicle registration fees: California tire fee.

(1) Existing law establishes the Carl Moyer Memorial Air Quality Standards Attainment Program (Carl Moyer Program), which is administered by the State Air Resources Board, to provide grants to offset the incremental cost of eligible projects that reduce emissions of air pollutants from sources in the state and for funding a fueling infrastructure demonstration program and technology development efforts. Existing law, beginning January 1, 2024, limits the Carl Moyer Program to funding projects that reduce emissions of oxides of nitrogen (NOx) from covered sources. Existing law, until January 1, 2024, defines covered source for purposes of the Carl Moyer Program to include any marine vessel and any other category necessary for the state and air districts to meet air quality goals.

This bill would extend the current authorization for the Carl Moyer Program to fund a broader range of projects that reduce emissions from covered sources until January 1, ~~2038~~. 2033.

(2) Existing law authorizes the Sacramento Metropolitan Air Quality Management District to adopt a surcharge on motor vehicle registration fees applicable to all motor vehicles registered in counties within the district. Existing law, until January 1, 2024, raises the limit on the amount of that surcharge from \$4 to \$6 and requires that \$2 of the surcharge be used to implement the Carl Moyer Program, among other programs. Existing law requires the Department of Motor Vehicles to collect that surcharge if requested by the district, and requires the department, after deducting its administrative costs, to distribute the revenues to the district. Beginning January 1, 2024, existing law returns the surcharge limit to its previous amount of \$4.

This bill would extend the authorization to increase the surcharge to \$6 until January 1, ~~2038~~. 2033.

(3) Existing law authorizes an air pollution control or air quality management district, except the Sacramento district, to levy a surcharge on the registration fees for motor vehicles registered in the air district, as specified by the governing body of the air district. Existing law requires the Department of Motor Vehicles to collect that surcharge if requested by an air district, and requires the department, after deducting its administrative costs, to distribute the revenues to the air districts. Existing law, until January 1, 2024, raises the limit on the amount of that surcharge from \$4 to \$6 and requires that \$2 of the surcharge be used to implement the Carl Moyer Program, among other programs. Beginning January 1, 2024, existing law returns the surcharge limit to its previous amount of \$4. Existing law authorizes the San Joaquin Valley Unified Air Pollution Control District to increase the surcharge up to, but not exceeding, \$30 for incentive-based programs to achieve surplus emissions reductions, as specified, and authorizes an adopted increased surcharge to be charged in any fiscal years 2009–10 to 2023–24, inclusive.

This bill would extend the authorization to increase the surcharge to \$6 until January 1, ~~2038~~. 2033. The bill would also extend the authorization for the San Joaquin Valley Unified Air Pollution Control District to charge an adopted increased surcharge up to, but not exceeding, \$30, through fiscal year ~~2037–38~~. 2032–33.

(4) Existing law imposes, until January 1, 2024, a California tire fee of \$1.75 per tire on a person who purchases a new tire, with the revenues

generated to be allocated for prescribed purposes related to disposal and use of used tires. Existing law requires that \$0.75 per tire on which the fee is imposed be deposited in the Air Pollution Control Fund with these moneys to be available upon appropriation by the Legislature for use by the state board and air districts for specified purposes. Existing law reduces the tire fee to \$0.75 per tire on and after January 1, 2024.

This bill would extend the collection of the tire fee at \$1.75 per tire until January 1, ~~2038~~, 2033, and would therefore impose a tax.

(5) 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.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 40612 of the Health and Safety Code is  
2 amended to read:  
3 40612. (a) In order to provide funding for air pollution control  
4 programs needed to achieve and maintain state and federal air  
5 quality, the district may do both of the following:  
6 (1) Notwithstanding the limits on the amount of the motor  
7 vehicle fee specified in Sections 44223 and 44225, increase the  
8 fee established pursuant to these sections to up to, but not  
9 exceeding, thirty dollars (\$30) per motor vehicle per year for the  
10 purposes of establishing and implementing incentive-based  
11 programs to achieve surplus emissions reductions that the district  
12 determines are needed to remediate air pollution harms created by  
13 motor vehicles on which the fee is imposed and that are intended  
14 to achieve and maintain state and federal ambient air quality  
15 standards required by the federal Clean Air Act (42 U.S.C. Sec.  
16 7401 et seq.). Except for the amount of the fee, any increase shall  
17 be subject to Chapter 7 (commencing with Section 44220) of Part  
18 5, including, but not limited to, the adoption of a resolution  
19 providing for both the fee increase and a corresponding program  
20 for expenditure of the moneys raised by the increased fees for the  
21 reduction of mobile source emissions.

1 (2) Notwithstanding Section 40717.9, adopt rules and regulations  
2 to reduce vehicle trips in order to reduce air pollution from  
3 vehicular sources.

4 (b) Fees adopted pursuant to this section are in addition to any  
5 other fees imposed by the district, and may be charged in any of  
6 fiscal years 2009–10 to ~~2037–38~~, 2032–33, inclusive. Fees may  
7 be assessed after the 2012–13 fiscal year only if the United States  
8 Environmental Protection Agency approves the district’s proposed  
9 reclassification of its nonattainment status for ozone from severe  
10 to extreme. The fees adopted pursuant to this section are for the  
11 district portion of the total amount needed to achieve and maintain  
12 state and federal ambient air quality standards. At least ten million  
13 dollars (\$10,000,000) shall be used to mitigate the impacts of air  
14 pollution on public health and the environment in  
15 disproportionately impacted environmental justice communities  
16 in the San Joaquin Valley. The district board shall convene an  
17 environmental justice advisory committee, selected from a list  
18 given to the board by environmental justice groups from the San  
19 Joaquin Valley, to recommend the neighborhoods in the district  
20 that constitute environmental justice communities, and how to  
21 expend funds within these communities.

22 (c) (1) The fees adopted pursuant to this section shall become  
23 effective after the state board makes both of the following findings:

24 (A) The district has undertaken all feasible measures to reduce  
25 nonattainment air pollutants from sources within the district’s  
26 jurisdiction and regulatory control.

27 (B) The district has notified the state board that fees have been  
28 adopted pursuant to this section and provided the state board with  
29 an estimate of the total funds that will be provided annually by  
30 each of those fees.

31 (2) The state board shall file a written copy of its findings made  
32 pursuant to this subdivision with the Secretary of State within two  
33 days of its determination.

34 (3) The fees adopted pursuant to this section shall be collected  
35 nine months after the requirements of paragraph (2) are met.

36 SEC. 2. Section 41081 of the Health and Safety Code, as  
37 amended by Section 2 of Chapter 401 of the Statutes of 2013, is  
38 amended to read:

39 41081. (a) Subject to Article 3.7 (commencing with Section  
40 53720) of Chapter 4 of Part 1 of Division 2 of Title 5 of the

1 Government Code, or with the approval of the board of supervisors  
2 of each county included, in whole or in part, within the Sacramento  
3 district, the Sacramento district board may adopt a surcharge on  
4 the motor vehicle registration fees applicable to all motor vehicles  
5 registered in those counties within the Sacramento district whose  
6 boards of supervisors have adopted a resolution approving the  
7 surcharge. The surcharge shall be collected by the Department of  
8 Motor Vehicles and, after deducting the department's  
9 administrative costs, the remaining funds shall be transferred to  
10 the Sacramento district. Before the adoption of any surcharge  
11 pursuant to this subdivision, the district board shall make a finding  
12 that any funds allocated to the district as a result of the adoption  
13 of a county transportation sales and use tax are insufficient to carry  
14 out the purposes of this chapter.

15 (b) The surcharge shall not exceed four dollars (\$4).

16 (c) After consulting with the Department of Motor Vehicles on  
17 the feasibility thereof, the Sacramento district board may provide,  
18 in the surcharge adopted pursuant to subdivision (a), to exempt  
19 from all or part of the surcharge any category of low-emission  
20 motor vehicle.

21 (d) Funds received by the Sacramento district pursuant to this  
22 section shall be used to implement the strategy with respect to the  
23 reduction in emissions from vehicular sources, including, but not  
24 limited to, a clean fuels program and motor vehicle use reduction  
25 measures. Not more than 5 percent of the funds collected pursuant  
26 to this section shall be used by the district for administrative  
27 expenses.

28 (e) This section shall become operative on January 1, ~~2038~~.  
29 2033.

30 SEC. 3. Section 41081 of the Health and Safety Code, as  
31 amended by Section 1 of Chapter 610 of the Statutes of 2015, is  
32 amended to read:

33 41081. (a) Subject to Article 3.7 (commencing with Section  
34 53720) of Chapter 4 of Part 1 of Division 2 of Title 5 of the  
35 Government Code, or with the approval of the board of supervisors  
36 of each county included, in whole or in part, within the Sacramento  
37 district, the Sacramento district board may adopt a surcharge on  
38 the motor vehicle registration fees applicable to all motor vehicles  
39 registered in those counties within the Sacramento district whose  
40 boards of supervisors have adopted a resolution approving the

1 surcharge. The surcharge shall be collected by the Department of  
 2 Motor Vehicles and, after deducting the department's  
 3 administrative costs, the remaining funds shall be transferred to  
 4 the Sacramento district. Before the adoption of any surcharge  
 5 pursuant to this subdivision, the district board shall make a finding  
 6 that any funds allocated to the district as a result of the adoption  
 7 of a county transportation sales and use tax are insufficient to carry  
 8 out the purposes of this chapter.

9 (b) The surcharge shall not exceed six dollars (\$6).

10 (c) After consulting with the Department of Motor Vehicles on  
 11 the feasibility thereof, the Sacramento district board may provide,  
 12 in the surcharge adopted pursuant to subdivision (a), to exempt  
 13 from all or part of the surcharge any category of low-emission  
 14 motor vehicle.

15 (d) Funds received by the Sacramento district pursuant to this  
 16 section shall be used by that district as follows:

17 (1) The revenues resulting from the first four dollars (\$4) of  
 18 each surcharge shall be used to implement reductions in emissions  
 19 from vehicular sources, including, but not limited to, a clean fuels  
 20 program and motor vehicle use reduction measures.

21 (2) The revenues resulting from the next two dollars (\$2) of  
 22 each surcharge shall be used to implement the following programs  
 23 that achieve emission reductions from vehicular sources and  
 24 off-road engines, to the extent that the district determines the  
 25 program remediates air pollution harms created by motor vehicles  
 26 on which the surcharge is imposed:

27 (A) Projects eligible for grants under the Carl Moyer Memorial  
 28 Air Quality Standards Attainment Program (Chapter 9  
 29 (commencing with Section 44275) of Part 5).

30 (B) The new purchase, retrofit, repower, or add-on of equipment  
 31 for previously unregulated agricultural sources of air pollution, as  
 32 defined in Section 39011.5, within the Sacramento district, for a  
 33 minimum of three years from the date of adoption of an applicable  
 34 rule or standard, or until the compliance date of that rule or  
 35 standard, whichever is later, if the state board has determined that  
 36 the rule or standard complies with Sections 40913, 40914, and  
 37 41503.1, after which period of time, a new purchase, retrofit,  
 38 repower, or add-on of equipment shall not be funded pursuant to  
 39 this chapter. The district shall follow any guidelines developed

1 under subdivision (a) of Section 44287 for awarding grants under  
2 this program.

3 (C) The purchase of new schoolbuses or the repower or retrofit  
4 of emissions control equipment for existing schoolbuses pursuant  
5 to the Lower-Emission School Bus Program adopted by the state  
6 board.

7 (D) An accelerated vehicle retirement or repair program that is  
8 adopted by the state board pursuant to authority granted hereafter  
9 by the Legislature by statute.

10 (E) The replacement of onboard natural gas fuel tanks on  
11 schoolbuses that are 14 years or older or the enhancement of  
12 deteriorating natural gas fueling dispensers of fueling infrastructure,  
13 pursuant to the Lower-Emission School Bus Program adopted by  
14 the state board.

15 (F) The funding of alternative fuel and electric infrastructure  
16 projects solicited and selected through a competitive bid process.

17 (e) Not more than 6.25 percent of the funds collected pursuant  
18 to this section shall be used by the district for administrative  
19 expenses.

20 (f) A project funded by the program shall not be used for credit  
21 under any state or federal emissions averaging, banking, or trading  
22 program. An emission reduction generated by the program shall  
23 not be used as marketable emission reduction credits or to offset  
24 any emission reduction obligation of any person or entity. Projects  
25 involving new engines that would otherwise generate marketable  
26 credits under state or federal averaging, banking, and trading  
27 programs shall include transfer of credits to the engine end user  
28 and retirement of those credits toward reducing air emissions in  
29 order to qualify for funding under the program. A purchase of a  
30 low-emission vehicle or of equipment pursuant to a corporate or  
31 a controlling board's policy, but not otherwise required by law,  
32 shall generate surplus emissions reductions and may be funded by  
33 the program.

34 (g) This section shall remain in effect only until January 1, ~~2038~~,  
35 2033, and as of that date is repealed, unless a later enacted statute,  
36 that is enacted before January 1, ~~2038~~, 2033, deletes or extends  
37 that date.

38 SEC. 4. Section 44225 of the Health and Safety Code, as  
39 amended by Section 7 of Chapter 401 of the Statutes of 2013, is  
40 amended to read:



1 44225. (a) A district may increase the fee established under  
2 Section 44223 to up to four dollars (\$4). A district may increase  
3 the fee only if both of the following conditions are met:

4 (1) A resolution providing for both the fee increase and a  
5 corresponding program for expenditure of the increased fees for  
6 the reduction of air pollution from motor vehicles pursuant to, and  
7 for related planning, monitoring, enforcement, and technical studies  
8 necessary for the implementation of, the California Clean Air Act  
9 of 1988 (Chapter 1568 of the Statutes of 1988) is adopted and  
10 approved by the governing board of the district.

11 (2) In districts with nonelected officials on their governing  
12 boards, the resolution shall be adopted and approved by both a  
13 majority of the governing board and a majority of the board  
14 members who are elected officials.

15 (b) An increase in fees established pursuant to this section shall  
16 become effective on either April 1 or October 1, as provided in  
17 the resolution adopted by the board pursuant to subdivision (a).

18 (c) This section shall become operative on January 1, ~~2038~~.  
19 2033.

20 SEC. 5. Section 44225 of the Health and Safety Code, as  
21 amended by Section 3 of Chapter 610 of the Statutes of 2015, is  
22 amended to read:

23 44225. (a) A district may increase the fee established under  
24 Section 44223 to up to six dollars (\$6). A district may increase the  
25 fee only if both of the following conditions are met:

26 (1) A resolution providing for both the fee increase and a  
27 corresponding program for expenditure of the increased fees for  
28 the reduction of air pollution from motor vehicles pursuant to, and  
29 for related planning, monitoring, enforcement, and technical studies  
30 necessary for the implementation of, the California Clean Air Act  
31 of 1988 (Chapter 1568 of the Statutes of 1988), or for the  
32 attainment or maintenance of state or federal ambient air quality  
33 standards or the reduction of toxic air contaminant emissions from  
34 motor vehicles, is adopted and approved by the governing board  
35 of the district.

36 (2) In districts with nonelected officials on their governing  
37 boards, the resolution shall be adopted and approved by both a  
38 majority of the governing board and a majority of the board  
39 members who are elected officials.

1 (b) An increase in fees established pursuant to this section shall  
2 become effective on either April 1 or October 1, as provided in  
3 the resolution adopted by the board pursuant to subdivision (a).

4 (c) This section shall remain in effect only until January 1, ~~2038~~,  
5 2033, and as of that date is repealed, unless a later enacted statute,  
6 that is enacted before January 1, ~~2038~~, 2033, deletes or extends  
7 that date.

8 SEC. 6. Section 44229 of the Health and Safety Code, as  
9 amended by Section 9 of Chapter 401 of the Statutes of 2013, is  
10 amended to read:

11 44229. (a) After deducting all administrative costs it incurs  
12 through collection of fees pursuant to Section 44227, the  
13 Department of Motor Vehicles shall distribute the revenues to  
14 districts, which shall use the fees to reduce air pollution from motor  
15 vehicles and to carry out related planning, monitoring, enforcement,  
16 and technical studies necessary for implementation of the California  
17 Clean Air Act of 1988 (Chapter 1568 of the Statutes of 1988). Fees  
18 collected by the Department of Motor Vehicles pursuant to this  
19 chapter shall be distributed to districts based upon the amount of  
20 fees collected from motor vehicles registered within each district.

