

# HF&H Consultants Legislative Update – May 2019

Recyclable Materials & Content Standards		
Bill	Description	Status
<p><a href="#"><u>AB 792</u></a> <a href="#"><u>Ting</u></a></p> <p>Recycling: Plastic beverage containers: Minimum content standards</p>	<p>This bill would establish a tiered plan that would require plastic beverage containers filled by beverage manufacturers to contain specified amounts of postconsumer recycled plastic content, on average; starting at 25% in 2021 and increasing to no less than 75% on and after January 1, 2030. Manufacturers, beginning March 1, 2022, would be required to submit annual reports on the amount of virgin plastic and postconsumer recycled plastic, in pounds and by resin type, used in plastic beverage containers filled by the manufacturer in the previous year that are sold in the state.</p> <p>The bill would authorize CalRecycle to enforce these provisions, including auditing and inspecting manufacturers. Violators would be assessed penalties that would be deposited in the Recycling Enhancement Penalty Account, which the bill would create.</p>	<p>05/23/19 Read third time. Passed. Ordered to the Senate.</p>
<p><a href="#"><u>AB 1228</u></a> <a href="#"><u>Calderon</u></a></p> <p>Income taxes: Credits: Compostable cutlery</p>	<p>This bill would allow a personal income tax credit in the amount of 20% of the cost paid or incurred for the purchase of compostable cutlery, for each taxable year beginning on or after January 1, 2020, and before January 1, 2025.</p>	<p>05/01/19 Re-referred to Com. on REV. &amp; TAX.</p>
<p><a href="#"><u>AB 1171</u></a> <a href="#"><u>Chen</u></a></p> <p>Solid waste: Food packaging material: Local regulation</p>	<p>This bill would prohibit a city, county, or other local public agency from requiring a grocery store to use a certain type of food packaging unless the majority of residential households within the jurisdiction have access to a curbside program that accepts that material.</p> <p>Similarly, these agencies may not prohibit a grocery store from using a certain type of material if the majority of residential households in the jurisdiction have access to a curbside program that accepts the material. The bill would require a local agency that requires certain packaging materials to identify the type of food packaging using standardized specifications from an established national or international organization.</p>	<p>4/29/19 In committee: Set, first hearing. Hearing canceled at the request of author.</p>
<p><a href="#"><u>AB 1488</u></a> <a href="#"><u>Burke</u></a></p> <p>Recycling: Plastic beverage containers: Reporting</p>	<p>On or before March 1 of each year, a manufacturer subject to the California Redemption Value is required to report to CalRecycle the amount of virgin plastic and postconsumer recycled plastic used by the manufacturer for CRV plastic beverage containers for sale in the previous calendar year.</p> <p>This bill would require a reclaimer, as defined, beginning March 1, 2020, to annually report the amount of empty plastic beverage containers that it collected, washed, and processed in the state in the previous</p>	<p>05/16/19 Held under submission.</p> <p>05/01/19</p>



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Bill	Description	Status
	calendar year into flake, pellet, sheet, or any other form; and into food grade flake, pellet, sheet, or any other food grade form.	In committee: Set, first hearing. Referred to APPR. suspense file.

Single-Use and Reusable Products		
Bill	Description	Status
<a href="#">AB 161</a> <a href="#">Ting</a>  Solid waste: Paper waste: Electronic proofs of purchase	<p>This bill, on and after January 1, 2022, would require a business, defined as a company that accepts payment through credit or debit transactions, to provide a proof of purchase to a consumer only at the consumer’s option and would prohibit a business from printing a paper proof of purchase if the consumer opts to not receive one, unless otherwise required by state or federal law. The bill, on and after January 1, 2024, if a consumer opts to receive a proof of purchase, would require the proof of purchase to be provided in electronic form or paper form, at the consumer’s option, unless a prescribed form is otherwise required by state or federal law. The bill would specify that the first and 2nd violations of any of those provisions would result in a notice of violation and any subsequent violation would be punishable by a civil penalty of \$25 for each day the business is in violation, but not to exceed an annual total of \$300. The bill would authorize the Attorney General, a district attorney, or a city attorney to enforce those provisions.</p> <p>Existing law prohibits a person, firm, partnership, association, or corporation that accepts credit cards for the transaction of business from requesting or requiring the cardholder to provide personal identification information, which is then recorded, as a condition to accepting the credit card as payment for goods or services. This bill would exempt from that requirement a person, firm, partnership, association, or corporation that is a business, as defined, that is requesting personal identification information necessary to provide the cardholder with a receipt in electronic form and does not use the personal identification information for marketing purposes.</p>	05/23/19 Read third time. Passed. Ordered to the Senate.
<a href="#">AB 619</a> <a href="#">Chiu</a>	Existing law requires returned empty containers intended for refilling with food or beverage to be cleaned and refilled in an approved facility, except that consumer-owned containers may be refilled and returned to the same consumer if the container is refilled by an employee of the food facility or the owner of the container and the dispensing system includes a contamination-free transfer process.	04/24/19 Referred to Com. on HEALTH.



