

HF&H Consultants Legislative Update – November 2018

Bill	Topic	Description
AB 3178 (Rubio) Amended 6/27/18 Vetoed by Governor	Recycle Markets	This bill would require CalRecycle, until January 1, 2022, when evaluating a jurisdiction's good faith effort to implement a diversion program, to consider whether China's National Sword import policy caused the absence or loss of a market for recyclable materials that necessitated the disposal of those materials as a temporary measure to avoid a public health threat. This bill would also require CalRecycle to consider the extent to which the jurisdiction has made efforts to reduce contamination and improve the quality of recycled materials and the extent to which the lack of an available market for one or more types of recyclable materials, which prevented the jurisdiction from fully implementing its diversion programs, was the result of circumstances beyond the reasonable control of the jurisdiction.
AB 2379 (Bloom) Amended 4/18/18 Dead	Plastic Microfibers	This bill would require that clothing made from fabric with more than 50% synthetic material have a visible label at the point of sale, in the form of a sticker, hang tag, or any other label type, with specified information, including a statement that the garment sheds plastic microfibers when washed. The information must also be included in a care label if required. The bill would prohibit a person from selling clothing made from fabric of more than 50% synthetic material that lacks those labels. Provisions would take effect on January 1, 2020.
SB 1335 (Allen) Signed by Governor	Take-out Food Packaging at Parks, Beaches, and State Facilities	The Act would prohibit a food service facility in a state agency or large state facility, effective January 1, 2021, from using disposable food service packaging, unless it is accepted for recovery, and has been proven that the type of disposable packaging is recovered for recycling or composting at a rate of 75% or more.
AB 2779 (Stone & Calderon) Dead	Connect-the-Cap	This bill would prohibit a retailer from selling single-use plastic beverage containers with caps that are not tethered to the container.
AB 1884 (Calderon) Amended 4/16/18 Signed by Governor	Straws	This bill would prohibit a food facility from providing single-use plastic straws to consumers unless specifically requested. This bill would allow non-compliant food facilities to be fined \$25 a day after 2 warnings for each day the facility is in violation.

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AB 2110 (Eggman) Dead	California Right to Repair Act	The bill would require the original equipment manufacturer of electronic equipment or parts sold and used in the state to provide to independent repair providers and owners of the equipment certain parts, tools, and information, including diagnostic and repair information, for the purpose of providing a fair marketplace for the repair of that equipment. Compliance with these provisions is required for equipment or parts that are no longer manufactured for 5 years after the date the original equipment manufacturer ceases to manufacture the equipment or parts. The bill would authorize a jurisdiction to impose penalties for a violation of these provisions.
AB 2908 (Berman) Vetoed by Governor	Tire Recycling Incentive Payment Act	Would require, until January 1, 2024, a waste tire generator that is a retail seller of new tires, to pay a California Tire Regulatory Fee of a maximum of \$1 per tire sold, and to remit that fee to the state for deposit in the California Tire Recycling Management Fund. Funds would have a specified purpose. On, or before, January 1, 2020, the department shall hold a public workshop to develop a plan for the tire recycling incentive program.
SB 168 (Weickowski) Dead	Recycled Content in Beverage Containers (2-year bill from 2017)	This bill would require CalRecycle, on or before January 1, 2023, to establish minimum content standards for beverage containers that are constructed of metal, glass, or plastic, or other material, or any combination thereof. The bill would require the department, on or before January 1, 2020, to provide to the Legislature a report on the establishment and implementation of an extended producer responsibility program to replace the current California beverage container recycling program.
AB 2766 (Berman) Dead	Plastic Market Development Program	Former law authorized CalRecycle, until January 1, 2018, to annually expend up to \$10 million to make market development payments to a certified recycling center, processor, or drop-off or collection program, or payments to a product manufacturer, for empty plastic beverage containers that are subsequently washed and processed into flake, pellet, or other form, for the manufacture of a plastic product. This bill would authorize expending those payment amounts until January 1, 2024.
AB 1933 (Maienschein) Amended 4/17/18 Signed by Governor	GGRF Funding	This bill would explicitly authorize up to \$200 million to be appropriated in the annual Budget Act, without regard to fiscal year, from the Greenhouse Gas Reduction Fund to CalRecycle for organic waste recycling infrastructure projects that reduce GHGs and solid waste recycling infrastructure projects that reduce GHGs.
AB 2021 (Steinorth) Dead	Junk mail	Would establish a “do not contact” list. The bill would prohibit a solicitor, as defined, from calling a telephone number or sending mail to a physical mail address on the “do not contact” list, beginning on the 31st day after this list becomes available to solicitors.