21 (b) The Department of Motor Vehicles may annually expend  
22 not more than the following percentages of the fees collected  
23 pursuant to Section 44227 on administrative costs:

24 (1) During the first year after the operative date of this chapter,  
25 not more than 5 percent of the fees collected may be used for  
26 administrative costs.

27 (2) During the second year after the operative date of this  
28 chapter, not more than 3 percent of the fees collected may be used  
29 for administrative costs.

30 (3) During any year subsequent to the second year after the  
31 operative date of this chapter, not more than 1 percent of the fees  
32 collected may be used for administrative costs.

33 (c) This section shall become operative on January 1, ~~2038~~.  
34 2033.

35 SEC. 7. Section 44229 of the Health and Safety Code, as  
36 amended by Section 4 of Chapter 610 of the Statutes of 2015, is  
37 amended to read:

38 44229. (a) After deducting all administrative costs it incurs  
39 through collection of fees pursuant to Section 44227, the  
40 Department of Motor Vehicles shall distribute the revenues to

1 districts, which shall use the revenues resulting from the first four  
2 dollars (\$4) of each fee imposed to reduce air pollution from motor  
3 vehicles and to carry out related planning, monitoring, enforcement,  
4 and technical studies necessary for implementation of the California  
5 Clean Air Act of 1988 (Chapter 1568 of the Statutes of 1988). Fees  
6 collected by the Department of Motor Vehicles pursuant to this  
7 chapter shall be distributed to districts based upon the amount of  
8 fees collected from motor vehicles registered within each district.

9 (b) Notwithstanding Sections 44241 and 44243, a district shall  
10 use the revenues resulting from the next two dollars (\$2) of each  
11 fee imposed pursuant to Section 44227 to implement the following  
12 programs that the district determines remediate air pollution harms  
13 created by motor vehicles on which the surcharge is imposed:

14 (1) Projects eligible for grants under the Carl Moyer Memorial  
15 Air Quality Standards Attainment Program (Chapter 9  
16 (commencing with Section 44275) of Part 5).

17 (2) The new purchase, retrofit, repower, or add-on equipment  
18 for previously unregulated agricultural sources of air pollution, as  
19 defined in Section 39011.5, for a minimum of three years from  
20 the date of adoption of an applicable rule or standard, or until the  
21 compliance date of that rule or standard, whichever is later, if the  
22 state board has determined that the rule or standard complies with  
23 Sections 40913, 40914, and 41503.1, after which period of time,  
24 a new purchase, retrofit, repower, or add-on of equipment shall  
25 not be funded pursuant to this chapter. The districts shall follow  
26 any guidelines developed under subdivision (a) of Section 44287  
27 for awarding grants under this program.

28 (3) The purchase of new schoolbuses or the repower or retrofit  
29 of emissions control equipment for existing schoolbuses pursuant  
30 to the Lower-Emission School Bus Program adopted by the state  
31 board.

32 (4) An accelerated vehicle retirement or repair program that is  
33 adopted by the state board pursuant to authority granted hereafter  
34 by the Legislature by statute.

35 (5) The replacement of onboard natural gas fuel tanks on  
36 schoolbuses that are 14 years or older or the enhancement of  
37 deteriorating natural gas fueling dispensers of fueling infrastructure,  
38 pursuant to the Lower-Emission School Bus Program adopted by  
39 the state board.

1 (6) The funding of alternative fuel and electric infrastructure  
2 projects solicited and selected through a competitive bid process.

3 (c) The Department of Motor Vehicles may annually expend  
4 not more than 1 percent of the fees collected pursuant to Section  
5 44227 on administrative costs.

6 (d) A project funded by the program shall not be used for credit  
7 under any state or federal emissions averaging, banking, or trading  
8 program. An emission reduction generated by the program shall  
9 not be used as marketable emission reduction credits or to offset  
10 any emission reduction obligation of any person or entity. Projects  
11 involving new engines that would otherwise generate marketable  
12 credits under state or federal averaging, banking, and trading  
13 programs shall include transfer of credits to the engine end user  
14 and retirement of those credits toward reducing air emissions in  
15 order to qualify for funding under the program. A purchase of a  
16 low-emission vehicle or of equipment pursuant to a corporate or  
17 a controlling board's policy, but not otherwise required by law,  
18 shall generate surplus emissions reductions and may be funded by  
19 the program.

20 (e) This section shall remain in effect only until January 1, ~~2038~~,  
21 2033, and as of that date is repealed, unless a later enacted statute,  
22 that is enacted before January 1, ~~2038~~, 2033, deletes or extends  
23 that date.

24 SEC. 8. Section 44275 of the Health and Safety Code, as  
25 amended by Section 1 of Chapter 634 of the Statutes of 2017, is  
26 amended to read:

27 44275. (a) As used in this chapter, the following terms have  
28 the following meanings:

29 (1) [Reserved]

30 (2) "Btu" means British thermal unit.

31 (3) "Commission" means the State Energy Resources  
32 Conservation and Development Commission.

33 (4) "Cost-effectiveness" means dollars provided to a project  
34 pursuant to subdivision (d) of Section 44283 for each ton of  
35 covered emission reduction attributed to a project or to the program  
36 as a whole. In calculating cost-effectiveness, one-time grants of  
37 funds made at the beginning of a project shall be annualized using  
38 a time value of public funds or discount rate determined for each  
39 project by the state board, taking into account the interest rate on  
40 bonds, interest earned by state funds, and other factors as

1 determined appropriate by the state board. Cost-effectiveness shall  
2 be calculated by dividing annualized costs by average annual  
3 emissions reduction. The state board, in consultation with the  
4 districts and concerned members of the public, shall establish  
5 appropriate cost-effective limits for oxides of nitrogen, particulate  
6 matter, and reactive organic gases and a reasonable system for  
7 comparing the cost-effectiveness of proposed projects as described  
8 in subdivision (a) of Section 44283.

9 (5) “Covered emissions” include emissions of oxides of nitrogen,  
10 particulate matter, and reactive organic gases from any covered  
11 source.

12 (6) “Covered engine” includes any internal combustion engine  
13 or electric motor and drive powering a covered source.

14 (7) “Covered source” includes onroad vehicles, off-road  
15 nonrecreational equipment and vehicles, locomotives, marine  
16 vessels, agricultural sources of air pollution, as defined in Section  
17 39011.5, stationary irrigation or water conveyance engines, and,  
18 as determined by the state board, other categories necessary for  
19 the state and districts to meet air quality goals.

20 (8) “Covered vehicle” includes any vehicle or piece of  
21 equipment powered by a covered engine.

22 (9) “District” means a county air pollution control district or an  
23 air quality management district.

24 (10) “Fund” means the Air Pollution Control Fund established  
25 pursuant to Section 43015.

26 (11) “Incremental cost” means the cost of the project less a  
27 baseline cost that would otherwise be incurred by the applicant in  
28 the normal course of business. Incremental costs may include  
29 added lease, energy, or fuel costs pursuant to Section 44283 as  
30 well as incremental capital costs.

31 (12) “Liquidated” means that all moneys for a specified fiscal  
32 year have been spent by a district to reimburse grantees for valid  
33 and eligible project invoices and district administrative costs.  
34 Payments withheld from the grantee by a district until all  
35 contractual reporting requirements are met may be excluded from  
36 these amounts for purposes of liquidation.

37 (13) “Mobile Source Air Pollution Reduction Review  
38 Committee” means the Mobile Source Air Pollution Reduction  
39 Review Committee created by Section 44244.

1 (14) “New very low emission vehicle” means a heavy-duty  
2 vehicle that qualifies as a very low emission vehicle when it is a  
3 new vehicle, where new vehicle has the same meaning as defined  
4 in Section 430 of the Vehicle Code, or that is modified with the  
5 approval and warranty of the original equipment manufacturer to  
6 qualify as a very low emission vehicle within 12 months of delivery  
7 to an owner for private or commercial use.

8 (15) “NO<sub>x</sub>” means oxides of nitrogen.

9 (16) “Program” means the Carl Moyer Memorial Air Quality  
10 Standards Attainment Program created by subdivision (a) of  
11 Section 44280.

12 (17) “Recaptured” means those moneys that are returned to a  
13 district or the state board by a grantee because that grantee did not  
14 meet contractual obligations.

15 (18) “Repower” means replacing an engine with a different  
16 engine. The term repower, as used in this chapter, generally refers  
17 to replacing an older, uncontrolled engine with a new,  
18 emissions-certified engine, although replacing an older  
19 emissions-certified engine with a newer engine certified to lower  
20 emissions standards may be eligible for funding under this program.

21 (19) “Retrofit” means making modifications to the engine and  
22 fuel system so that the retrofitted engine does not have the same  
23 specifications as the original engine.

24 (20) “Returned” means those moneys sent by a district to the  
25 state board for reallocation because those moneys are not liquidated  
26 by a liquidation deadline.

27 (21) “Schoolbus project” means the purchase of new schoolbuses  
28 or the repower or retrofit of emissions control equipment for  
29 existing schoolbuses.

30 (22) “Very low emission vehicle” means a heavy-duty vehicle  
31 with emissions significantly lower than otherwise applicable  
32 baseline emission standards or uncontrolled emission levels  
33 pursuant to Section 44282.

34 (b) This section shall remain in effect only until January 1, ~~2038~~,  
35 2033, and as of that date is repealed, unless a later enacted statute,  
36 that is enacted before January 1, ~~2038~~, 2033, deletes or extends  
37 that date.

38 SEC. 9. Section 44275 of the Health and Safety Code, as  
39 amended by Section 2 of Chapter 634 of the Statutes of 2017, is  
40 amended to read:

- 1 44275. (a) As used in this chapter, the following terms have  
2 the following meanings:
- 3 (1) [Reserved]
  - 4 (2) “Btu” means British thermal unit.
  - 5 (3) “Commission” means the State Energy Resources  
6 Conservation and Development Commission.
  - 7 (4) “Cost-effectiveness” means dollars provided to a project  
8 pursuant to subdivision (d) of Section 44283 for each ton of NO<sub>x</sub>  
9 reduction attributed to a project or to the program as a whole. In  
10 calculating cost-effectiveness, one-time grants of funds made at  
11 the beginning of a project shall be annualized using a time value  
12 of public funds or discount rate determined for each project by the  
13 state board, taking into account the interest rate on bonds, interest  
14 earned by state funds, and other factors as determined appropriate  
15 by the state board. Cost-effectiveness shall be calculated by  
16 dividing annualized costs by average annual emissions reduction  
17 of NO<sub>x</sub> in this state.
  - 18 (5) “Covered engine” includes any internal combustion engine  
19 or electric motor and drive powering a covered source.
  - 20 (6) “Covered source” includes onroad vehicles of 14,000 pounds  
21 gross vehicle weight rating (GVWR) or greater, off-road  
22 nonrecreational equipment and vehicles, locomotives, diesel marine  
23 vessels, stationary agricultural engines, stationary irrigation or  
24 water conveyance engines, and, as determined by the state board,  
25 other high-emitting diesel engine categories.
  - 26 (7) “Covered vehicle” includes any vehicle or piece of  
27 equipment powered by a covered engine.
  - 28 (8) “District” means a county air pollution control district or an  
29 air quality management district.
  - 30 (9) “Fund” means the Air Pollution Control Fund established  
31 pursuant to Section 43015.
  - 32 (10) “Incremental cost” means the cost of the project less a  
33 baseline cost that would otherwise be incurred by the applicant in  
34 the normal course of business. Incremental costs may include  
35 added lease or fuel costs pursuant to Section 44283 as well as  
36 incremental capital costs.
  - 37 (11) “Liquidated” means that all moneys for a specified fiscal  
38 year have been spent by a district to reimburse grantees for valid  
39 and eligible project invoices and district administrative costs.  
40 Payments withheld from the grantee by a district until all

1 contractual reporting requirements are met may be excluded from  
2 these amounts for purposes of liquidation.

3 (12) “Mobile Source Air Pollution Reduction Review  
4 Committee” means the Mobile Source Air Pollution Reduction  
5 Review Committee created by Section 44244.

6 (13) “New very low emission vehicle” means a vehicle that  
7 qualifies as a very low emission vehicle when it is a new vehicle,  
8 where new vehicle has the same meaning as defined in Section  
9 430 of the Vehicle Code, or that is modified with the approval and  
10 warranty of the original equipment manufacturer to qualify as a  
11 very low emission vehicle within 12 months of delivery to an  
12 owner for private or commercial use.

13 (14) “NO<sub>x</sub>” means oxides of nitrogen.

14 (15) “Program” means the Carl Moyer Memorial Air Quality  
15 Standards Attainment Program created by subdivision (a) of  
16 Section 44280.

17 (16) “Recaptured” means those moneys that are returned to a  
18 district or the state board by a grantee because that grantee did not  
19 meet contractual obligations.

20 (17) “Repower” means replacing an engine with a different  
21 engine. The term repower, as used in this chapter, generally refers  
22 to replacing an older, uncontrolled engine with a new,  
23 emissions-certified engine, although replacing an older  
24 emissions-certified engine with a newer engine certified to lower  
25 emissions standards may be eligible for funding under this program.

26 (18) “Retrofit” means making modifications to the engine and  
27 fuel system such that the retrofitted engine does not have the same  
28 specifications as the original engine.

29 (19) “Returned” means those moneys sent by a district to the  
30 state board for reallocation because those moneys are not liquidated  
31 by a liquidation deadline.

32 (20) “Schoolbus project” means the purchase of new schoolbuses  
33 or the repower or retrofit of emissions control equipment for  
34 existing schoolbuses.

35 (21) “Very low emission vehicle” means a vehicle with  
36 emissions significantly lower than otherwise applicable baseline  
37 emission standards or uncontrolled emission levels pursuant to  
38 Section 44282.

39 (b) This section shall become operative on January 1, ~~2038~~.  
40 2033.



1 SEC. 10. Section 44280 of the Health and Safety Code, as  
2 amended by Section 17 of Chapter 401 of the Statutes of 2013, is  
3 amended to read:

4 44280. (a) There is hereby created the Carl Moyer Memorial  
5 Air Quality Standards Attainment Program. The program shall be  
6 administered by the state board in accordance with this chapter.  
7 The administration of the program may be delegated to the districts.

8 (b) The program shall provide grants to offset the incremental  
9 cost of projects that reduce covered emissions from covered sources  
10 in the state. Eligibility for grant awards shall be determined by the  
11 state board, in consultation with the districts, in accordance with  
12 this chapter.

13 (c) The program shall also provide funding for a fueling  
14 infrastructure demonstration program and for technology  
15 development efforts that are expected to result in commercially  
16 available technologies in the near-term that would improve the  
17 ability of the program to achieve its goals. The infrastructure  
18 demonstration and technology development portions of the program  
19 shall be managed by the commission, in consultation with the state  
20 board.

21 (d) This section shall remain in effect only until January 1, ~~2038~~,  
22 2033, and as of that date is repealed, unless a later enacted statute,  
23 that is enacted before January 1, ~~2038~~, 2033, deletes or extends  
24 that date.

25 SEC. 11. Section 44280 of the Health and Safety Code, as  
26 amended by Section 18 of Chapter 401 of the Statutes of 2013, is  
27 amended to read:

28 44280. (a) There is hereby created the Carl Moyer Memorial  
29 Air Quality Standards Attainment Program. The program shall be  
30 administered by the state board in accordance with this chapter.  
31 The administration of the program may be delegated to the districts.

32 (b) The program shall provide grants to offset the incremental  
33 cost of projects that reduce emissions of NO<sub>x</sub> from covered sources  
34 in the state. Eligibility for grant awards shall be determined by the  
35 state board, in consultation with the districts, in accordance with  
36 this chapter.