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Single-Use and Reusable Products		
Bill	Description	Status
Retail food: Reusable containers: Multiuse utensils	<p>This bill would instead provide that clean consumer-owned containers provided or returned to the food facility for filling may be filled by either the employee or the owner of the container, and would require the food facility to isolate the consumer-owned containers from the serving surface or sanitize the serving surface after each filling. The bill would require the consumer-owned containers to be designed and constructed for reuse, as specified. The bill would require the food facility to prepare, maintain, and adhere to written procedures to prevent cross-contamination, and to make the written procedures available to the enforcement agency.</p> <p>Existing law requires temporary food facilities, as defined, to provide single-use food service articles for use by the consumer. This bill would authorize a local enforcement agency to allow a temporary food facility to use multiuse utensils that are cleaned, rinsed, and sanitized at either the temporary food facility or an approved food facility.</p>	
<a href="#">AB 886 Eggman</a>  Plastic bags	<p>Existing law, until January 1, 2020, requires an operator of a store, as defined, to establish an at-store recycling program that provides to customers the opportunity to return clean plastic carryout bags to that store. Existing law also requires a manufacturer of plastic carryout bags to develop educational materials to encourage the reduction, reuse, and recycling of plastic bags and make those materials available to those stores. This bill would extend the operation of those requirements to January 1, 2021.</p>	03/04/19 Referred to Com. on NAT. RES.
<a href="#">AB 1080 Gonzalez /</a>  <a href="#">SB 54 Allen, Skinner, Stern, and Wiener</a>  California Circular Economy and Plastic Pollution Reduction Act	<p>This bill would enact the California Circular Economy and Plastic Pollution Reduction Act, which would establish the policy goal of the state that, by 2030, manufacturers and retailers achieve a 75% reduction of the waste generated from single-use packaging and products offered for sale or sold in the state through source reduction, recycling, or composting. The bill would require CalRecycle, before January 1, 2023, to adopt regulations that require manufacturers and retailers to source reduce, to the maximum extent feasible, single-use packaging and priority single-use plastic products, as defined, and to ensure that all single-use packaging and priority single-use plastic products in the California market are recyclable or compostable. The bill would require manufacturers and retailers to annually report specified information to CalRecycle. The bill would require CalRecycle, before adopting the regulations, to develop a scoping plan, as specified.</p> <p>The bill would require a manufacturer of single-use plastic packaging or priority single-use plastic products to demonstrate a recycling rate of not less than 20% on and after January 1, 2024, not less than 40% on and after January 1, 2028, and not less than 75% on and after January 1, 2030, as a condition of sale, and would authorize CalRecycle to impose a higher recycling rate as a condition of sale, as specified.</p>	<p><b>AB 1080:</b> 05/22/19 Read third time and amended. Ordered to third reading.</p> <p><b>SB 54:</b> 05/23/19 Read second time. Ordered to third reading.</p>



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Bill	Description	Status
	<p>The bill would require CalRecycle to develop criteria to determine which types of single-use packaging or priority single-use plastic products are reusable, recyclable, or compostable. The bill would require local governments, solid waste facilities, recycling facilities, and composting facilities to provide information requested by the department for purposes of developing that criteria. By imposing additional duties on local governments, the bill would impose a state-mandated local program. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to specified statutory provisions.</p>	
<p><a href="#">AB 1163</a> <a href="#">Eggman</a></p> <p>Consumer warranty protection: Express warranties</p>	<p>This bill would extend existing warranty laws for electronics and appliances. Electronics manufacturers making an express warranty would be required to provide the owners of the electronic equipment or products with sufficient service literature, functional parts, and access to repair facilities and service dealers. The bill would also expand the category of electronic products that these provisions apply to.</p>	<p>04/30/19 In committee: Set, first hearing. Hearing canceled at the request of author.</p>
<p><a href="#">SB 424</a> <a href="#">Jackson</a></p> <p>Tobacco products: Single-use and multiuse components</p>	<p>This bill would prohibit a person or entity from selling, giving, or furnishing to another person of any age in this state a cigarette utilizing a single-use filter, an attachable and single-use plastic device for a tobacco product, or a single-use electronic cigarette or vaporizer device. This bill would authorize a city attorney, county counsel, or district attorney to assess a \$500 civil fine against each person determined to have violated those prohibitions.</p> <p>This bill would require the manufacturer of a tobacco product to use materials eligible for recycling under state or local recycling programs, including electronic waste recycling programs, in existence as of January 1, 2020, to make any reusable component of the tobacco product, or, alternatively, if certain conditions are met, to collect reusable components that are not eligible for recycling through a take-back or mail-back program. The bill would define “reusable component” to mean a multiuse cigarette filter or a multiuse electronic cigarette that is designed to work for at least one year with daily use. The bill would require a manufacturer to collect reusable components that are household hazardous waste, as defined, and send those components to the appropriate recycler, or to reimburse household hazardous waste collection facilities for the costs of collecting and recycling those reusable components. The bill would authorize CalRecycle to impose an administrative penalty, as provided, on a manufacturer that is in violation of these provisions.</p>	<p>05/23/19 Read third time. Passed. (Ayes 25. Noes 9.) Ordered to the Assembly.</p>