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AB 2061 (Frazier) Signed by Governor	Heavy Duty Vehicles	This bill would authorize a near-zero-emission vehicle or a zero-emission vehicle, as defined, to exceed axle, tandem, gross, or bridge formula weight limits, up to a 2,000 pound maximum, by an amount equal to the difference between the weight of the vehicle attributable to the fueling and propulsion system carried by that vehicle and the weight of a comparable diesel fueling and propulsion system.
AB 2921 (Low) Dead	Voluntary Producer Responsibility for Polystyrene	Polystyrene Food Service Packaging Recovery and Recycling Act: Would authorize polystyrene food service packaging (PFP) manufacturers and polystyrene resin producers to form or designate an organization consisting of PFP manufacturers and resin producers, to be known as the Polystyrene Food Service Packaging Recycling Organization (PFSPRO). Fees collected would be used to increase PFP recycling, promote current efforts, and reduce or abate PFP litter. If a PFP manufacturer or resin producer does not remit payment, they would have civil penalties imposed.
AB 2407 (Ting) Amended 4/17/18 Dead	Lithium Ion Car Batteries	This bill would require the Secretary for Environmental Protection, on or before April 1, 2019, to convene the Lithium-Ion Car Battery Recycling Advisory Group to review, and advise the Legislature on, policies pertaining to the recovery and recycling of lithium-ion batteries sold with motor vehicles in the state, and would require the secretary to appoint members to the committee from specified departments, vocations, and organizations. The bill would require the advisory group to consult with specified entities and, on or before April 1, 2020, to submit policy recommendations to the Legislature aimed at ensuring that 90% of end-of-life lithium-ion batteries discarded in the state are recycled in a safe and cost-effective manner in the state. The bill would repeal these provisions on January 1, 2022.
SB 212 (Jackson) Signed by Governor	Drugs and Sharps Stewardship	This bill would establish a stewardship program under which manufacturers or distributors of covered drugs or sharps would be required to establish and implement a stewardship plan. The bill specifies that a minimum of 5 collection centers must be located within a county or provide a mail-back or alternative program. The bill also requires retail pharmacies to make a reasonable effort to have at least 15% of its store locations serve as authorized collectors. Covered manufacturers are required to pay all administrative and operational costs associated with the stewardship program, and pay a quarterly fee to CalRecycle to cover regulatory costs incurred by CalRecycle.

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SB 606 (Hertzberg) AB 1668 (Friedman) Signed by Governor	Water Management Planning	<p>SB 606 requires the State Water Board and DWR to adopt water efficiency regulations, outlines requirements for urban water suppliers, and specifies penalties for violations. The bill contains distinct provisions on water shortage planning and water loss reporting for urban wholesale water suppliers, and establishes a bonus incentive for potable reuse water.</p> <p>AB 1668 requires the State Water Resources Control Board (State Water Board) and the California Department of Water Resources (DWR) to adopt water efficiency regulations, outlines reporting requirements for water suppliers, and specifies penalties for violations.</p> <p>The water efficiency regulations will require additional cutbacks in water use in many communities, reducing revenue from volume-based rates. These requirements will need to be analyzed as we conduct our five-year financial planning and rate setting for our clients.</p>
SB 231 (Hertzberg) Signed by Governor	Local government: fees and charges	<p>Expands the definition of “sewer” to include stormwater. Like water and sewer, stormwater fees and charges would no longer be subject to the voter-approval requirement in Prop 218, just the protest hearing procedures.</p>