37 (c) The program shall also provide funding for a fueling  
38 infrastructure demonstration program and for technology  
39 development efforts that are expected to result in commercially  
40 available technologies in the near-term that would improve the

1 ability of the program to achieve its goals. The infrastructure  
2 demonstration and technology development portions of the program  
3 shall be managed by the commission, in consultation with the state  
4 board.

5 (d) This section shall become operative on January 1, ~~2038~~.  
6 2033.

7 SEC. 12. Section 44281 of the Health and Safety Code, as  
8 amended by Section 20 of Chapter 401 of the Statutes of 2013, is  
9 amended to read:

10 44281. (a) Eligible projects are any of the following:

11 (1) Purchase of new very low or zero-emission covered vehicles  
12 or covered engines.

13 (2) Emission-reducing retrofit of covered engines, or  
14 replacement of old engines powering covered sources with newer  
15 engines certified to more stringent emissions standards than the  
16 engine being replaced, or with electric motors or drives.

17 (3) Purchase and use of emission-reducing add-on equipment  
18 for covered vehicles.

19 (4) Development and demonstration of practical, low-emission  
20 retrofit technologies, repower options, and advanced technologies  
21 for covered engines and vehicles with very low emissions of NO<sub>x</sub>.

22 (b) No new purchase, retrofit, repower, or add-on equipment  
23 shall be funded under this chapter if it is required by any local,  
24 state, or federal statute, rule, regulation, memoranda of agreement  
25 or understanding, or other legally binding document, except that  
26 an otherwise qualified project may be funded even if the state  
27 implementation plan assumes that the change in equipment,  
28 vehicles, or operations will occur, if the change is not required by  
29 a statute, regulation, or other legally binding document in effect  
30 as of the date the grant is awarded. No project funded by the  
31 program shall be used for credit under any state or federal  
32 emissions averaging, banking, or trading program. No emission  
33 reduction generated by the program shall be used as marketable  
34 emission reduction credits or to offset any emission reduction  
35 obligation of any entity. Projects involving new engines that would  
36 otherwise generate marketable credits under state or federal  
37 averaging, banking, and trading programs shall include transfer  
38 of credits to the engine end user and retirement of those credits  
39 toward reducing air emissions in order to qualify for funding under  
40 the program. A purchase of a low-emission vehicle or of equipment

1 pursuant to a corporate or a controlling board’s policy, but not  
2 otherwise required by law, shall generate surplus emissions  
3 reductions and may be funded by the program.

4 (c) The program may also provide funding toward installation  
5 of fueling or electrification infrastructure as provided in Section  
6 44284.

7 (d) Eligible applicants may be any individual, company, or  
8 public agency that owns one or more covered vehicles that operate  
9 primarily in the state or otherwise contribute substantially to the  
10 NO<sub>x</sub> emissions inventory in the state.

11 (e) It is the intent of the Legislature that all emission reductions  
12 generated by this chapter shall contribute to public health by  
13 reducing, for the life of the vehicle being funded, the total amount  
14 of emissions in the state.

15 (f) This section shall become operative on January 1, ~~2038~~.  
16 2033.

17 SEC. 13. Section 44281 of the Health and Safety Code, as  
18 amended by Section 8 of Chapter 610 of the Statutes of 2015, is  
19 amended to read:

20 44281. (a) Eligible projects include, but are not limited to, any  
21 of the following:

22 (1) Purchase of new very low or zero-emission covered vehicles  
23 or covered heavy-duty engines.

24 (2) Emission-reducing retrofit of covered engines, or  
25 replacement of old engines powering covered sources with newer  
26 engines certified to more stringent emissions standards than the  
27 engine being replaced, or with electric motors or drives.

28 (3) Purchase and use of emission-reducing add-on equipment  
29 that has been verified by the state board for covered vehicles.

30 (4) Development and demonstration of practical, low-emission  
31 retrofit technologies, repower options, and advanced technologies  
32 for covered engines and vehicles with very low emissions of NO<sub>x</sub>.

33 (5) Light- and medium-duty vehicle projects in compliance with  
34 guidelines adopted by the state board pursuant to Title 13 of the  
35 California Code of Regulations.

36 (b) No project shall be funded under this chapter after the  
37 compliance date required by any local, state, or federal statute,  
38 rule, regulation, memoranda of agreement or understanding, or  
39 other legally binding document, except that an otherwise qualified  
40 project may be funded even if the state implementation plan

1 assumes that the change in equipment, vehicles, or operations will  
2 occur, if the change is not required by the compliance date of a  
3 statute, regulation, or other legally binding document in effect as  
4 of the date the grant is awarded. No project funded by the program  
5 shall be used for credit under any state or federal emissions  
6 averaging, banking, or trading program. No covered emission  
7 reduction generated by the program shall be used as marketable  
8 emission reduction credits or to offset any emission reduction  
9 obligation of any person or entity. Projects involving new engines  
10 that would otherwise generate marketable credits under state or  
11 federal averaging, banking, and trading programs shall include  
12 transfer of credits to the engine end user and retirement of those  
13 credits toward reducing air emissions in order to qualify for funding  
14 under the program. A purchase of a low-emission vehicle or of  
15 equipment pursuant to a corporate or a controlling board's policy,  
16 but not otherwise required by law, shall generate surplus emissions  
17 reductions and may be funded by the program.

18 (c) The program may also provide funding toward the  
19 installation of fueling or energy infrastructure to fuel or power  
20 covered sources.

21 (d) Eligible applicants may be any individual, company, or  
22 public agency that owns one or more covered vehicles that operate  
23 primarily in the state or otherwise contribute substantially to the  
24 NO<sub>x</sub>, particulate matter (PM), or reactive organic gas (ROG)  
25 emissions inventory in the state.

26 (e) It is the intent of the Legislature that all emission reductions  
27 generated by this chapter shall contribute to public health by  
28 reducing, for the life of the vehicle being funded, the total amount  
29 of emissions in the state.

30 (f) This section shall remain in effect only until January 1, ~~2038~~,  
31 2033, and as of that date is repealed, unless a later enacted statute,  
32 that is enacted before January 1, ~~2038~~, 2033, deletes or extends  
33 that date.

34 SEC. 14. Section 44282 of the Health and Safety Code, as  
35 amended by Section 8 of Chapter 748 of the Statutes of 2021, is  
36 amended to read:

37 44282. The following criteria apply to all projects to be funded  
38 through the program except for projects funded through the  
39 infrastructure demonstration program and infrastructure projects,  
40 pursuant to subdivision (c) of Section 44281 and Section 44284:

1 (a) The state board may establish project criteria, including  
2 minimum project life for source categories, in the guidelines  
3 described in Section 44287. For previously unregulated source  
4 categories, project criteria shall consider the timing of newly  
5 established regulatory requirements.

6 (b) To be eligible, projects shall meet the cost-effectiveness per  
7 ton of covered emissions reduced requirements of Section 44283.

8 (c) To be eligible, retrofits, repowers, and installation of add-on  
9 equipment for covered vehicles shall be performed, or new covered  
10 vehicles delivered to the end user, or covered vehicles scrapped  
11 on or after the date the program is implemented.

12 (d) Retrofit technologies, new engines, and new vehicles shall  
13 be certified for sale or under experimental permit for operation in  
14 the state.

15 (e) Repower projects that replace older, uncontrolled engines  
16 with new, emissions-certified engines or that replace  
17 emissions-certified engines with new engines certified to a more  
18 stringent NO<sub>x</sub> emissions standard are approvable subject to the  
19 other applicable selection criteria. The state board shall determine  
20 appropriate baseline emission levels for the uncontrolled engines  
21 being replaced.

22 (f) For heavy-duty-vehicle projects, retrofit and add-on  
23 equipment projects shall document a NO<sub>x</sub> or PM emission  
24 reduction of at least 25 percent and no increase in other covered  
25 emissions compared to the applicable baseline emissions accepted  
26 by the state board for that engine year and application. The state  
27 board shall determine appropriate baseline emission levels.  
28 Acceptable documentation shall be defined by the state board.  
29 After study of available emission reduction technologies and after  
30 public notice and comment, the state board may revise the  
31 minimum percentage emission reduction criterion for retrofits and  
32 add-on equipment provided for in this section to improve the ability  
33 of the program to achieve its goals.

34 (g) (1) For heavy-duty-vehicle projects involving the purchase  
35 of new very low or zero-emission vehicles, engines shall be  
36 certified to an optional low NO<sub>x</sub> emissions standard established  
37 by the state board, except as provided for in paragraph (2).

38 (2) For heavy-duty-vehicle projects involving the purchase of  
39 new very low or zero-emission covered vehicles for which no  
40 optional low NO<sub>x</sub> emission standards are available, documentation

1 shall be provided showing that the low or zero-emission engine  
2 emits not more than 70 percent of the NO<sub>x</sub> or NO<sub>x</sub> plus  
3 hydrocarbon emissions of a new engine certified to the applicable  
4 baseline NO<sub>x</sub> or NO<sub>x</sub> plus hydrocarbon emission standard for that  
5 engine and meets applicable particulate standards. The state board  
6 shall specify the documentation required. If no baseline emission  
7 standard exists for new vehicles in a particular category, the state  
8 board shall determine an appropriate baseline emission level for  
9 comparison.

10 (h) For projects other than heavy-duty-vehicle projects, the state  
11 board shall determine appropriate criteria under the provisions of  
12 Section 44287.

13 (i) Projects using grants, loans, vouchers, or other incentives  
14 pursuant to this chapter shall condition eligibility on the  
15 requirements of Chapter 3.6 (commencing with Section 39680) of  
16 Part 2, as applicable.

17 (j) This section shall remain in effect only until January 1, ~~2038~~,  
18 2033, and as of that date is repealed, unless a later enacted statute,  
19 that is enacted before January 1, ~~2038~~, 2033, deletes or extends  
20 that date.

21 SEC. 15. Section 44282 of the Health and Safety Code, as  
22 amended by Section 9 of Chapter 748 of the Statutes of 2021, is  
23 amended to read:

24 44282. The following criteria apply to all projects to be funded  
25 through the program except for projects funded through the  
26 infrastructure demonstration program:

27 (a) Except for projects involving marine vessels, 75 percent or  
28 more of vehicle miles traveled or hours of operation shall be  
29 projected to be in the state for at least five years following the  
30 grant award. Projects involving marine vessels and engines shall  
31 be limited to those that spend enough time operating in air basins  
32 in the state over the lifetime of the project to meet the  
33 cost-effectiveness criteria based on NO<sub>x</sub> reductions in the state, as  
34 provided in Section 44283.

35 (b) To be eligible, projects shall meet cost-effectiveness per ton  
36 of NO<sub>x</sub> reduced requirements of Section 44283.

37 (c) To be eligible, retrofits, repowers, and installation of add-on  
38 equipment for covered vehicles shall be performed, or new covered  
39 vehicles delivered to the end user, on or after the date the program  
40 is implemented.

1 (d) Retrofit technologies, new engines, and new vehicles shall  
2 be certified for sale or under experimental permit for operation in  
3 the state.

4 (e) Repower projects that replace older, uncontrolled engines  
5 with new, emissions-certified engines or that replace  
6 emissions-certified engines with new engines certified to a more  
7 stringent NO<sub>x</sub> emissions standard are approvable subject to the  
8 other applicable selection criteria. The state board shall determine  
9 appropriate baseline emission levels for the uncontrolled engines  
10 being replaced.

11 (f) Retrofit and add-on equipment projects shall document a  
12 NO<sub>x</sub> emission reduction of at least 25 percent and no increase in  
13 particulate emissions compared to the applicable baseline emissions  
14 accepted by the state board for that engine year and application.  
15 The state board shall determine appropriate baseline emission  
16 levels. Acceptable documentation shall be defined by the state  
17 board. After study of available emission reduction technologies  
18 and after public notice and comment, the state board may revise  
19 the minimum percentage NO<sub>x</sub> reduction criterion for retrofits and  
20 add-on equipment provided for in this section to improve the ability  
21 of the program to achieve its goals.

22 (g) (1) For projects involving the purchase of new very low or  
23 zero-emission vehicles, engines shall be certified to an optional  
24 low NO<sub>x</sub> emissions standard established by the state board, except  
25 as provided for in paragraph (2).

26 (2) For projects involving the purchase of new very low or  
27 zero-emission covered vehicles for which no optional low NO<sub>x</sub>  
28 emission standards are available, documentation shall be provided  
29 showing that the low- or zero-emission engine emits not more than  
30 70 percent of the NO<sub>x</sub> or NO<sub>x</sub> plus hydrocarbon emissions of a  
31 new engine certified to the applicable baseline NO<sub>x</sub> or NO<sub>x</sub> plus  
32 hydrocarbon emission standard for that engine and meets applicable  
33 particulate standards. The state board shall specify the  
34 documentation required. If no baseline emission standard exists  
35 for new vehicles in a particular category, the state board shall  
36 determine an appropriate baseline emission level for comparison.

37 (h) Projects using grants, loans, vouchers, or other incentives  
38 pursuant to this chapter shall condition eligibility on the  
39 requirements of Chapter 3.6 (commencing with Section 39680) of  
40 Part 2, as applicable.

1 (i) This section shall become operative on January 1, ~~2038~~.  
2 2033.

3 SEC. 16. Section 44283 of the Health and Safety Code, as  
4 amended by Section 24 of Chapter 401 of the Statutes of 2013, is  
5 amended to read:

6 44283. (a) Grants shall not be made for projects with a  
7 cost-effectiveness, calculated in accordance with this section, of  
8 more than twelve thousand dollars (\$12,000) per ton of NO<sub>x</sub>  
9 reduced in the state or a higher value that reflects state consumer  
10 price index adjustments on or after January 1, ~~2038~~, 2033, as  
11 determined by the state board.

12 (b) Only NO<sub>x</sub> reductions occurring in this state shall be included  
13 in the cost-effectiveness determination. The extent to which  
14 emissions generated at sea contribute to air quality in nonattainment  
15 areas in the state shall be incorporated into these methodologies  
16 based on a reasonable assessment of currently available information  
17 and modeling assumptions.

18 (c) The state board shall develop protocols for calculating the  
19 surplus NO<sub>x</sub> reductions in the state from representative project  
20 types over the life of the project.

21 (d) The cost of the NO<sub>x</sub> reduction is the amount of the grant  
22 from the program, including matching funds provided pursuant to  
23 subdivision (e) of Section 44287, plus any other state funds, or  
24 funds under the district's budget authority or fiduciary control,  
25 provided toward the project, not including funds described in  
26 paragraphs (1) and (2) of subdivision (a) of Section 44287.2. The  
27 state board shall establish reasonable methodologies for evaluating  
28 project cost-effectiveness, consistent with the definition contained  
29 in paragraph (4) of subdivision (a) of Section 44275, and with  
30 accepted methods, taking into account a fair and reasonable  
31 discount rate or time value of public funds.

32 (e) A grant shall not be made that, net of taxes, provides the  
33 applicant with funds in excess of the incremental cost of the project.  
34 Incremental lease costs may be capitalized according to guidelines  
35 adopted by the state board so that these incremental costs may be  
36 offset by a one-time grant award.

37 (f) Funds under a district's budget authority or fiduciary control  
38 may be used to pay for the incremental cost of liquid or gaseous  
39 fuel, other than standard gasoline or diesel, which is integral to a  
40 NO<sub>x</sub> reducing technology that is part of a project receiving grant



1 funding under the program. The fuel shall be approved for sale by  
 2 the state board. The incremental fuel cost over the expected lifetime  
 3 of the vehicle may be offset by the district if the project as a whole,  
 4 including the incremental fuel cost, meets all of the requirements  
 5 of this chapter, including the maximum allowed cost-effectiveness.  
 6 The state board shall develop an appropriate methodology for  
 7 converting incremental fuel costs over the vehicle lifetime into an  
 8 initial cost for purposes of determining project cost-effectiveness.  
 9 Incremental fuel costs shall not be included in project costs for  
 10 fuels dispensed from any facility that was funded, in whole or in  
 11 part, from the fund.