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Single-Use and Reusable Products		
Bill	Description	Status
	The bill would authorize CalRecycle to collect a fee and to adopt regulations to implement these provisions.	
<p><a href="#">AB 1162</a> <a href="#">Kalra</a></p> <p>Lodging establishments: Personal care products: Small plastic bottles</p>	<p>This bill, commencing January 1, 2023, for lodging establishments with more than 50 rooms, and January 1, 2024, for lodging establishments with 50 rooms or less, would prohibit a lodging establishment from providing a small plastic bottle containing a personal care product to a person staying in a sleeping room accommodation, in any space within the sleeping room accommodation, or within a bathroom shared by the public or guests.</p> <p>The bill would require a local agency with authority to conduct inspections and notify lodging establishments of this requirement no less than one year before the operative date, and would authorize a local agency with authority to inspect and enforce these requirements with a specified warning, citation, and penalty procedure.</p> <p>The bill would prohibit, on and after January 1, 2020, a city or county from passing or enforcing an ordinance, resolution, regulation, or rule relating to personal care products in plastic bottles provided at lodging establishments, except as provided.</p> <p>Because the bill would impose new duties on local agencies, the bill would impose a state-mandated local program. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to specified statutory provisions.</p>	<p>05/21/19</p> <p>Read second time.</p> <p>Ordered to third reading.</p>

Pollution, Litter, Illegal Dumping		
Bill	Description	Status
<p><a href="#">AB 129</a> <a href="#">Bloom</a></p> <p>Microfiber Pollution</p>	<p>This bill would require the state board to take specified actions relating to microfiber pollution, including identifying best practices for clothing manufacturers to reduce the amount of microfibers released into the environment.</p> <p>The bill would require the installation of filtration systems to capture microfibers that are shed during washing for public entities or private entities that contract with a state agency for laundry services by 2020;</p>	<p>04/09/19</p> <p>In committee: Set, first hearing.</p> <p>Hearing canceled</p>



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Pollution, Litter, Illegal Dumping		
Bill	Description	Status
	and for private entities with an industrial or commercial laundry system by 2021. By requiring a public entity, which is defined to include specified local government entities, to install microfiber filtration systems, the bill would impose a state-mandated local program. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to specified statutory provisions.	at the request of author.
<a href="#">AB 215</a> <a href="#">Mathis</a>  Dumping	This bill would make dumping waste matter on private property, including on any private road or highways, without the consent of the owner, punishable by a fine between \$250 and \$1,000 for a first conviction, between \$500 and \$1,500 for a 2nd conviction, and between \$750 and \$3,000 for a 3rd conviction.  The bill would make a 4th or subsequent conviction a misdemeanor punishable by imprisonment in a county jail for not more than 30 days and by a fine of not less than \$750 nor more than \$3,000. The bill would also require the fine to be doubled for the 4th or subsequent violation if the prosecuting attorney pleads and proves or the court finds that the waste placed, deposited, or dumped includes used tires.	05/16/19 In committee: Held under submission  03/20/19 In committee: Set, first hearing. Referred to APPR. suspense file.
<a href="#">AB 223</a> <a href="#">Stone, Mark</a>  California Safe Drinking Water Act: Microplastics	This bill would require the State Water Resources Control Board to work with the State Department of Public Health in complying with the existing requirements under the California Safe Drinking Water Act related to microplastics, including adopting a definition of microplastics in drinking water, and adopting a standard methodology to be used in the testing of drinking water for microplastics that includes requirements for 4 years of testing and reporting.	02/25/19 In committee: Set, first hearing. Hearing canceled at the request of author.
<a href="#">AB 1216</a> <a href="#">Bauer-Kahan</a>  Solid waste: Illegal dumping	This bill would authorize the counties of Alameda and Contra Costa to establish a pilot program to employ 2 law enforcement officers, one from each county, solely for the purpose of enforcing illegal dumping laws in those counties. The bill would require the counties to jointly submit a report to the Legislature evaluating the program on or before July 1, 2021.	05/16/19 In committee: Held under submission  05/01/19 In committee: Set, first hearing. Referred to APPR. suspense file.



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Pollution, Litter, Illegal Dumping		
Bill	Description	Status
<p><a href="#"><u>AB 1672 Bloom</u></a></p> <p>Solid Waste: Flushable products</p>	<p>This bill would, on or after January 1, 2021, prohibit a manufacturer/covered entity from labeling certain products as safe to flush, safe for sewer systems, or safe for septic systems, unless the product is a flushable wipe that meets certain performance standards. The bill would also require that non-flushable products be clearly labeled to communicate that they should not be flushed.</p> <p>The bill would establish enforcement provisions, including authorizing a civil penalty not to exceed \$2,500 per violation to be imposed on a person who violates the bill’s provisions.</p>	<p>05/16/19 In committee: Hearing postponed by committee</p> <p>05/08/19 In committee: Set, first hearing. Referred to APPR. suspense file.</p>
<p><a href="#"><u>SB 8 Glazer /</u></a></p> <p><a href="#"><u>AB 1718 Levine</u></a></p> <p>State parks: State coastal beaches: smoking ban.</p>	<p>This bill would make it an infraction, punishable by a fine of up to \$25, for a person to smoke on a state coastal beach or in a unit of the state park system, or to dispose of used cigar or cigarette waste on a state coastal beach or in a unit of the state park system unless the disposal is made in an appropriate waste receptacle. The bill would establish a state-mandated local program by creating a new crime.</p> <p>The bill would require the Department of Parks and Recreation to develop and post signs at entrances or strategic locations, as determined by the Director of Parks and Recreation, of state coastal beaches and units of the state park system to provide notice of the smoking prohibition. The bill would require the smoking prohibition to be enforced only after signs have been posted.</p>	<p><b>SB 8:</b> 05/23/19 Read third time. Passed. (Ayes 28. Noes 10.) Ordered to the Assembly.</p> <p><b>AB 1718:</b> 05/23/19 Read third time. Passed. Ordered to the Senate.</p>
<p><a href="#"><u>SB 213 Wieckowski</u></a></p> <p>Litter: Receptacles</p>	<p>Existing law requires litter receptacles to be placed in all public places in the state and provides that any person owning or operating any establishment or public place in which litter receptacles are required to be placed shall procure, place, and maintain those receptacles at that person’s own expense on the premises. This bill would make non-substantive language changes to those provisions.</p>	<p>02/13/19</p> <p>Referred to Com. on RLS.</p>



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Recycling Markets & Infrastructure Development		
Bill	Description	Status
<p><a href="#">AB 794</a> <a href="#">Ting</a></p> <p>Beverage container recycling: Report to the Legislature</p>	<p>This bill would require the department to conduct a study on the changes to the international recycling market since January 1, 2018, and provide, by January 1, 2021, recommendations to the Legislature on how to foster more recycling of beverage container materials within the state.</p>	<p>05/16/19 In committee: Held under Submission</p> <p>04/10/19 In committee: Set, first hearing. Referred to APPR. suspense file.</p>
<p><a href="#">AB 1236</a> <a href="#">Lackey, Flora</a></p> <p>Public resources: Greenhouse gases: Recycling: California Environmental Quality Act</p> <p>“Recycle It Here Act”</p>	<p>This bill would require the State Air Resources Board to investigate the potential for a carbon offset compliance protocol for recycled product manufacturing. The bill would authorize \$200 million from the annual proceeds of the Greenhouse Gas Reduction Fund to be subsequently appropriated for CalRecycle’s Recycled Fiber, Plastic, and Glass Grant Program. This bill would also establish the Recycled Materials Innovation Grant Program, to be administered by CalRecycle, to offer competitive grants to create innovative uses for recyclable materials that have not historically been recycled domestically.</p> <p>This bill would require CalRecycle, no later than January 1, 2023, to prepare a program environmental impact report for organic waste composting facilities, as specified. The bill would require the Office of Planning and Research, in consultation with the department, to identify and report to the appropriate fiscal and policy committees of the Legislature on the regulatory barriers and opportunities to streamline local and state approval processes to help facilitate the achievement of the state’s recycling and renewable energy generation goals.</p>	<p>05/16/19 In committee: Held under submission</p> <p>05/08/19 In committee: Set, first hearing. Referred to APPR. suspense file.</p>
<p><a href="#">AB 1583</a> <a href="#">Eggman</a></p> <p>The California Recycling Market Development Act</p>	<p>This bill would require CalRecycle to convene a Statewide Commission on Recycling Markets and Curbside Recycling and would require the commission to, among other things, issue policy recommendations to achieve specified market development goals and waste reduction goals and provide regular feedback to the department on public messaging designed to encourage proper recycling and to minimize contamination in curbside recycling programs.</p>	<p>05/21/19 Read second time. Ordered to third reading.</p>



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Recycling Markets & Infrastructure Development		
Bill	Description	Status
	<p>This bill would extend existing funding mechanisms, including extending the inoperative date of the Recycling Market Development Revolving Loan Subaccount to July 1, 2031; and extending the authorization to provide financial assistance in the form of a sales and use tax exclusion for qualifying projects to January 1, 2031.</p> <p>Existing law requires all rigid plastic bottles and rigid plastic containers sold in the state to be labeled with a code that indicates the resin used to produce the bottles or containers, with specified numbers and letters placed in relation to a triangle, designed as prescribed. This bill would delete the prescribed description of that triangle.</p>	
<p><a href="#">AB 1770</a> <a href="#">Frazier</a></p> <p>Tire recycling program: Rubberized pavement</p>	<p>Existing law establishes the Rubberized Pavement Market Development Act, and requires CalRecycle to award grants for certain public agency projects that utilize rubberized asphalt concrete. This bill would extend the inoperative date, currently June 30, 2019, to June 30, 2024.</p>	<p>05/23/19 Read third time. Passed. Ordered to the Senate.</p>
<p><a href="#">SB 33</a> <a href="#">Skinner</a></p> <p>Solid waste: Reduction and recycling</p>	<p>In response to China’s National Sword and Blue Sky policies, this bill would state the intent of the Legislature to enact legislation that would address the collapse of foreign recycling markets by reducing solid waste generation, encouraging transition to compostable or recyclable materials, and fostering domestic recycling markets.</p>	<p>01/16/19 Referred to Com. on RLS.</p>
<p><a href="#">SB 724</a> <a href="#">Stern</a>, <a href="#">Glazer</a></p> <p>The California Beverage Container Recycling and Litter Reduction Act</p>	<p>This bill would modify provisions of the California Beverage Container Recycling and Litter Reduction Act in response to recent closures of recycling centers, reduced access to redemption centers, and declining recycling rates. The bill includes expanding convenience zone exemptions; revising redemption duties for small recycling centers; offering handling fees to certain recyclers in unserved convenience zones or low-volume recycling centers; extending market development payments; and revising the calculation method for manufacturer processing fees.</p>	<p>05/16/19 May 16 hearing: Held in committee and under submission.</p>