12 (g) For purposes of determining any grant amount pursuant to  
 13 this chapter, the incremental cost of any new purchase, retrofit,  
 14 repower, or add-on equipment shall be reduced by the value of  
 15 any current financial incentive that directly reduces the project  
 16 price, including any tax credits or deductions, grants, or other  
 17 public financial assistance, not including funds described in  
 18 paragraphs (1) and (2) of subdivision (a) of Section 44287.2.  
 19 Project proponents applying for funding shall be required to state  
 20 in their application any other public financial assistance to the  
 21 project.

22 (h) For projects that would repower off-road equipment by  
 23 replacing uncontrolled diesel engines with new, certified diesel  
 24 engines, the state board may establish maximum grant award  
 25 amounts per repower. A repower project shall also be subject to  
 26 the incremental cost maximum pursuant to subdivision (e).

27 (i) After study of available emission reduction technologies and  
 28 costs and after public notice and comment, the state board may  
 29 reduce the values of the maximum grant award criteria stated in  
 30 this section to improve the ability of the program to achieve its  
 31 goals. Every year the state board shall adjust the maximum  
 32 cost-effectiveness amount established in subdivision (a) and any  
 33 per-project maximum set by the state board pursuant to subdivision  
 34 (h) to account for inflation.

35 (j) This section shall become operative on January 1, ~~2038~~.  
 36 2033.

37 SEC. 17. Section 44283 of the Health and Safety Code, as  
 38 amended by Section 10 of Chapter 610 of the Statutes of 2015, is  
 39 amended to read:

1 44283. (a) (1) For all projects funded pursuant to this chapter,  
2 except for an infrastructure project described in subdivision (c) of  
3 Section 44281, the following cost-effectiveness criteria shall apply:  
4 (A) (i) Project grants shall not be made that exceed  
5 cost-effectiveness values calculated in accordance with this section.  
6 (ii) The state board, in collaboration with the districts, shall  
7 establish cost-effectiveness values in the guidelines issued pursuant  
8 to Section 44287, taking into consideration factors, including, but  
9 not limited to, the following:  
10 (I) The cost of emission control technologies identified in  
11 Section 44281.  
12 (II) The cost-effectiveness values for NO<sub>x</sub>, particulate matter,  
13 or reactive organic gases for any adopted rule or control measure  
14 in any district's approved state implementation plan, or rule  
15 adopted by the state board.  
16 (iii) A grant for a schoolbus project shall not exceed the cost  
17 caps established in the Lower-Emission School Bus Program and  
18 consistent with Section 44299.901. The cost-effectiveness value  
19 for these projects shall be set forth in the guidelines issued pursuant  
20 to Section 44287.  
21 (B) For projects obtaining reactive organic gas and particulate  
22 matter reductions, the state board shall determine appropriate  
23 adjustment factors to calculate a weighted cost-effectiveness value.  
24 (2) When a district board approves funding for a project or  
25 project category, the district board shall include, in its agenda or  
26 supporting materials for the meeting approving funding for the  
27 project or project category, a brief statement of the rationale for  
28 funding that source category, including the basis for selection and  
29 the importance of that project type.  
30 (b) Only covered emission reductions occurring in this state  
31 shall be included in the cost-effectiveness determination. The  
32 extent to which emissions generated at sea contribute to air quality  
33 in nonattainment areas in the state shall be incorporated into these  
34 methodologies based on a reasonable assessment of currently  
35 available information and modeling assumptions.  
36 (c) The state board shall develop protocols for calculating the  
37 surplus covered emission reductions in the state from representative  
38 project types over the life of the project.  
39 (d) The cost of the covered emission reduction is the amount  
40 of the grant from the program, including matching funds provided

1 pursuant to subdivision (e) of Section 44287, or funding provided  
2 pursuant to paragraph (2) of subdivision (d) of Section 41081 or  
3 subdivision (b) of Section 44229, not including funds described  
4 in subdivision (a) of Section 44287.2. The state board shall  
5 establish reasonable methodologies for evaluating project  
6 cost-effectiveness, consistent with the definition contained in  
7 paragraph (4) of subdivision (a) of Section 44275, and with  
8 accepted methods, taking into account a fair and reasonable  
9 discount rate or time value of public funds.

10 (e) A grant shall not be made that, net of taxes, provides the  
11 applicant with funds in excess of the incremental cost of the project.  
12 Incremental lease costs may be capitalized according to guidelines  
13 adopted by the state board so that these incremental costs may be  
14 offset by a one-time grant award.

15 (f) Funds under a district’s budget authority or fiduciary control  
16 may be used to pay for the incremental cost of energy or liquid or  
17 gaseous fuel, other than standard gasoline or diesel, which is  
18 integral to a covered emission reducing technology that is part of  
19 a project receiving grant funding under the program. The fuel shall  
20 be approved for sale in the state. The incremental energy or fuel  
21 cost over the expected lifetime of the vehicle may be offset by the  
22 district if the project as a whole, including the incremental energy  
23 or fuel cost, meets all of the requirements of this chapter, including  
24 the maximum allowed cost-effectiveness. The state board shall  
25 develop an appropriate methodology for converting incremental  
26 energy or fuel costs over the vehicle lifetime into an initial cost  
27 for purposes of determining project cost-effectiveness. Incremental  
28 energy or fuel costs shall not be included in project costs for fuels  
29 dispensed from any facility that was funded, in whole or in part,  
30 from the fund.

31 (g) For purposes of determining any grant amount pursuant to  
32 this chapter, project proponents applying for funding shall be  
33 required to state in their application any other public financial  
34 assistance to the project.

35 (h) For projects that would repower off-road equipment by  
36 replacing uncontrolled diesel engines with new, certified diesel  
37 engines, the state board may establish maximum grant award  
38 amounts per repower. A repower project shall also be subject to  
39 the incremental cost maximum pursuant to subdivision (e).

1 (i) After study of available emission reduction technologies and  
2 costs and after public notice and comment, the state board may  
3 adjust the values of the maximum grant award criteria stated in  
4 this section to improve the ability of the program to achieve its  
5 goals. Every year the state board shall adjust the maximum  
6 cost-effectiveness amount established in subdivision (a) and any  
7 per-project maximum set by the state board pursuant to subdivision  
8 (h) to account for inflation and other factors as authorized by this  
9 section.

10 (j) This section shall remain in effect only until January 1, ~~2038~~,  
11 2033, and as of that date is repealed, unless a later enacted statute,  
12 that is enacted before January 1, ~~2038~~, 2033, deletes or extends  
13 that date.

14 SEC. 18. Section 44287 of the Health and Safety Code, as  
15 amended by Section 26 of Chapter 401 of the Statutes of 2013, is  
16 amended to read:

17 44287. (a) The state board shall establish grant criteria and  
18 guidelines consistent with this chapter for covered vehicle projects  
19 as soon as practicable, but not later than January 1, 2000. The  
20 adoption of guidelines is exempt from the rulemaking provisions  
21 of the Administrative Procedure Act, Chapter 3.5 (commencing  
22 with Section 11340) of Part 1 of Division 3 of Title 2 of the  
23 Government Code. The state board shall solicit input and comment  
24 from the districts during the development of the criteria and  
25 guidelines and shall make every effort to develop criteria and  
26 guidelines that are compatible with existing district programs that  
27 are also consistent with this chapter. Guidelines shall include  
28 protocols to calculate project cost-effectiveness. The grant criteria  
29 and guidelines shall include safeguards to ensure that the project  
30 generates surplus emissions reductions. Guidelines shall enable  
31 and encourage districts to cofund projects that provide emissions  
32 reductions in more than one district. The state board shall make  
33 draft criteria and guidelines available to the public 45 days before  
34 final adoption, and shall hold at least one public meeting to  
35 consider public comments before final adoption.

36 (b) The state board, in consultation with the participating  
37 districts, may propose revisions to the criteria and guidelines  
38 established pursuant to subdivision (a) as necessary to improve  
39 the ability of the program to achieve its goals. A proposed revision  
40 shall be made available to the public 45 days before final adoption

1 of the revision and the state board shall hold at least one public  
2 meeting to consider public comments before final adoption of the  
3 revision.

4 (c) The state board shall reserve funds for, and disburse funds  
5 to, districts from the fund for administration pursuant to this section  
6 and Section 44299.1.

7 (d) The state board shall develop guidelines for a district to  
8 follow in applying for the reservation of funds, in accordance with  
9 this chapter. It is the intent of the Legislature that district  
10 administration of any reserved funds be in accordance with the  
11 project selection criteria specified in Sections 44281, 44282, and  
12 44283 and all other provisions of this chapter. The guidelines shall  
13 be established and published by the state board as soon as  
14 practicable, but not later than January 1, 2000.

15 (e) Funds shall be reserved by the state board for administration  
16 by a district that adopts an eligible program pursuant to this chapter  
17 and offers matching funds at a ratio of one dollar (\$1) of matching  
18 funds committed by the district or the Mobile Source Air Pollution  
19 Reduction Review Committee for every two dollars (\$2) committed  
20 from the fund. Funds available to the Mobile Source Air Pollution  
21 Reduction Review Committee may be counted as matching funds  
22 for projects in the South Coast Air Basin only if the committee  
23 approves the use of these funds for matching purposes. Matching  
24 funds may be any funds under the district's budget authority that  
25 are committed to be expended in accordance with the program.  
26 Funds committed by a port authority or a local government, in  
27 cooperation with a district, to be expended in accordance with the  
28 program may also be counted as district matching funds. Matching  
29 funds provided by a port authority or a local government may not  
30 exceed 30 percent of the total required matching funds in any  
31 district that applies for more than three hundred thousand dollars  
32 (\$300,000) of the state board funds. Only a district, or a port  
33 authority or a local government teamed with a district, may provide  
34 matching funds.

35 (f) The state board may adjust the ratio of matching funds  
36 described in subdivision (e), if it determines that an adjustment is  
37 necessary in order to maximize the use of, or the air quality benefits  
38 provided by, the program, based on a consideration of the financial  
39 resources of the district.

1 (g) Notwithstanding subdivision (e), a district need not provide  
2 matching funds for state board funds allocated to the district for  
3 program outreach activities pursuant to paragraph (4) of subdivision  
4 (a) of Section 44299.1.

5 (h) A district may include within its matching funds a reasonable  
6 estimate of direct or in-kind costs for assistance in providing  
7 program outreach and application evaluation. In-kind and direct  
8 matching funds shall not exceed 15 percent of the total matching  
9 funds offered by a district. A district may also include within its  
10 matching funds any money spent on or after February 25, 1999,  
11 that would have qualified as matching funds but were not  
12 previously claimed as matching funds.

13 (i) A district desiring a reservation of funds shall apply to the  
14 state board following the application guidelines established  
15 pursuant to this section. The state board shall approve or disapprove  
16 a district application not later than 60 days after receipt. Upon  
17 approval of any district application, the state board shall  
18 simultaneously approve a reservation of funding for that district  
19 to administer. Reserved funds shall be disbursed to the district so  
20 that funding of a district-approved project is not impeded.

21 (j) Notwithstanding any other provision of this chapter, districts  
22 and the Mobile Source Air Pollution Reduction Review Committee  
23 shall not use funds collected pursuant to Section 41081 or Chapter  
24 7 (commencing with Section 44220), or pursuant to Section  
25 9250.11 of the Vehicle Code, as matching funds to fund a project  
26 with stationary or portable engines, locomotives, or marine vessels.

27 (k) Any funds reserved for a district pursuant to this section are  
28 available to the district for a period of not more than two years  
29 from the time of reservation. Funds not expended by June 30 of  
30 the second calendar year following the date of the reservation shall  
31 revert back to the state board as of that June 30, and shall be  
32 deposited in the fund for use by the program. The funds may then  
33 be redirected based on applications to the fund. Regardless of any  
34 reversion of funds back to the state board, the district may continue  
35 to request other reservations of funds for local administration. Each  
36 reservation of funds shall be accounted for separately, and unused  
37 funds from each application shall revert back to the state board as  
38 specified in this subdivision.

39 (l) The state board shall specify a date each year when district  
40 applications are due. If the eligible applications received in any

1 year oversubscribe the available funds, the state board shall reserve  
 2 funds on an allocation basis, pursuant to subdivision (b) of Section  
 3 44299.1. The state board may accept a district application after  
 4 the due date for a period of months specified by the state board.  
 5 Funds may be reserved in response to those applications, in  
 6 accordance with this chapter, out of funds remaining after the  
 7 original reservation of funds for the year.

8 (m) Guidelines for a district application shall require information  
 9 from an applicant district to the extent necessary to meet the  
 10 requirements of this chapter, but shall otherwise minimize the  
 11 information required of a district.

12 (n) A district application shall be reviewed by the state board  
 13 immediately upon receipt. If the state board determines that an  
 14 application is incomplete, the applicant shall be notified within 10  
 15 working days with an explanation of what is missing from the  
 16 application. A completed application fulfilling the criteria shall be  
 17 approved as soon as practicable, but not later than 60 working days  
 18 after receipt.

19 (o) The state board, in consultation with the districts, shall  
 20 establish project approval criteria and guidelines for infrastructure  
 21 projects consistent with Section 44284 as soon as practicable, but  
 22 not later than February 15, 2000. The commission shall make draft  
 23 criteria and guidelines available to the public 45 days before final  
 24 adoption, and shall hold at least one public meeting to consider  
 25 public comments before final adoption.

26 (p) The state board, in consultation with the participating  
 27 districts, may propose revisions to the criteria and guidelines  
 28 established pursuant to subdivision (o) as necessary to improve  
 29 the ability of the program to achieve its goals. A revision may be  
 30 proposed at any time, or may be proposed in response to a finding  
 31 made in the annual report on the program published by the state  
 32 board pursuant to Section 44295. A proposed revision shall be  
 33 made available to the public 45 days before final adoption of the  
 34 revision and the commission shall hold at least one public meeting  
 35 to consider public comments before final adoption of the revision.

36 (q) This section shall become operative on January 1, ~~2038~~.  
 37 ~~2033~~.

38 SEC. 19. Section 44287 of the Health and Safety Code, as  
 39 amended by Section 12 of Chapter 610 of the Statutes of 2015, is  
 40 amended to read:

1 44287. (a) The state board shall establish or update grant  
2 criteria and guidelines consistent with this chapter for covered  
3 vehicle and infrastructure projects as soon as practicable, but not  
4 later than July 1, 2017. The adoption of guidelines is exempt from  
5 the rulemaking provisions of the Administrative Procedure Act  
6 (Chapter 3.5 (commencing with Section 11340) of Part 1 of  
7 Division 3 of Title 2 of the Government Code). The state board  
8 shall solicit input and comment from the districts during the  
9 development of the criteria and guidelines and shall make every  
10 effort to develop criteria and guidelines that are compatible with  
11 existing district programs that are also consistent with this chapter.  
12 Guidelines shall include protocols to calculate project  
13 cost-effectiveness. The grant criteria and guidelines shall include  
14 safeguards to ensure that the project generates surplus emissions  
15 reductions. Guidelines shall enable and encourage districts to  
16 cofund projects that provide emissions reductions in more than  
17 one district. The state board shall make draft criteria and guidelines  
18 available to the public 45 days before final adoption, and shall  
19 hold at least one public meeting to consider public comments  
20 before final adoption. The state board may develop separate  
21 guidelines and criteria for the different types of eligible projects  
22 described in subdivision (a) of Section 44281.

23 (b) The state board, in consultation with the participating  
24 districts, may propose revisions to the criteria and guidelines  
25 established pursuant to subdivision (a) as necessary to improve  
26 the ability of the program to achieve its goals. A proposed revision  
27 shall be made available to the public 45 days before final adoption  
28 of the revision and the state board shall hold at least one public  
29 meeting to consider public comments before final adoption of the  
30 revision.

31 (c) The state board shall reserve funds for, and disburse funds  
32 to, districts from the fund for administration pursuant to this section  
33 and Section 44299.1.

34 (d) The state board shall develop guidelines for a district to  
35 follow in applying for the reservation of funds, in accordance with  
36 this chapter. It is the intent of the Legislature that district  
37 administration of any reserved funds be in accordance with the  
38 project selection criteria specified in Sections 44281, 44282, and  
39 44283 and all other provisions of this chapter. The guidelines shall



1 be established and published by the state board as soon as  
2 practicable, but not later than January 1, 2006.