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## Recycling Markets & Infrastructure Development

Bill	Description	Status
<a href="#">SB 667</a> <a href="#">Hueso</a>  Greenhouse gases: Recycling infrastructure and facilities	<p>This bill would require CalRecycle to develop a 5-year investment strategy to drive innovation and support technological development and infrastructure in order to meet specified organic waste reduction and recycling targets. The bill would require the department to develop incentive mechanisms, such as loans and incentive payments to fund organic waste diversion and recycling infrastructure, and would establish the California Recycling Infrastructure Investment Account.</p> <p>The bill would include coordination with Nevada, Oregon, and Washington on infrastructure financing to support the recycling needs of the region and to create an advisory stakeholder committee to support development of interstate recycling infrastructure and markets.</p>	05/16/19 Ordered to 3 <sup>rd</sup> reading  05/14/19 Set for hearing May 16.

## Extended Producer Responsibility

Bill	Description	Status
<a href="#">SB 372</a> <a href="#">Wieckowski</a>  Single-use plastic products: Extended producer responsibility	<p>This bill would state the intent of the Legislature to enact legislation that would address extended producer responsibility for single-use plastic products, including collecting waste consisting of those products, the transport and treatment of those products, the costs of litter cleanup, and awareness-raising measures.</p>	02/28/19 Referred to Com. on RLS.

## Other - Solid Waste & Recycling

Bill	Description	Status
<a href="#">AB 625</a> <a href="#">Kalra</a>  Service contracts: Public transit: Collection and	<p>Existing law imposes requirements on certain local government agencies that enter into contracts for public transit services or the collection and transportation of solid waste, including, among other requirements, giving a 10% preference to a bidder who agrees to retain employees for a specified period. This bill would expand the application of these provisions to include a state agency that enters into such a contract.</p>	05/20/19 Read second time. Ordered to third reading.



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Other - Solid Waste & Recycling		
Bill	Description	Status
transportation of solid waste: Retention of employees		
<p><a href="#"><u>AB 815</u></a> <a href="#"><u>Aguiar-Curry</u></a></p> <p>Integrated waste management plans: Source reduction and recycling element and household hazardous waste element: Dual stream recycling programs</p>	<p>Existing law requires each city, county, and regional agency, if any, to develop a source reduction and recycling element and household hazardous waste element of an integrated waste management plan; with a 50% diversion requirement of solid waste from disposal.</p> <p>This bill would require CalRecycle to consider whether the jurisdiction has implemented a dual stream recycling program when considering if the jurisdiction has made a good faith effort to implement its source reduction and recycling element or household hazardous waste element.</p>	<p>05/22/19</p> <p>From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on EQ.</p>
<p><a href="#"><u>AB 827</u></a> <a href="#"><u>McCarty</u></a></p> <p>Solid waste: Commercial and organic waste: Recycling bins</p>	<p>Existing law requires a business that generates 4 cubic yards or more of commercial solid waste or 8 cubic yards or more of organic waste per week to arrange for recycling services, as specified.</p> <p>This bill would require a business subject to either of those requirements to provide customers with a recycling bin for that waste stream that is visible, easily accessible, and clearly marked with educational signage, as specified. The bill would exempt full-service restaurants, as defined, from its requirements.</p>	<p>05/23/19</p> <p>From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on EQ.</p>
<p><a href="#"><u>SB 143</u></a> <a href="#"><u>Skinner</u></a></p>	<p>Existing law generally prohibits a junk dealer or recycler from providing payment for nonferrous material unless the payment is made by cash or check and specified other requirements are met.</p>	<p>05/02/19</p> <p>Referred to Com. on B. &amp; P.</p>



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Other - Solid Waste & Recycling		
Bill	Description	Status
Junk dealers and recyclers: Nonferrous material: Payment by general use prepaid cards	This bill would authorize a junk dealer or recycler to also pay for nonferrous material by general use prepaid card, in accordance with specified requirements.	
<a href="#">SB 405 Archuleta</a>  Solid waste: Reclaimed asphalt pavement: Pilot project: The County of Los Angeles	This bill would authorize the Department of Public Works of the County of Los Angeles to create a pilot project to demonstrate the viability of paving streets, roads, and highways with hot mix asphalt that is composed of between 85% and 100% reclaimed asphalt pavement (RAP). The bill would require, upon creation of the pilot project, the Department of Public Works of the county to establish an evaluation team consisting of specified members to independently observe, document, and evaluate the pilot project, including a final report. The bill would require the pilot project to be completed by December 31, 2022.	05/21/19 Read second time and amended. Ordered to third reading.

Edible Food Recovery		
Bill	Description	Status
<a href="#">AB 614 Eggman</a>  Income taxes: Credits: Food banks	<p>The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws, including, for taxable years beginning on or after January 1, 2017, and before January 1, 2022, a credit for qualified taxpayers, defined as the person responsible for planting a crop, managing the crop, and harvesting the crop from the land, in an amount equal to 15% of the qualified value of fresh fruits or vegetables donated to a food bank.</p> <p>This bill, under both laws, would expand the credit to apply to the donation of qualified donation items, defined as raw agricultural products or processed foods. The bill would expand the definition of qualified taxpayer to include the person responsible for growing or raising a qualified donation item, or harvesting, packing, or processing a qualified donation item but would exclude a retailer or a wholesaler from that expanded definition. The bill would apply these provisions to taxable years beginning on or after January 1, 2020.</p>	05/23/19 Read third time. Passed. Ordered to the Senate.



# HF&H Consultants Legislative Update – May 2019

Organics & Biomass		
Bill	Description	Status
<p><a href="#"><u>AB 257</u></a> <a href="#"><u>Mathis</u></a></p> <p>Solid waste: Woody Biomass: Collection and Conversion</p>	<p>Existing law establishes the CalRecycle Greenhouse Gas Reduction Revolving Loan Program, administered by the Department of Resources Recycling and Recovery, to provide loans to reduce the emissions of greenhouse gases by promoting in-state development of infrastructure or other projects to reduce organic waste or process organic and other recyclable materials into new value-added products.</p> <p>This bill would create a 5-year woody biomass rural county collection and disposal pilot program, to be administered by the department, consisting of awarding funding to participating counties with a total population of less than 250,000 for the purpose of conducting community collection days at which individuals can dispose of woody biomass free of charge. The bill would require a county awarded funding under the program to contract with a local biomass conversion facility to collect and convert the biomass in a way that results in fewer greenhouse gases emitted than if the biomass had been disposed of. The bill would require the department to report specified program information to the Legislature after the conclusion of the program.</p>	<p>05/16/19 In committee: Held under submission</p> <p>04/10/19 In committee: Set, first hearing. Referred to APPR. suspense file.</p>
<p><a href="#"><u>AB 793</u></a> <a href="#"><u>Ting</u></a></p> <p>Solid Waste: Biomass</p>	<p>The California Integrated Waste Management Act of 1989 requires each city, county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan. This bill would revise the definition of “biomass conversion” and would define “biomass” for purposes of the act.</p>	<p>05/16/19 Referred to Com. on EQ.</p> <p>05/06/19 In Senate. Read first time. To Com. on RLS. for assignment.</p>
<p><a href="#"><u>AB 144</u></a> <a href="#"><u>Aguiar-Curry</u></a></p> <p>Public resources management: Organic waste</p>	<p>Existing law declares that a thriving in-state forest products sector provides public benefits, including employment opportunities in both rural and urban areas, and economic development for rural communities. Existing law establishes the Forest Management Task Force, and requires the task force or its successor entity, on or before July 1, 2020, to develop recommendations for the siting of additional wood product manufacturing facilities in the state. Existing law specifies that it is the intent of the Legislature, in developing those recommendations, that the location and activities of the mass timber production facilities be, among other things, located in, or be proximate to, areas that are near the locations of large landscape fires and in areas identified as federal opportunity zones, or in areas that have an average household income of 5% below the state’s median household income.</p>	<p>05/16/19 In committee: Held under submission.</p> <p>04/24/19 In committee: Set, first hearing. Referred to</p>



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Organics & Biomass		
Bill	Description	Status
	<p>This bill would add a definition of the task force for purposes of those provisions, and recast the median household income threshold from 5% below to at or below 5% of the state’s median household income.</p> <p>Existing law establishes the Strategic Growth Council in state government consisting of various state agency heads and 3 public members. Existing law assigns to the council certain duties relative to the identification and review of activities and funding programs of state agencies that may be coordinated to improve air and water quality, improve natural resource protection, increase the availability of affordable housing, improve transportation, meet greenhouse gas emissions reduction goals, encourage sustainable land use planning, and revitalize urban and community centers in a sustainable manner.</p> <p>This bill would require the Strategic Growth Council, in consultation with stakeholders and relevant permitting agencies, to prepare and submit a scoping plan for the state to meet its organic waste, climate change, and air quality mandates, goals, and targets and would require the scoping plan to include recommendations on policy and funding support for the beneficial reuse of organic waste.</p>	APPR. suspense file.
<p><a href="#">SB 515</a> <a href="#">Caballero</a></p> <p>California Renewables Portfolio Standard Program: Bioenergy renewable feed-in tariff</p>	<p>This bill would expand the fuels and feedstocks eligible to meet the wildfire risk reduction fuel and feedstock requirements, established by the Public Utilities Commission, to include biomass diverted from specified higher fire-risk zones.</p>	<p>05/13/19 In Assembly. Read first time. Held at Desk.</p>