3 (e) Funds shall be reserved by the state board for administration  
4 by a district that adopts an eligible program pursuant to this chapter  
5 and offers matching funds at a ratio of one dollar (\$1) of matching  
6 funds committed by the district or the Mobile Source Air Pollution  
7 Reduction Review Committee for every two dollars (\$2) committed  
8 from the fund. Funds available to the Mobile Source Air Pollution  
9 Reduction Review Committee may be counted as matching funds  
10 for projects in the South Coast Air Basin only if the committee  
11 approves the use of these funds for matching purposes. Matching  
12 funds may be any funds under the district's budget authority that  
13 are committed to be expended in accordance with the program.  
14 Funds committed by a port authority or a local government, in  
15 cooperation with a district, to be expended in accordance with the  
16 program may also be counted as district matching funds. Matching  
17 funds provided by a port authority or a local government shall not  
18 exceed 30 percent of the total required matching funds in any  
19 district that applies for more than three hundred thousand dollars  
20 (\$300,000) of the state board funds. Only a district, or a port  
21 authority or a local government teamed with a district, may provide  
22 matching funds.

23 (f) The state board may adjust the ratio of matching funds  
24 described in subdivision (e), if it determines that an adjustment is  
25 necessary in order to maximize the use of, or the air quality benefits  
26 provided by, the program, based on a consideration of the financial  
27 resources of the district.

28 (g) Notwithstanding subdivision (e), a district need not provide  
29 matching funds for state board funds allocated to the district for  
30 program outreach activities pursuant to paragraph (4) of subdivision  
31 (a) of Section 44299.1.

32 (h) A district may include within its matching funds a reasonable  
33 estimate of direct or in-kind costs for assistance in providing  
34 program outreach and application evaluation. In-kind and direct  
35 matching funds shall not exceed 15 percent of the total matching  
36 funds offered by a district. A district may also include within its  
37 matching funds any money spent on or after February 25, 1999,  
38 that would have qualified as matching funds but were not  
39 previously claimed as matching funds.

1 (i) A district desiring a reservation of funds shall apply to the  
2 state board following the application guidelines established  
3 pursuant to this section. The state board shall approve or disapprove  
4 a district application not later than 60 days after receipt. Upon  
5 approval of any district application, the state board shall  
6 simultaneously approve a reservation of funding for that district  
7 to administer. Reserved funds shall be disbursed to the district so  
8 that funding of a district-approved project is not impeded.

9 (j) Any funds reserved for a district by the state board pursuant  
10 to this section are available for disbursement to the district for a  
11 period of not more than two years from the time of reservation.  
12 Funds not liquidated by a district by June 30 of the fourth calendar  
13 year following the date of the reservation shall be returned to the  
14 state board within 90 days for future allocation pursuant to this  
15 chapter. Each reservation of funds shall be accounted for separately,  
16 and unused funds from each application shall revert back to the  
17 state board for use pursuant to this chapter as specified in this  
18 subdivision.

19 (k) The state board shall specify a date each year when district  
20 applications are due. If the eligible applications received in any  
21 year oversubscribe the available funds, the state board shall reserve  
22 funds on an allocation basis, pursuant to Section 44299.2. The  
23 state board may accept a district application after the due date for  
24 a period of months specified by the state board. Funds may be  
25 reserved in response to those applications, in accordance with this  
26 chapter, out of funds remaining after the original reservation of  
27 funds for the year.

28 (l) Guidelines for a district application shall require information  
29 from an applicant district to the extent necessary to meet the  
30 requirements of this chapter, but shall otherwise minimize the  
31 information required of a district.

32 (m) A district application shall be reviewed by the state board  
33 immediately upon receipt. If the state board determines that an  
34 application is incomplete, the applicant shall be notified within 10  
35 working days with an explanation of what is missing from the  
36 application. A completed application fulfilling the criteria shall be  
37 approved as soon as practicable, but not later than 60 working days  
38 after receipt.

39 (n) The commission, in consultation with the districts, shall  
40 establish project approval criteria and guidelines for infrastructure

1 projects consistent with Section 44284 as soon as practicable, but  
2 not later than February 15, 2000. The commission shall make draft  
3 criteria and guidelines available to the public 45 days before final  
4 adoption, and shall hold at least one public meeting to consider  
5 public comments before final adoption.

6 (o) The commission, in consultation with the participating  
7 districts, may propose revisions to the criteria and guidelines  
8 established pursuant to subdivision (n) as necessary to improve  
9 the ability of the program to achieve its goals. A revision may be  
10 proposed at any time, or may be proposed in response to a finding  
11 made in the annual report on the program published by the state  
12 board pursuant to Section 44295. A proposed revision shall be  
13 made available to the public 45 days before final adoption of the  
14 revision and the commission shall hold at least one public meeting  
15 to consider public comments before final adoption of the revision.

16 (p) Unclaimed funds will be allocated by the state board in  
17 accordance with Section 44299.2.

18 (q) This section shall remain in effect only until January 1, ~~2038~~,  
19 2033, and as of that date is repealed, unless a later enacted statute,  
20 that is enacted before January 1, ~~2038~~, 2033, deletes or extends  
21 that date.

22 SEC. 20. Section 42885 of the Public Resources Code, as  
23 amended by Section 31 of Chapter 401 of the Statutes of 2013, is  
24 amended to read:

25 42885. (a) For purposes of this section, “California tire fee”  
26 means the fee imposed pursuant to this section.

27 (b) (1) A person who purchases a new tire, as defined in  
28 subdivision (g), shall pay a California tire fee of one dollar and  
29 seventy-five cents (\$1.75) per tire.

30 (2) The retail seller shall charge the retail purchaser the amount  
31 of the California tire fee as a charge that is separate from, and not  
32 included in, any other fee, charge, or other amount paid by the  
33 retail purchaser.

34 (3) The retail seller shall collect the California tire fee from the  
35 retail purchaser at the time of sale and may retain 1 ½ percent of  
36 the fee as reimbursement for any costs associated with the  
37 collection of the fee. The retail seller shall remit the remainder to  
38 the state on a quarterly schedule for deposit in the California Tire  
39 Recycling Management Fund, which is hereby created in the State  
40 Treasury.

1 (c) The department, or its agent authorized pursuant to Section  
2 42882, shall be reimbursed for its costs of collection, auditing, and  
3 making refunds associated with the California Tire Recycling  
4 Management Fund, but not to exceed 3 percent of the total annual  
5 revenue deposited in the fund.

6 (d) The California tire fee imposed pursuant to subdivision (b)  
7 shall be separately stated by the retail seller on the invoice given  
8 to the customer at the time of sale. Any other disposal or  
9 transaction fee charged by the retail seller related to the tire  
10 purchase shall be identified separately from the California tire fee.

11 (e) A person or business who knowingly, or with reckless  
12 disregard, makes a false statement or representation in a document  
13 used to comply with this section is liable for a civil penalty for  
14 each violation or, for continuing violations, for each day that the  
15 violation continues. Liability under this section may be imposed  
16 in a civil action and shall not exceed twenty-five thousand dollars  
17 (\$25,000) for each violation.

18 (f) In addition to the civil penalty that may be imposed pursuant  
19 to subdivision (e), the department may impose an administrative  
20 penalty in an amount not to exceed five thousand dollars (\$5,000)  
21 for each violation of a separate provision or, for continuing  
22 violations, for each day that the violation continues, on a person  
23 who intentionally or negligently violates a permit, rule, regulation,  
24 standard, or requirement issued or adopted pursuant to this chapter.  
25 The department shall adopt regulations that specify the amount of  
26 the administrative penalty and the procedure for imposing an  
27 administrative penalty pursuant to this subdivision.

28 (g) For purposes of this section, “new tire” means a pneumatic  
29 or solid tire intended for use with onroad or off-road motor  
30 vehicles, motorized equipment, construction equipment, or farm  
31 equipment that is sold separately from the motorized equipment,  
32 or a new tire sold with a new or used motor vehicle, as defined in  
33 Section 42803.5, including the spare tire, construction equipment,  
34 or farm equipment. “New tire” does not include retreaded, reused,  
35 or recycled tires.

36 (h) The California tire fee shall not be imposed on a tire sold  
37 with, or sold separately for use on, any of the following:

- 38 (1) A self-propelled wheelchair.
- 39 (2) A motorized tricycle or motorized quadricycle, as defined  
40 in Section 407 of the Vehicle Code.

1 (3) A vehicle that is similar to a motorized tricycle or motorized  
2 quadricycle and is designed to be operated by a person who, by  
3 reason of the person’s physical disability, is otherwise unable to  
4 move about as a pedestrian.

5 (i) This section shall remain in effect only until January 1, ~~2038~~,  
6 2033, and as of that date is repealed, unless a later enacted statute,  
7 that is enacted before January 1, ~~2038~~, 2033, deletes or extends  
8 that date.

9 SEC. 21. Section 42885 of the Public Resources Code, as  
10 amended by Section 32 of Chapter 401 of the Statutes of 2013, is  
11 amended to read:

12 42885. (a) For purposes of this section, “California tire fee”  
13 means the fee imposed pursuant to this section.

14 (b) (1) Every person who purchases a new tire, as defined in  
15 subdivision (g), shall pay a California tire fee of seventy-five cents  
16 (\$0.75) per tire.

17 (2) The retail seller shall charge the retail purchaser the amount  
18 of the California tire fee as a charge that is separate from, and not  
19 included in, any other fee, charge, or other amount paid by the  
20 retail purchaser.

21 (3) The retail seller shall collect the California tire fee from the  
22 retail purchaser at the time of sale and may retain 3 percent of the  
23 fee as reimbursement for any costs associated with the collection  
24 of the fee. The retail seller shall remit the remainder to the state  
25 on a quarterly schedule for deposit in the California Tire Recycling  
26 Management Fund, which is hereby created in the State Treasury.

27 (c) The department, or its agent authorized pursuant to Section  
28 42882, shall be reimbursed for its costs of collection, auditing, and  
29 making refunds associated with the California Tire Recycling  
30 Management Fund, but not to exceed 3 percent of the total annual  
31 revenue deposited in the fund.

32 (d) The California tire fee imposed pursuant to subdivision (b)  
33 shall be separately stated by the retail seller on the invoice given  
34 to the customer at the time of sale. Any other disposal or  
35 transaction fee charged by the retail seller related to the tire  
36 purchase shall be identified separately from the California tire fee.

37 (e) Any person or business who knowingly, or with reckless  
38 disregard, makes any false statement or representation in any  
39 document used to comply with this section is liable for a civil  
40 penalty for each violation or, for continuing violations, for each

1 day that the violation continues. Liability under this section may  
2 be imposed in a civil action and shall not exceed twenty-five  
3 thousand dollars (\$25,000) for each violation.

4 (f) In addition to the civil penalty that may be imposed pursuant  
5 to subdivision (e), the department may impose an administrative  
6 penalty in an amount not to exceed five thousand dollars (\$5,000)  
7 for each violation of a separate provision or, for continuing  
8 violations, for each day that the violation continues, on any person  
9 who intentionally or negligently violates any permit, rule,  
10 regulation, standard, or requirement issued or adopted pursuant to  
11 this chapter. The department shall adopt regulations that specify  
12 the amount of the administrative penalty and the procedure for  
13 imposing an administrative penalty pursuant to this subdivision.

14 (g) For purposes of this section, “new tire” means a pneumatic  
15 or solid tire intended for use with onroad or off-road motor  
16 vehicles, motorized equipment, construction equipment, or farm  
17 equipment that is sold separately from the motorized equipment,  
18 or a new tire sold with a new or used motor vehicle, as defined in  
19 Section 42803.5, including the spare tire, construction equipment,  
20 or farm equipment. “New tire” does not include retreaded, reused,  
21 or recycled tires.

22 (h) The California tire fee may not be imposed on any tire sold  
23 with, or sold separately for use on, any of the following:

- 24 (1) Any self-propelled wheelchair.  
25 (2) Any motorized tricycle or motorized quadricycle, as defined  
26 in Section 407 of the Vehicle Code.  
27 (3) Any vehicle that is similar to a motorized tricycle or  
28 motorized quadricycle and is designed to be operated by a person  
29 who, by reason of the person’s physical disability, is otherwise  
30 unable to move about as a pedestrian.

31 (i) This section shall become operative on January 1, ~~2038~~.  
32 ~~2033~~.

33 SEC. 22. Section 42889 of the Public Resources Code, as  
34 amended by Section 152 of Chapter 35 of the Statutes of 2014, is  
35 amended to read:

36 42889. (a) Of the moneys collected pursuant to Section 42885,  
37 an amount equal to seventy-five cents (\$0.75) per tire on which  
38 the fee is imposed shall be transferred by the State Board of  
39 Equalization to the Air Pollution Control Fund. The state board  
40 shall expend those moneys, or allocate those moneys to the districts

1 for expenditure, to fund programs and projects that mitigate or  
2 remediate air pollution caused by tires in the state, to the extent  
3 that the state board or the applicable district determines that the  
4 program or project remediates air pollution harms created by tires  
5 upon which the fee described in Section 42885 is imposed.

6 (b) The remaining moneys collected pursuant to Section 42885  
7 shall be used to fund the waste tire program, and shall be  
8 appropriated to the department in the annual Budget Act in a  
9 manner consistent with the five-year plan adopted and updated by  
10 the department. These moneys shall be expended for the payment  
11 of refunds under this chapter and for the following purposes:

12 (1) To pay the administrative overhead cost of this chapter, not  
13 to exceed 6 percent of the total revenue deposited in the fund  
14 annually, or an amount otherwise specified in the annual Budget  
15 Act.

16 (2) To pay the costs of administration associated with collection,  
17 making refunds, and auditing revenues in the fund, not to exceed  
18 3 percent of the total revenue deposited in the fund, as provided  
19 in subdivision (c) of Section 42885.

20 (3) To pay the costs associated with operating the tire recycling  
21 program specified in Article 3 (commencing with Section 42870).

22 (4) To pay the costs associated with the development and  
23 enforcement of regulations relating to the storage of waste tires  
24 and used tires. The department shall consider designating a city,  
25 county, or city and county as the enforcement authority of  
26 regulations relating to the storage of waste tires and used tires, as  
27 provided in subdivision (c) of Section 42850, and regulations  
28 relating to the hauling of waste and used tires, as provided in  
29 subdivision (b) of Section 42963. If the department designates a  
30 local entity for that purpose, the department shall provide sufficient,  
31 stable, and noncompetitive funding to that entity for that purpose,  
32 based on available resources, as provided in the five-year plan  
33 adopted and updated as provided in subdivision (a) of Section  
34 42885.5. The department may consider and create, as appropriate,  
35 financial incentives for citizens who report the illegal hauling or  
36 disposal of waste tires as a means of enhancing local and statewide  
37 waste tire and used tire enforcement programs.

38 (5) To pay the costs of cleanup, abatement, removal, or other  
39 remedial action related to waste tire stockpiles throughout the state,  
40 including all approved costs incurred by other public agencies

1 involved in these activities by contract with the department. Not  
2 less than six million five hundred thousand dollars (\$6,500,000)  
3 shall be expended by the department during each of the following  
4 fiscal years for this purpose: 2001–02 to 2006–07, inclusive.

5 (6) To make studies and conduct research directed at promoting  
6 and developing alternatives to the landfill disposal of waste tires.

7 (7) To assist in developing markets and new technologies for  
8 used tires and waste tires. The department’s expenditure of funds  
9 for purposes of this subdivision shall reflect the priorities for waste  
10 management practices specified in subdivision (a) of Section  
11 40051.

12 (8) To pay the costs associated with implementing and operating  
13 a waste tire and used tire hauler program and manifest system  
14 pursuant to Chapter 19 (commencing with Section 42950).

15 (9) To pay the costs to create and maintain an emergency  
16 reserve, which shall not exceed one million dollars (\$1,000,000).

17 (10) To pay the costs of cleanup, abatement, or other remedial  
18 action related to the disposal of waste tires in implementing and  
19 operating the Farm and Ranch Solid Waste Cleanup and Abatement  
20 Grant Program established pursuant to Chapter 2.5 (commencing  
21 with Section 48100) of Part 7.