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Hazardous Waste		
Bill	Description	Status
<p><a href="#">AB 1597</a>  <b>Committee on Environmental Safety and Toxic Materials</b></p> <p>Hazardous waste:                      Transportation:                      Electronic manifests</p>	<p>Existing law, which is part of the hazardous waste control law, imposes various manifest requirements for transporting hazardous waste, including requiring any person generating hazardous waste that is transported, or submitted for transportation, for offsite handling, treatment, storage, disposal, or any combination thereof, to complete a manifest and be subject to transporter registration requirements. A violation of the hazardous waste control law is a crime.</p> <p>The federal Hazardous Waste Electronic Manifest Establishment Act requires the United States Environmental Protection Agency (EPA) to establish a national electronic manifest system. The EPA has adopted regulations implementing the electronic manifest system and authorizes the use of an electronic manifest for the transportation of hazardous waste. The federal act requires states with authorized hazardous waste manifest programs to conform to those regulations implementing the electronic manifest system.</p> <p>This bill would make changes to the hazardous waste control law to conform the provisions of that law to the federal EPA regulations implementing the electronic manifest system, and would delete obsolete provisions.</p> <p>By changing the conduct that constitutes the crime of violating the hazardous waste control laws, this bill would impose a state-mandated local program.</p>	<p>05/14/19                      From committee chair, with author's amendments:                      Amend, and re-refer to committee.                      Read second time, amended, and re-referred to Com. on EQ.</p>
<p><a href="#">SB 68</a>  <a href="#">Galgiani</a></p> <p>Hazardous waste:                      Treated wood waste</p>	<p>Existing law, as part of the hazardous waste control laws, requires treated wood waste to be disposed of in either a class I hazardous waste landfill or in a composite-lined portion of a solid waste landfill unit that meets specified requirements. Existing law requires each wholesaler and retailer of treated wood and treated wood-like products to conspicuously post information that contains a specified-message, including a certain internet website address at which more information can be found, at or near the point of display or customer selection of treated wood and treated wood-like products, as provided. Existing law repeals these requirements on January 1, 2021. A violation of the hazardous waste control laws is a crime.</p> <p>This bill would delete the repeal provision, thereby extending the operation of those provisions indefinitely. The bill would authorize the message to be posted at the point of sale, in addition to at the point of display or customer selection. The bill would update in the message and would require—the message to include an additional specified statement relating to the internet website at which the list of approved landfills that accept treated wood waste can be found. By extending a crime, the bill would impose a state-mandated local program.</p>	<p>05/22/19                      From committee with author's amendments.                      Read second time and amended. Re-referred to Com. on E.S. &amp; T.M.</p>



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Hazardous Waste		
Bill	Description	Status
<p><a href="#">SB 232</a> <a href="#">Dodd</a></p> <p>Hazardous substances: Regulated metals: Packaging materials</p>	<p>The Toxics in Packaging Prevention Act, as part of the hazardous waste control laws, prohibits a person from offering for sale or for promotional purposes in this state a package, packaging component, or product in a package if the sum of the incidental total concentration levels of all regulated metals, defined as lead, cadmium, mercury, or hexavalent chromium, present in a single-component package or in an individual packaging component exceeds 100 parts per million by weight.</p> <p>This bill would exempt from that prohibition a glass package or packaging component that would not exceed that maximum regulated metal concentration level but for the addition of recycled glass materials, provided that the sum of the incidental total concentration levels of all regulated metals present in the glass package or packaging component does not exceed 200 parts per million by weight.</p>	<p>05/02/19 Referred to Com. on E.S. &amp; T.M.</p>
<p><a href="#">SB 552</a> <a href="#">Archuleta</a></p> <p>Hazardous waste: Transportation: Manifests</p>	<p>Existing law, as part of the hazardous waste control laws, specifies requirements for registered hazardous waste transporters operating a door-to-door household hazardous waste collection program or household hazardous waste residential pickup service, including a specified manifesting procedure and reporting requirements to the Department of Toxic Substances Control. A public agency is required to retain a copy of the manifest in a specified manner. This bill would repeal the previous inoperative date of January 1, 2020, thereby extending the provisions indefinitely. Because the bill would continue duties imposed on public agencies and would extend the operation of various provisions, the violation of which would be a crime, the bill would impose a state-mandated local program.</p>	<p>05/16/19 Referred to Com. on E.S. &amp; T.M.</p> <p>05/07/19 In Assembly. Read first time. Held at Desk.</p>
<p><a href="#">SB 726</a> <a href="#">Caballero</a></p> <p>Hazardous waste: Public agencies: Materials exchange program</p>	<p>Existing law authorizes a public agency to conduct a materials exchange program as a part of its household hazardous waste collection program, if the public agency determines which reusable household hazardous products or materials are suitable and acceptable for distribution to the public, and requires the agency to instruct the recipient on proper use.</p> <p>This bill would expand these provisions, including authorizing a public agency's contractor to conduct that materials exchange program; and authorizing the operation of a hazardous waste collection facility for the additional purpose of accepting reusable household hazardous products or materials and providing those products or materials to recipients. The bill would require the determination as to which reusable household hazardous products or materials are suitable and acceptable for distribution to be made without regard as to whether the distribution would be to the public.</p>	<p>5/09/19 In Assembly. Read first time. Held at Desk.</p>



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Hazardous Waste		
Bill	Description	Status
	<p>This bill would require reusable household products or materials to be transported by the same entities specified in existing law, and would additionally authorize a permanent household hazardous waste collection facility to transport hazardous waste or reusable household products or materials. The bill would provide that a registered hazardous waste transporter is not required to transport hazardous waste and reusable household products or materials from a solid waste facility or operation to a hazardous waste collection facility that is located at, or adjacent to, the solid waste facility or operation. The bill would add to the existing requirements on proper use and safety of household hazardous products or materials received by a business or employer. Because a violation of these provisions would be a crime, the bill would impose a state-mandated local program.</p>	