22 (11) To fund border region activities specified in paragraph (8)  
23 of subdivision (b) of Section 42885.5.

24 (12) For expenditure pursuant to paragraph (3) of subdivision  
25 (a) of, and paragraph (3) of subdivision (b) of, Section 17001.

26 (c) This section shall remain in effect only until January 1, ~~2038~~,  
27 2033, and as of that date is repealed, unless a later enacted statute  
28 that is enacted before January 1, ~~2038~~, 2033, deletes or extends  
29 that date.

30 SEC. 23. Section 42889 of the Public Resources Code, as  
31 amended by Section 153 of Chapter 35 of the Statutes of 2014, is  
32 amended to read:

33 42889. Funding for the waste tire program shall be appropriated  
34 to the department in the annual Budget Act. The moneys in the  
35 fund shall be expended for the payment of refunds under this  
36 chapter and for the following purposes:

37 (a) To pay the administrative overhead cost of this chapter, not  
38 to exceed 5 percent of the total revenue deposited in the fund  
39 annually, or an amount otherwise specified in the annual Budget  
40 Act.



1 (b) To pay the costs of administration associated with collection,  
2 making refunds, and auditing revenues in the fund, not to exceed  
3 3 percent of the total revenue deposited in the fund, as provided  
4 in subdivision (b) of Section 42885.

5 (c) To pay the costs associated with operating the tire recycling  
6 program specified in Article 3 (commencing with Section 42870).

7 (d) To pay the costs associated with the development and  
8 enforcement of regulations relating to the storage of waste tires  
9 and used tires. The department shall consider designating a city,  
10 county, or city and county as the enforcement authority of  
11 regulations relating to the storage of waste tires and used tires, as  
12 provided in subdivision (c) of Section 42850, and regulations  
13 relating to the hauling of waste and used tires, as provided in  
14 subdivision (b) of Section 42963. If the department designates a  
15 local entity for that purpose, the department shall provide sufficient,  
16 stable, and noncompetitive funding to that entity for that purpose,  
17 based on available resources, as provided in the five-year plan  
18 adopted and updated as provided in subdivision (a) of Section  
19 42885.5. The department may consider and create, as appropriate,  
20 financial incentives for citizens who report the illegal hauling or  
21 disposal of waste tires as a means of enhancing local and statewide  
22 waste tire and used tire enforcement programs.

23 (e) To pay the costs of cleanup, abatement, removal, or other  
24 remedial action related to waste tire stockpiles throughout the state,  
25 including all approved costs incurred by other public agencies  
26 involved in these activities by contract with the department. Not  
27 less than six million five hundred thousand dollars (\$6,500,000)  
28 shall be expended by the department during each of the following  
29 fiscal years for this purpose: 2001–02 to 2006–07, inclusive.

30 (f) To fund border region activities specified in paragraph (8)  
31 of subdivision (b) of Section 42885.5.

32 (g) For expenditure pursuant to paragraph (3) of subdivision (a)  
33 of, and paragraph (3) of subdivision (b) of, Section 17001.

34 (h) This section shall become operative on January 1, ~~2038~~.  
35 ~~2033~~.

36 SEC. 24. Section 9250.2 of the Vehicle Code, as amended by  
37 Section 36 of Chapter 401 of the Statutes of 2013, is amended to  
38 read:

39 9250.2. (a) The department, if requested by the Sacramento  
40 Metropolitan Air Quality Management District pursuant to Section

1 41081 of the Health and Safety Code, shall impose and collect a  
2 surcharge on the registration fees for every motor vehicle registered  
3 in that district, not to exceed the amount of six dollars (\$6), as  
4 specified by the governing body of that district.

5 (b) This section shall remain in effect only until January 1, ~~2038~~,  
6 2033, and as of that date is repealed, unless a later enacted statute,  
7 that is enacted before January 1, ~~2038~~, 2033, deletes or extends  
8 that date.

9 SEC. 25. Section 9250.2 of the Vehicle Code, as amended by  
10 Section 37 of Chapter 401 of the Statutes of 2013, is amended to  
11 read:

12 9250.2. (a) The department, if requested by the Sacramento  
13 Metropolitan Air Quality Management District pursuant to Section  
14 41081 of the Health and Safety Code, shall impose and collect a  
15 surcharge on the registration fees for every motor vehicle registered  
16 in that district, not to exceed four dollars (\$4).

17 (b) This section shall become operative on January 1, ~~2038~~.  
18 2033.

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**BAY AREA AIR QUALITY MANAGEMENT DISTRICT**  
Memorandum

To: Chairperson Pauline Russo Cutter and Members  
of the Legislative Committee

From: Alexander Crockett  
Interim Executive Officer/APCO

Date: May 9, 2022

Re: State Legislative Update

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

May 6, 2022 is the last day for policy committees to hear and report to the floor nonfiscal bills introduced in their house. Assembly and Senate Budget committees continue to schedule hearings in preparation for the Governor's May Revision to the 2022-2023 Budget and final budget negotiations. The "May Revise" is set to be released by the Governor by May 10, 2022.

Below are bills the Air District has taken positions on during the 2022 Legislative Session:

- Assembly Bill (AB) 1944 (Lee) - Local government: open and public meetings.
- AB 2141 (E. Garcia) - Greenhouse Gas Reduction Fund: community projects: funding.
- AB 2206 (Lee) - Nonattainment basins: employee parking: parking cash-out program.
- AB 2563 (Quirk) - Air pollution: permits: mobile fueling on-demand tank vehicles.
- AB 2816 (Ting) - State Air Resources Board: zero-emission incentive programs: requirements.
- AB 2852 (Bloom) - Air pollution control districts and air quality management districts: independent special districts: funding.
- AB 2910 (Santiago) - Nonvehicular air pollution: civil penalties.
- Senate Bill (SB) 1235 (Borgeas) - Air pollution: portable equipment: emergency events.
- SB 1382 (Gonzalez) - Air pollution: Clean Cars 4 All Program: Sales and Use Tax Law: zero emissions vehicle exemption.
- SB 1393 (Archuleta) - Energy: appliances: local requirements.

## DISCUSSION

The Legislative Committee (Committee) will receive an update on recent events of significance in Sacramento. Staff will provide the Committee with a brief summary and status of bills listed on the attached list. Specifically, staff will discuss the following bills:

*AB 1944 (Lee) - Local government: open and public meetings.*

CapitolTrack Summary: The Ralph M. Brown Act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would require the agenda to identify any member of the legislative body that will participate in the meeting remotely. The bill would also require an updated agenda reflecting all of the members participating in the meeting remotely to be posted, if a member of the legislative body elects to participate in the meeting remotely after the agenda is posted.

Current Status: Referred to Assembly Local Government – set for hearing on May 4, 2022.

Position: Support

*AB 2141 (E. Garcia) - Greenhouse Gas Reduction Fund: community projects: funding.*

CapitolTrack Summary: Current law requires that 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 be deposited in the Greenhouse Gas Reduction Fund and be available, upon appropriation by the Legislature, for purposes relating to the reduction of greenhouse gas emissions. Current 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. This bill would continuously appropriate to the state board, beginning in the 2023–24 fiscal year, 20% of the annual proceeds of the Greenhouse Gas Reduction Fund, up to \$600,000,000, for allocation to air pollution control districts and air quality management districts for the purpose of supporting community emissions reduction strategies in, and reimbursement for participation by, communities selected by the state board, as specified.

Current Status: Assembly Natural Resources (Ayes 7. Noes 3. – April 25); Referred to Assembly Appropriations – hearing date not set.

Position: Support

*AB 2206 (Lee) - Nonattainment basins: employee parking: parking cash-out program.*

CapitolTrack Summary: Current law requires, in any air basin designated as nonattainment for certain air quality standards, an employer, defined as an employer of 50 persons or more that provides a parking subsidy to employees, to also offer a parking cash-out program. Current law defines “parking cash-out program” as an employer-funded program under which an employer offers to provide a cash allowance to an employee equivalent to the parking subsidy that the employer would otherwise pay to provide the employee with a parking space. Current law defines a “parking subsidy” as the difference between the out-of-pocket amount paid by an employer on a regular basis in order to secure the availability of an employee parking space not owned by the employer and the price, if any, charged to an employee for use of that space. This bill would revise the definitions of “employer,” “parking cash-out program,” and “parking subsidy.” The bill would require a lessor that enters into or renews a lease on or after January 1, 2023, with a lessee that is an employer and that offers parking to the employer to list the market-rate parking costs as a separate line item in the lease, as provided, or to provide a list of parking costs to the employer within 30 days after the lease is entered into or renewed.

Current Status: Assembly Transportation (Ayes 11. Noes 3. – April 18); Ordered to Assembly Third Reading – hearing pending.

Position: Support

*AB 2563 (Quirk) - Air pollution: permits: mobile fueling on-demand tank vehicles.*

CapitolTrack Summary: Would, except as provided, require air pollution control and air quality management districts to establish a mobile fueling on-demand tank vehicle permit program for mobile fueling on-demand tank vehicle operations, as defined. The bill would require that a mobile fueling on-demand tank vehicle permit program provide, among other things, a consistent permitting process for an operation that requires more than one permit and an expedited permit review and fee schedule. By placing additional duties upon air pollution control and air quality management districts, and expanding the scope of existing crimes, the bill would impose a state-mandated local program.

Current Status: Assembly Transportation (Ayes 9. Noes 1. – April 4); Assembly Natural Resources (Ayes 10. Noes 0. – April 25); Referred to Assembly Appropriations – hearing date not set.

Position: Oppose

*AB 2816 (Ting) - State Air Resources Board: zero-emission incentive programs: requirements.*

CapitolTrack Summary: Would require the State Air Resources Board to develop a tool to determine the annual average gallons of gasoline or diesel consumed by a particular vehicle and would require the state board to make the tool publicly available on its internet website for use by potential applicants of a ZEV incentive program. To maximize equity benefits, the bill would require the state board to ensure that additional per gallon incentive payments are provided to an applicant of a ZEV incentive program if the applicant is low or moderate income. The bill would require the state board to submit a report to the Legislature on or before January 1, 2024, and every 2 years thereafter, regarding the ZEV incentive programs.

Current Status: Assembly Transportation (Ayes 12. Noes 2. – April 18); Assembly Natural Resources (Ayes 9. Noes 1. – April 25); Referred to Assembly Appropriations – hearing date not set.

Position: Oppose unless amended

*AB 2852 (Bloom) - Air pollution control districts and air quality management districts: independent special districts: funding.*

CapitolTrack Summary: Current law provides for the establishment of air pollution control districts and air quality management districts. Current law declares a district a body corporate and politic and a public agency of the state, and prescribes the general powers and duties of a district. Current law authorizes a district to receive funding from specified sources, including, but not limited to, grants, permit fees, and penalties. This bill would designate, retroactive to January 1, 2020, a district as an independent special district for purposes of receiving state funds or funds disbursed by the state, including federal funds.

Current Status: Referred to Assembly Local Government – hearing date not set.

Position: Support

*AB 2910 (Santiago) - Nonvehicular air pollution: civil penalties.*

CapitolTrack Summary: Current 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. Current law establishes maximum civil penalties for any person for violations of air pollution laws from nonvehicular sources. A person who violates these laws and who acts negligently is liable for a civil penalty in a greater amount, as specified. Current law annually adjusts the maximum penalties for violations of these laws based on the California Consumer Price Index. This bill would increase the maximum amount of those civil penalties and would subject those maximum amounts to the annual adjustment based on the California Consumer Price Index, as specified.

Current Status: Assembly Natural Resources (Ayes 8. Noes 2. – April 18); Assembly Judiciary (Ayes 8. Noes 1. – April 26); Referred to Assembly Appropriations – hearing date not set.

Position: Support

*SB 1235 (Borgeas) - Air pollution: portable equipment: emergency events.*

CapitolTrack Summary: Would codify the State Air Resources Board's regulation authorizing portable equipment to be operated during an emergency event, as defined above, and would also authorize portable equipment to be operated during a public safety power shut-off event. The bill would define "public safety power shut-off event," in part, as a planned power outage undertaken by an electrical corporation to reduce the risk of wildfires caused by utility equipment.

Current Status: Referred to Senate Environmental Quality – April 27, 2022, hearing canceled at the request of the author.

Position: Oppose

*SB 1382 (Gonzalez) - Air pollution: Clean Cars 4 All Program: Sales and Use Tax Law: zero emissions vehicle exemption.*

CapitolTrack Summary: Current law establishes the Clean Cars 4 All Program, which is administered by the State Air Resources Board, to focus on achieving reductions in the emissions of greenhouse gases, improvements in air quality, and benefits to low-income state residents through the replacement of high-polluter motor vehicles with cleaner and more efficient motor vehicles or a mobility option. Current law requires the implementing regulations to ensure, among other things, that there is improved coordination, integration, and partnerships with other specified programs that target disadvantaged communities. This bill would require the implementing regulations for the Clean Cars 4 All Program to additionally ensure that the state board coordinates with air quality management districts and local nonprofit and community organizations to identify barriers to accessing the Clean Cars 4 All Program and to develop outreach protocols and metrics to assess the success of outreach across the districts.

Current Status: Heard in Senate Environmental Quality on April 20, 2022, and referred to Governance and Finance (Ayes 4. Noes 1. – April 20); Referred to Senate Appropriations – set for hearing on May 9, 2022.

Position: Support

*SB 1393 (Archuleta) - Energy: appliances: local requirements.*

CapitolTrack Summary: Current law requires the State Energy Resources Conservation and Development Commission to gather or develop, and publish on its internet website, guidance and best practices to help building owners, the construction industry, and local governments overcome barriers to electrification of buildings and installation of electric vehicle charging equipment that include one or more specified topics. This bill would require the commission to gather or develop, and publish on its internet website, the guidance and best practices by July 1, 2023, and would require the guidance to include all of those specified topics and additional topics. The bill would require the commission to update annually the guidance and best practices. The bill would require a city, including a charter city, or county, when adopting an ordinance requiring the replacement of a fossil fuel-fired appliance with an electric appliance upon the alteration or retrofit of a residential and nonresidential building, to consider the guidance published by the commission.

Current Status: Senate Energy, Utilities and Communications (Ayes 8. Noes 2. – March 28); Governance and Finance (Ayes 3. Noes 2. – April 20); Senate Appropriations – set for hearing on May 9, 2022.

Position: Oppose

#### BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Alexander Crockett  
Interim Executive Officer/APCO

Prepared by: Alan Abbs  
Reviewed by: Alexander Crockett

ATTACHMENTS:

1. Bills of Interest Matrix - As of May 2, 2022



Bill #	Author	Subject	Last Amended	Last Status - As of 5/2/2022	Location	Notes	Position	Priority (Low/Medium/High)	Category
<a href="#">AB 1749</a>	Garcia, Cristina	Community Air Protection Blueprint: community emissions reduction programs: toxic air contaminants and criteria air pollutants.	3/14/2022	4/27/2022-In committee: Set, first hearing. Referred to suspense file.	4/27/2022-A. APPR. SUSPENSE FILE			Medium	AB 617
<a href="#">AB 284</a>	Rivas, Robert	California Global Warming Solutions Act of 2006: climate goal: natural and working lands.	7/14/2021	9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/2/2021)(May be acted upon Jan 2022)	9/10/2021-S. 2 YEAR			Low	Climate Change
<a href="#">AB 1369</a>	Bennett	Buy Clean California Act: eligible materials: product-specific global warming potential emissions.	1/12/2022	2/1/2022-In Senate. Read first time. To Com. on RLS. for assignment.	2/1/2022-S. RLS.			Low	Climate Change
<a href="#">AB 1395</a>	Muratsuchi	The California Climate Crisis Act.	9/3/2021	9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/10/2021)(May be acted upon Jan 2022)	9/10/2021-S. 2 YEAR			Low	Climate Change
<a href="#">AB 2442</a>	Rivas, Robert	Climate change.	4/5/2022	4/26/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 2.) (April 25). Re-referred to Com. on APPR.	4/25/2022-A. APPR.			Low	Climate Change
<a href="#">AB 2446</a>	Holden	Embodied carbon emissions: construction materials.	4/7/2022	4/27/2022-In committee: Set, first hearing. Referred to suspense file.	4/27/2022-A. APPR. SUSPENSE FILE			Low	Climate Change
<a href="#">AB 2532</a>	Bennett	Scoping plan: state agency, board, and department compliance and implementation: reports.	4/19/2022	4/27/2022-In committee: Set, first hearing. Referred to suspense file.	4/27/2022-A. APPR. SUSPENSE FILE			Low	Climate Change
<a href="#">AB 2578</a>	Cunningham	State Energy Resources Conservation and Development Commission: integrated energy policy report: carbon capture, utilization, and sequestration.	4/27/2022	4/28/2022-Re-referred to Com. on APPR.	4/25/2022-A. APPR.			Low	Climate Change
<a href="#">AB 2674</a>	Villapudua	California Global Warming Solutions Act of 2006: Low Carbon Fuel Standard regulations.	4/18/2022	4/19/2022-Re-referred to Com. on NAT. RES.	3/10/2022-A. NAT. RES.			Low	Climate Change
<a href="#">AB 2700</a>	McCarty	Transportation electrification: electrical distribution grid upgrades.	4/27/2022	4/28/2022-Re-referred to Com. on APPR.	4/26/2022-A. APPR.			Low	Climate Change
<a href="#">AB 2722</a>	Grayson	Greenhouse gases: work-from-home option.	4/6/2022	4/19/2022-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 11. Noes 0.) (April 18). Re-referred to Com. on APPR.	4/18/2022-A. APPR.			Low	Climate Change
<a href="#">AB 2809</a>	Carrillo	Greenhouse gases: refrigerants.		2/19/2022-From printer. May be heard in committee March 21.	2/18/2022-A. PRINT			Low	Climate Change
<a href="#">AB 2944</a>	Petrie-Norris	Greenhouse gases: carbon capture, utilization, and sequestration.	5/2/2022	4/28/2022-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (April 25). (Amended Text Released 5/2/2022)	4/25/2022-A. APPR.			Low	Climate Change
<a href="#">SB 260</a>	Wiener	Climate Corporate Accountability Act.	1/3/2022	1/26/2022-Read third time. Passed. (Ayes 23. Noes 7.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.	1/26/2022-A. DESK			Medium	Climate Change
<a href="#">SB 852</a>	Dodd	Climate resilience districts: formation: funding mechanisms.	5/2/2022	4/28/2022-From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 7. Noes 1.) (April 26). (Amended Text Released 5/2/2022)	4/26/2022-S. APPR.			Low	Climate Change
<a href="#">SB 905</a>	Skinner	Decarbonized Cement and Geologic Carbon Sequestration Demonstration Act.	4/18/2022	4/22/2022-Set for hearing May 2.	4/20/2022-S. APPR.			Low	Climate Change
<a href="#">SB 989</a>	Hertzberg	Climate Change Preparedness, Resiliency, and Jobs for Communities Program: climate-beneficial projects: grant funding.	4/18/2022	4/29/2022-Set for hearing May 9.	4/27/2022-S. APPR.			Low	Climate Change
<a href="#">SB 1020</a>	Laird	Clean Energy, Jobs, and Affordability Act of 2022.	4/18/2022	4/29/2022-Set for hearing May 9.	4/26/2022-S. APPR.			Low	Climate Change
<a href="#">SB 1068</a>	Laird	Governor's Office of Business and Economic Development: Climate change.	3/15/2022	4/18/2022-April 18 hearing: Placed on APPR suspense file.	4/18/2022-S. APPR. SUSPENSE FILE			Low	Climate Change
<a href="#">SB 1075</a>	Skinner	Hydrogen: green hydrogen: emissions of greenhouse gases.	4/7/2022	4/26/2022-VOTE: Do pass as amended, but first amend, and re-refer to the Committee on [Appropriations] (PASS)	4/26/2022-S. APPR.			Low	Climate Change
<a href="#">SB 1101</a>	Caballero	Carbon sequestration: pore space ownership and Carbon Capture, Utilization, and Storage Program.	5/2/2022	4/28/2022-From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (April 26). (Amended Text Released 5/2/2022)	4/26/2022-S. APPR.			Low	Climate Change
<a href="#">SB 1136</a>	Portantino	California Environmental Quality Act: expedited environmental review: climate change regulations.	3/16/2022	4/29/2022-Set for hearing May 9.	4/27/2022-S. APPR.			Low	Climate Change
<a href="#">SB 1145</a>	Laird	California Global Warming Solutions Act of 2006: greenhouse gas emissions: dashboard.	3/1/2022	4/18/2022-April 18 hearing: Placed on APPR suspense file.	4/18/2022-S. APPR. SUSPENSE FILE			Low	Climate Change
<a href="#">SB 1206</a>	Skinner	Hydrofluorocarbon gases: sale or distribution.	4/7/2022	4/18/2022-April 18 hearing: Placed on APPR suspense file.	4/18/2022-S. APPR. SUSPENSE FILE			Low	Climate Change
<a href="#">SB 1230</a>	Limón	Zero-emission and near-zero-emission vehicle incentive programs: requirements.	4/28/2022	4/28/2022-Read second time and amended. Re-referred to Com. on APPR.	4/27/2022-S. APPR.			Low	Climate Change
<a href="#">SB 1297</a>	Cortese	Low-embodied carbon building materials: carbon sequestration.	4/27/2022	4/27/2022-Read second time and amended. Re-referred to Com. on APPR.	4/26/2022-S. APPR.			Low	Climate Change
<a href="#">SB 1301</a>	Becker	Corporation Tax Law: Personal Income Tax Law: credits: green energy: manufacturing.	4/28/2022	4/28/2022-From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.	3/23/2022-S. GOV. & F.			Low	Climate Change
<a href="#">SB 1347</a>	Hueso	California Global Warming Solutions Act of 2006: renewable hydrogen production study.	5/2/2022	4/28/2022-From committee: Do pass as amended and re-refer to Com. on APPR with recommendation: To consent calendar. (Ayes 7. Noes 0.) (April 27). (Amended Text Released 5/2/2022)	4/27/2022-S. APPR.			Low	Climate Change
<a href="#">SB 1399</a>	Wieckowski	Carbon Capture Technology Demonstration Project Grant Program.	4/28/2022	4/28/2022-Read second time and amended. Re-referred to Com. on APPR.	4/18/2022-S. APPR.			Low	Climate Change
<a href="#">AB 1814</a>	Grayson	Transportation electrification: community choice aggregators.	3/28/2022	3/31/2022-In committee: Set, first hearing. Hearing canceled at the request of author.	2/18/2022-A. U. & E.			Low	Energy
<a href="#">AB 2075</a>	Ting	Energy: electric vehicle charging standards.	5/2/2022	4/28/2022-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 12. Noes 0.) (April 27). (Amended Text Released 5/2/2022)	4/27/2022-A. APPR.			Low	Energy

Bill #	Author	Subject	Last Amended	Last Status - As of 5/2/2022	Location	Notes	Position	Priority (Low/Medium/High)	Category
<a href="#">AB 2204</a>	Boerner Horvath	Clean energy: Office of Clean Energy Workforce.		4/21/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 13. Noes 1.) (April 20). Re-referred to Com. on APPR.	4/20/2022-A. APPR.			Low	Energy
<a href="#">AB 2316</a>	Ward	Community Renewable Energy Program.	5/2/2022	4/28/2022-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 9. Noes 3.) (April 27). (Amended Text Released 5/2/2022)	4/27/2022-A. APPR.			Low	Energy
<a href="#">AB 2587</a>	Garcia, Eduardo	Energy: firm renewable energy resources and firm zero-carbon resources: procurement.	4/18/2022	4/26/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 1.) (April 25). Re-referred to Com. on APPR.	4/25/2022-A. APPR.			Low	Energy
<a href="#">AB 2892</a>	Bigelow	Income taxes: credits: backup electricity generators.	4/18/2022	4/26/2022-In committee: Hearing for testimony only.	3/17/2022-A. REV. & TAX			Low	Energy
<a href="#">SB 1039</a>	Wieckowski	Clean energy and pollution reduction objectives.		2/23/2022-Referred to Com. on RLS.	2/15/2022-S. RLS.			Low	Energy
<a href="#">SB 1063</a>	Skinner	Energy: appliance standards and cost-effective measures.	4/18/2022	4/29/2022-Set for hearing May 9.	4/26/2022-S. APPR.			Low	Energy
<a href="#">SB 1112</a>	Becker	Energy: building decarbonization: notice and recordation of a decarbonization charge.	3/31/2022	4/29/2022-Set for hearing May 9.	4/26/2022-S. APPR.			Low	Energy
<a href="#">SB 1156</a>	Grove	Motor Vehicle Fuel Tax: Diesel Fuel Tax: inflation adjustment.		4/20/2022-Set for hearing May 4.	3/17/2022-S. GOV. & F.			Low	Energy
<a href="#">SB 1291</a>	Archuleta	Hydrogen-fueling stations: administrative approval.	4/5/2022	4/29/2022-Set for hearing May 9.	4/27/2022-S. APPR.			Low	Energy
<a href="#">SB 1332</a>	Becker	Building performance standards.	3/16/2022	3/16/2022-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.	2/18/2022-S. RLS.			Low	Energy
<a href="#">SB 1393</a>	Archuleta	Energy: appliances: local requirements.	4/21/2022	4/29/2022-Set for hearing May 9.	4/20/2022-S. APPR.		Oppose	Medium	Energy
<a href="#">AB 1001</a>	Garcia, Cristina	Environment: mitigation measures for air quality impacts: environmental justice.	3/22/2022	3/22/2022-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on RLS.	2/1/2022-S. RLS.			Medium	Environmental Justice
<a href="#">AB 1966</a>	Muratsuchi	Fossil fuel-dependent workers: California Equitable Just Transition Fund.		2/11/2022-From printer. May be heard in committee March 13.	2/10/2022-A. PRINT			Low	Environmental Justice
<a href="#">AB 2419</a>	Bryan	Environmental justice: federal Infrastructure Investment and Jobs Act: Justice40 Oversight Committee.	4/19/2022	4/27/2022-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 2.) (April 26). Re-referred to Com. on APPR.	4/26/2022-A. APPR.			Low	Environmental Justice
<a href="#">AB 1897</a>	Wicks	Nonvehicular air pollution control: civil penalties: refineries.	4/27/2022	4/28/2022-Re-referred to Com. on APPR.	4/26/2022-A. APPR.		Air District-Sponsored	High	General-Air District
<a href="#">AB 2141</a>	Garcia, Eduardo	Greenhouse Gas Reduction Fund: community projects: funding.	4/18/2022	4/26/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 3.) (April 25). Re-referred to Com. on APPR.	4/25/2022-A. APPR.		Support	Medium	General-Air District
<a href="#">AB 2563</a>	Quirk	Air pollution: permits: mobile fueling on-demand tank vehicles.	4/27/2022	4/28/2022-Re-referred to Com. on APPR.	4/25/2022-A. APPR.		Oppose	Medium	General-Air District
<a href="#">AB 2649</a>	Garcia, Cristina	Natural Carbon Sequestration and Resilience Act of 2022.	4/20/2022	4/25/2022-VOTE: Do pass as amended and be re-referred to the Committee on [Appropriations] (PASS)	4/25/2022-A. APPR.			Medium	General-Air District
<a href="#">AB 2721</a>	Lee	Bay Area Air Quality Management District: district board: compensation.	3/10/2022	4/19/2022-In Senate. Read first time. To Com. on RLS. for assignment.	4/19/2022-S. RLS.		Air District-Sponsored	High	General-Air District
<a href="#">AB 2836</a>	Garcia, Eduardo	Carl Moyer Memorial Air Quality Standards Attainment Program: vehicle registration fees: California tire fee.	3/30/2022	4/26/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (April 25). Re-referred to Com. on APPR.	4/25/2022-A. APPR.		Air-District Co-Sponsor	High	General-Air District
<a href="#">AB 2840</a>	Reyes	Qualifying logistics use projects.	4/21/2022	4/25/2022-Re-referred to Com. on H. & C.D. Re-referred to Com. on APPR. pursuant to Assembly Rule 96.	4/25/2022-A. APPR.			Low	General-Air District
<a href="#">AB 2852</a>	Bloom	Air pollution control districts and air quality management districts: independent special districts: funding.	3/24/2022	3/28/2022-Re-referred to Com. on L. GOV.	3/24/2022-A. L. GOV.		Support	Medium	General-Air District
<a href="#">AB 2910</a>	Santiago	Nonvehicular air pollution: civil penalties.	4/20/2022	4/26/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 1.) (April 26). Re-referred to Com. on APPR.	4/26/2022-A. APPR.		Support	Medium	General-Air District
<a href="#">SB 1095</a>	Durazo	Air quality: rules and regulations: socioeconomic impacts assessment.	3/29/2022	4/18/2022-April 18 hearing: Placed on APPR suspense file.	4/18/2022-S. APPR. SUSPENSE FILE			Medium	General-Air District
<a href="#">SB 1235</a>	Borgeas	Air pollution: portable equipment: emergency events.		4/21/2022-April 27 set for first hearing canceled at the request of author.	3/2/2022-S. E.Q.		Oppose	Medium	General-Air District
<a href="#">AB 363</a>	Medina	Carl Moyer Memorial Air Quality Standards Attainment Program.	7/5/2021	7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was TRANS. on 6/28/2021)(May be acted upon Jan 2022)	7/14/2021-S. 2 YEAR			Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 965</a>	Levine	Building standards: electric vehicle charging infrastructure.	6/29/2021	9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/10/2021)(May be acted upon Jan 2022)	9/10/2021-S. 2 YEAR			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 1389</a>	Reyes	Alternative and Renewable Fuel and Vehicle Technology Program.	9/3/2021	9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/7/2021)(May be acted upon Jan 2022)	9/10/2021-S. 2 YEAR			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 1644</a>	Flora	Greenhouse Gas Reduction Fund: California Jobs Plan Act of 2021.	3/30/2022	4/21/2022-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (April 20). Re-referred to Com. on APPR.	4/21/2022-A. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 1738</a>	Boerner Horvath	Building standards: installation of electric vehicle charging stations: existing buildings.	4/25/2022	4/26/2022-Re-referred to Com. on APPR.	4/21/2022-A. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade

Bill #	Author	Subject	Last Amended	Last Status - As of 5/2/2022	Location	Notes	Position	Priority (Low/Medium/High)	Category
<a href="#">AB 1778</a>	Garcia, Cristina	State transportation funding: freeway projects: poverty and pollution: Department of Transportation.	3/24/2022	4/19/2022-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 3.) (April 18). Re-referred to Com. on APPR.	4/19/2022-A. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 1873</a>	Boerner Horvath	Personal Income Tax Law: Corporation Tax Law: credits: electric vehicle charging stations.		3/22/2022-In committee: Hearing for testimony only.	2/18/2022-A. REV. & TAX			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2061</a>	Ting	Transportation electrification: electric vehicle charging infrastructure.	4/18/2022	4/19/2022-Re-referred to Com. on APPR.	4/6/2022-A. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2074</a>	Gipson	Air Quality Improvement Program: micromobility devices.		4/6/2022-In committee: Set, first hearing. Referred to suspense file.	4/6/2022-A. APPR. SUSPENSE FILE			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2101</a>	Flora	California Carbon Sequestration and Climate Resiliency Project Registry: whole orchard recycling projects.	4/5/2022	4/19/2022-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 11. Noes 0.) (April 18). Re-referred to Com. on APPR.	4/18/2022-A. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2111</a>	Bigelow	Motor vehicles: air pollution.		2/15/2022-From printer. May be heard in committee March 17.	2/14/2022-A. PRINT			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2197</a>	Mullin	Caltrain electrification project: funding.		2/24/2022-Referred to Com. on TRANS.	2/24/2022-A. TRANS.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2350</a>	Grayson	Vehicular air pollution: Zero-Emission Aftermarket Conversion Project.	4/20/2022	4/21/2022-Re-referred to Com. on APPR.	4/18/2022-A. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2358</a>	O'Donnell	Alternative vehicle and vessel technologies: funding programs: commercial harbor craft.	4/18/2022	4/26/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 15. Noes 0.) (April 25). Re-referred to Com. on APPR.	4/26/2022-A. APPR.			Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2554</a>	O'Donnell	Air pollution: assistance program: drayage vehicles.		4/26/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 15. Noes 0.) (April 25). Re-referred to Com. on APPR.	4/26/2022-A. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2562</a>	Bennett	Clean Transportation Program: hydrogen-fueling stations.	3/21/2022	4/27/2022-In committee: Set, first hearing. Referred to suspense file.	4/27/2022-A. APPR. SUSPENSE FILE			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2622</a>	Mullin	Sales and use taxes: exemptions: California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project: transit buses.	4/7/2022	4/18/2022-Re-referred to Com. on REV. & TAX.	3/10/2022-A. REV. & TAX			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2690</a>	Boerner Horvath	Small passenger vessels: emissions reductions: state funding.	3/24/2022	3/28/2022-Re-referred to Com. on TRANS.	3/24/2022-A. TRANS.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2703</a>	Muratsuchi	Electric vehicle charging stations: reliability standards: low-income and disadvantaged community financial assistance.	4/18/2022	4/26/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 14. Noes 0.) (April 25). Re-referred to Com. on APPR.	4/26/2022-A. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2737</a>	Carrillo	Air pollution: purchase of new drayage and short-haul trucks: incentive programs: lessees: labor standards.	4/7/2022	4/26/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 15. Noes 0.) (April 25). Re-referred to Com. on APPR.	4/26/2022-A. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2793</a>	Muratsuchi	Greenhouse gases: market-based compliance mechanism.	3/24/2022	4/26/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 3.) (April 25). Re-referred to Com. on APPR.	4/25/2022-A. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2798</a>	Fong	Freight: development projects.	4/21/2022	4/25/2022-Re-referred to Com. on NAT. RES. Re-referred to Com. on APPR. pursuant to Assembly Rule 96.	4/25/2022-A. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2802</a>	Muratsuchi	Air pollution: carbon tax and dividend.		2/19/2022-From printer. May be heard in committee March 21.	2/18/2022-A. PRINT			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2807</a>	Bonta, Mia	Transportation funding programs: eligibility: public transportation ferries.	4/21/2022	4/25/2022-Re-referred to Com. on APPR.	4/18/2022-A. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2862</a>	Muratsuchi	California Global Warming Solutions Act of 2006: offset credits.		2/19/2022-From printer. May be heard in committee March 21.	2/18/2022-A. PRINT			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2928</a>	Cooper	Personal income taxes: Clean Cars 4 All Program: retirement and replacement.	3/17/2022	4/18/2022-In committee: Hearing postponed by committee.	3/17/2022-A. TRANS.			Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 2954</a>	Cunningham	Vehicular air pollution: State Air Resources Board: regulations.		2/19/2022-From printer. May be heard in committee March 21.	2/18/2022-A. PRINT			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 45</a>	Portantino	Short-lived climate pollutants: organic waste reduction goals: local jurisdiction assistance.	1/3/2022	1/24/2022-Read third time. Passed. (Ayes 36. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.	1/24/2022-A. DESK			Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 542</a>	Limón	Sales and use taxes: exemption: medium- or heavy-duty zero-emission trucks.	5/25/2021	1/18/2022-Read third time. Passed. (Ayes 33. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.	1/18/2022-A. DESK			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 726</a>	Gonzalez	Alternative fuel and vehicle technologies: sustainable transportation.	8/30/2021	9/10/2021-Failed Deadline pursuant to Rule 61(a)(15). (Last location was INACTIVE FILE on 9/7/2021)(May be acted upon Jan 2022)	9/10/2021-A. 2 YEAR			Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 894</a>	Jones	Off-highway vehicles.	3/28/2022	4/22/2022-Set for hearing May 2.	4/19/2022-S. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 922</a>	Wiener	California Environmental Quality Act: exemptions: transportation-related projects.	4/4/2022	4/19/2022-Read second time. Ordered to third reading.	4/19/2022-S. THIRD READING			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 932</a>	Portantino	General plans: circulation element: bicycle and pedestrian plans and traffic calming plans.	3/23/2022	4/26/2022-VOTE: Do pass as amended, but first amend, and re-refer to the Committee on [Appropriations] (PASS)	4/26/2022-S. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 942</a>	Newman	Low Carbon Transit Operations Program: free or reduced fare transit program.		4/19/2022-Read second time. Ordered to third reading.	4/19/2022-S. THIRD READING			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 1010</a>	Skinner	Air pollution: state vehicle fleet: zero-emission vehicles.	4/21/2022	4/29/2022-Set for hearing May 9.	4/20/2022-S. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 1086</a>	Melendez	Greenhouse Gas Reduction Fund: Salton Sea restoration.	3/14/2022	4/13/2022-April 20 set for first hearing canceled at the request of author.	3/23/2022-S. E.Q.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 1104</a>	Gonzalez	Governor's Office of Business and Economic Development: Office of Freight.	4/6/2022	4/22/2022-Set for hearing May 2.	4/19/2022-S. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade

Bill #	Author	Subject	Last Amended	Last Status - As of 5/2/2022	Location	Notes	Position	Priority (Low/Medium/High)	Category
<a href="#">SB 1203</a>	Becker	Zero net emissions of greenhouse gases: state agency operations.	3/24/2022	4/29/2022-Set for hearing May 9.	4/27/2022-S. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 1217</a>	Allen	State-Regional Collaborative for Climate, Equity, and Resilience.		4/29/2022-Set for hearing May 9.	4/27/2022-S. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 1251</a>	Gonzalez	Office of the Zero-Emission Vehicle Equity Advocate.	3/29/2022	4/22/2022-Set for hearing May 2.	4/19/2022-S. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 1258</a>	Allen	Clean Transportation Program: electric vehicle charging: fleet-operated autonomous vehicles.	3/24/2022	4/26/2022-VOTE: Do pass as amended, but first amend, and re-refer to the Committee on [Appropriations] (PASS)	4/26/2022-S. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 1305</a>	Laird	State vehicle fleet: alternative fuel vehicles.	4/19/2022	4/19/2022-Read second time and amended. Ordered to third reading.	4/19/2022-S. THIRD READING			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 1329</a>	Newman	Publicly available hydrogen-fueling stations.	3/10/2022	4/26/2022-VOTE: Do pass as amended, but first amend, and re-refer to the Committee on [Appropriations] (PASS)	4/26/2022-S. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 1382</a>	Gonzalez	Air pollution: Clean Cars 4 All Program: Sales and Use Tax Law: zero emissions vehicle exemption.	4/26/2022	4/29/2022-Set for hearing May 9.	4/25/2022-S. APPR.		Support	Medium	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 1391</a>	Kamlager	greenhouse gases: market-based compliance mechanisms: linkages to the state.	3/17/2022	4/29/2022-Set for hearing May 9.	4/27/2022-S. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">SB 1482</a>	Allen	Building standards: electric vehicle charging infrastructure.		4/29/2022-Set for hearing May 9.	4/27/2022-S. APPR.			Low	GGRF, Incentive Programs, Mobile Source, Cap and Trade
<a href="#">AB 983</a>	Garcia, Eduardo	Public contracts: construction projects: community workforce agreements: battery manufacturing and lithium-based technology.	6/15/2021	7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was GOV. & F. on 6/22/2021)(May be acted upon Jan 2022)	7/14/2021-S. 2 YEAR			Low	Other
<a href="#">AB 1240</a>	Ting	Indoor air pollution.	1/24/2022	2/1/2022-In Senate. Read first time. To Com. on RLS. for assignment.	2/1/2022-S. RLS.			Medium	Other
<a href="#">AB 1624</a>	Ting	Budget Act of 2022.		1/20/2022-Referred to Com. on BUDGET.	1/10/2022-A. BUDGET			High	Other
<a href="#">AB 1717</a>	Aguir-Curry	Public works: definition.		4/27/2022-In committee: Set, first hearing. Referred to suspense file.	4/27/2022-A. APPR. SUSPENSE FILE			Low	Other
<a href="#">AB 1935</a>	Grayson	California Environmental Quality Act: redevelopment: Concord Naval Weapons Station.	4/19/2022	4/26/2022-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 10. Noes 0.) (April 25). Re-referred to Com. on APPR.	4/25/2022-A. APPR.			Low	Other
<a href="#">AB 1944</a>	Lee	Local government: open and public meetings.	4/18/2022	4/26/2022-In committee: Set, first hearing. Hearing canceled at the request of author.	2/18/2022-A. L. GOV.		Support	Medium	Other
<a href="#">AB 2056</a>	Grayson	Bar pilots: pilotage rates: pilot boat surcharge.	3/11/2022	4/7/2022-Read second time. Ordered to third reading.	4/7/2022-A. THIRD READING			Low	Other
<a href="#">AB 2057</a>	Carrillo	Transportation Agency: goods movement data.	3/28/2022	4/21/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 2.) (April 20). Re-referred to Com. on APPR.	4/21/2022-A. APPR.			Low	Other
<a href="#">AB 2076</a>	Rivas, Luz	Extreme Heat and Community Resilience Program: Extreme Heat and Health Reporting System.	4/28/2022	4/28/2022-Read second time and amended.	4/26/2022-A. APPR.			Low	Other
<a href="#">AB 2086</a>	Kiley	Air pollution: small off-road engines.	3/24/2022	3/28/2022-Re-referred to Com. on NAT. RES.	3/24/2022-A. NAT. RES.			Low	Other
<a href="#">AB 2206</a>	Lee	Nonattainment basins: employee parking: parking cash-out program.	4/20/2022	4/21/2022-Read second time. Ordered to third reading.	4/21/2022-A. THIRD READING		Support	Medium	Other
<a href="#">AB 2214</a>	Garcia, Cristina	California Environmental Quality Act: schoolsites: acquisition of property: school districts, charter schools, and private schools.	4/25/2022	4/27/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 3.) (April 26). Re-referred to Com. on APPR.	4/27/2022-A. APPR.		Air District-Sponsored	High	Other
<a href="#">AB 2219</a>	Smith	State Air Resources Board: members.		4/5/2022-In committee: Set, first hearing. Failed passage.	2/24/2022-A. NAT. RES.			Low	Other
<a href="#">AB 2237</a>	Friedman	Transportation planning: regional transportation improvement plan: sustainable communities strategies: climate goals.	4/18/2022	4/26/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 3.) (April 25). Re-referred to Com. on APPR.	4/25/2022-A. APPR.			Low	Other
<a href="#">AB 2449</a>	Rubio, Blanca	Open meetings: local agencies: teleconferences.		3/3/2022-Referred to Com. on L. GOV.	3/3/2022-A. L. GOV.			Low	Other
<a href="#">AB 2620</a>	Valladares	Income taxes: credits: telecommuting: transfer of funds.		4/4/2022-In committee: Hearing for testimony only.	3/10/2022-A. REV. & TAX			Low	Other
<a href="#">AB 2647</a>	Levine	Local government: open meetings.	4/19/2022	4/25/2022-In committee: Hearing postponed by committee.	3/10/2022-A. L. GOV.			Low	Other
<a href="#">AB 2816</a>	Ting	State Air Resources Board: zero-emission incentive programs: requirements.	4/27/2022	4/28/2022-Re-referred to Com. on APPR.	4/25/2022-A. APPR.		Oppose unless amended	Medium	Other
<a href="#">SB 560</a>	Rubio	Climate Pollution Reduction in Homes Initiative: grants.	5/20/2021	1/24/2022-Read third time. Passed. (Ayes 33. Noes 1.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.	1/24/2022-A. DESK			Medium	Other
<a href="#">SB 778</a>	Becker	Buy Clean California Act: Environmental Product Declarations: concrete.	6/21/2021	7/14/2021-Failed Deadline pursuant to Rule 61(a)(11). (Last location was A. & A.R. on 6/24/2021)(May be acted upon Jan 2022)	7/14/2021-A. 2 YEAR			Low	Other
<a href="#">SB 833</a>	Dodd	Community Energy Resilience Act of 2022.	3/21/2022	4/4/2022-April 4 hearing: Placed on APPR suspense file.	4/4/2022-S. APPR. SUSPENSE FILE			Low	Other
<a href="#">SB 840</a>	Skinner	Budget Act of 2022.		1/11/2022-From printer.	1/10/2022-S. BUDGET & F.R.			High	Other
<a href="#">SB 1100</a>	Cortese	Open meetings: orderly conduct.	4/21/2022	4/21/2022-Read second time and amended. Ordered to third reading.	4/21/2022-S. THIRD READING			Low	Other
<a href="#">SB 1118</a>	Borgeas	California Environmental Quality Act: judicial relief.	4/21/2022	4/26/2022-April 26 set for first hearing canceled at the request of author.	4/20/2022-S. JUD.			Low	Other

Bill #	Author	Subject	Last Amended	Last Status - As of 5/2/2022	Location	Notes	Position	Priority (Low/Medium/High)	Category
<a href="#">SB 1132</a>	Wieckowski	Air quality health planning.		2/23/2022-Referred to Com. on RLS.	2/16/2022-S. RLS.			Low	Other
<a href="#">SB 1314</a>	Limón	Oil and gas: Class II injection wells: enhanced oil recovery.	3/16/2022	4/29/2022-Set for hearing May 9.	4/26/2022-S. APPR.			Low	Other
<a href="#">SB 1319</a>	Grove	Oil imports: air quality emissions data.	5/2/2022	4/28/2022-From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (April 27). (Amended Text Released 5/2/2022)	4/27/2022-S. APPR.			Low	Other
<a href="#">AB 2070</a>	Bauer-Kahan	Electrical corporations and local publicly owned electric utilities: wildfire mitigation: notice requirements.	4/25/2022	4/26/2022-Re-referred to Com. on APPR.	4/20/2022-A. APPR.			Low	Wildfire/PSPS
<a href="#">AB 2232</a>	McCarty	School facilities: heating, ventilation, and air conditioning systems.		4/20/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 2.) (April 19). Re-referred to Com. on APPR.	4/20/2022-A. APPR.			Medium	Wildfire/PSPS
<a href="#">AB 2243</a>	Garcia, Eduardo	Occupational safety and health standards: heat illness: wildfire smoke.	3/21/2022	3/31/2022-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 4. Noes 2.) (March 30). Re-referred to Com. on APPR.	3/31/2022-A. APPR.			Low	Wildfire/PSPS
<a href="#">AB 2258</a>	Wood	Local government: wildfire safety improvements.	4/21/2022	4/25/2022-Re-referred to Com. on B. & F.	4/20/2022-A. B. & F.			Low	Wildfire/PSPS
<a href="#">AB 2387</a>	Garcia, Eduardo	Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022.	3/21/2022	4/26/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 2.) (April 25). Re-referred to Com. on APPR.	4/25/2022-A. APPR.			Low	Wildfire/PSPS
<a href="#">AB 2538</a>	Rivas, Robert	State Warning Center: wildfire smoke notification.	3/28/2022	4/5/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (April 4). Re-referred to Com. on APPR.	4/4/2022-A. APPR.			Low	Wildfire/PSPS
<a href="#">AB 2550</a>	Arambula	State Air Resources Board: San Joaquin Valley Air Pollution Control District: nonattainment.	4/28/2022	4/28/2022-Read second time and amended.	4/25/2022-A. APPR.			Medium	Wildfire/PSPS
<a href="#">AB 2645</a>	Rodriguez	Local emergency plans: integration of access and functional needs: community resilience centers.	4/18/2022	4/26/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (April 25). Re-referred to Com. on APPR.	4/25/2022-A. APPR.			Low	Wildfire/PSPS
<a href="#">SB 1264</a>	Dahle	Property Assessed Clean Energy program: wildfire safety improvements.		3/2/2022-Referred to Com. on GOV. & F.	3/2/2022-S. GOV. & F.			Low	Wildfire/PSPS
<a href="#">SB 1266</a>	Borgeas	Income taxes: credits: designated wildfire zones.	4/28/2022	4/28/2022-From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.	3/17/2022-S. GOV. & F.			Low	Wildfire/PSPS
<b>Total Active Bills</b>	<b>139</b>							<b>Low: 109 Medium: 24 High: 6</b>	