Battery Recycling		
Bill	Description	Status
<p><a href="#">AB 142</a> <a href="#">Garcia, Cristina</a></p> <p>Lead-acid batteries</p>	<p>The Lead-Acid Battery Recycling Act of 2016 currently requires a manufacturer battery fee of \$1 to be imposed on a manufacturer of lead-acid batteries for each lead-acid battery it sells at retail to a person in California, or that it sells to a dealer, wholesaler, distributor, or other person for retail sale in California. This bill would increase the manufacturer battery fee to \$2 and would provide that the fee would continue indefinitely.</p> <p>The bill would require the CA Department of Tax and Fee Administration, on or before January 1, 2020, to submit to the Legislature a report that includes, among other things, any regulations or policies adopted by the department for purposes of ensuring compliance with requirements related to the manufacturer battery fee. The bill further specifies criteria for exemptions, as well as processes relating to fee remittance and liability.</p> <p>This bill would require the Department of Toxic Substances Control to establish a Lead-Acid Battery Recycling Facility Investigation and Cleanup Program, or LABRIC Program, which would be responsible for identifying areas of the state that are eligible for expenditure of moneys from the Lead-Acid Battery Cleanup Fund for certain purposes. The bill would require the program to provide public notice of the initiation of the investigation or site evaluation of any area reasonably suspected to have been contaminated by the operation of a lead-acid battery recycling facility. The bill would require the department, upon completion of an investigation or site evaluation, to provide notice and an opportunity for comment on the proposed designation</p>	<p>05/22/19 Read third time and amended. Ordered to third reading.</p>



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Battery Recycling		
Bill	Description	Status
	<p>of a site as known to have been contaminated by the operation of a lead-acid battery recycling facility. The bill would provide that further investigation or evaluation for a site is no longer authorized if, within 2 years of a public notice of the initiation of the investigation or evaluation, the department is unable to designate a site as known to have been contaminated by the operation of a lead-acid battery recycling facility.</p> <p>This bill would create a grant program that would provide funding to qualified industry associations, as defined, for the implementation of a lead-acid battery recycling awareness plan that includes the creation of a program to develop and implement a public education program to inform consumers regarding the availability of lead-acid battery recycling, promote the safe and environmentally sound collection of lead-acid batteries by retailers in the state, and promote the safe and environmentally sound recycling of lead-acid batteries collected by retailers and others in the state. The bill would require the Department of Resources Recycling and Recovery to approve a grant proposal that meets certain requirements. The bill would appropriate \$500,000 for the 2019–20 fiscal year from the Lead-Acid Battery Cleanup Fund to the Department of Resources Recycling and Recovery for purposes of funding the grant program.</p>	
<p><a href="#">AB 1509</a> <a href="#">Mullin</a></p> <p>Solid waste: Lithium-ion batteries</p>	<p>This bill would establish the Lithium-Ion Battery Recycling Program at CalRecycle, which would require a covered entity, as defined, to provide an annually updated list of lithium ion battery products it sells and the total number sold in the state in the prior year; to achieve specified collection and recycling rates for lithium ion batteries; and to establish a stewardship program.</p> <p>Covered entities would be required to pay an administrative fee to CalRecycle, to be deposited in the Lithium-Ion Battery Recycling Cost of Implementation Account, which would be created by this bill. CalRecycle would be required to adopt regulations to implement the program by January 1, 2022.</p> <p>This bill would also state the intent of the Legislature to enact legislation to amend the Electronic Waste Recycling Act of 2003 to allow for the recovery and recycling of lithium-ion batteries and products containing lithium-ion batteries under the existing program established by the act.</p>	<p>05/23/19 Read third time. Passed. Ordered to the Senate.</p>



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Carpet and Mattress Recycling		
Bill	Description	Status
<p><a href="#">AB 187</a> <a href="#">Garcia, Cristina</a></p> <p>Used Mattress Recovery and Recycling Act</p>	<p>The Used Mattress Recovery and Recycling Act authorizes a mattress recycling organization to be established by a qualified industry association to develop, implement, and administer a mattress recycling program, including the development of a state plan.</p> <p>This bill would require the organization to review the state plan every 5 years and to include additional information and goals in the plan, annual budget, and report.</p> <p>The bill would prohibit the organization’s financial reserve from exceeding an unspecified amount and would prohibit the organization from reducing the mattress recycling charge unless the organization is meeting all goals and requirements of the program. The bill would prohibit the revenue from the charge from being expended for specified purposes.</p>	<p>05/09/19 In Senate. Read first time. To Com. on RLS. for assignment.</p>
<p><a href="#">AB 729</a> <a href="#">Chu</a></p> <p>Carpet recycling: Carpet stewardship.</p>	<p>Existing law requires a manufacturer of carpets sold in this state to submit, either individually or through a carpet stewardship organization, a carpet stewardship plan to CalRecycle, and requires the department to approve or disapprove the plan.</p> <p>This bill would require a carpet stewardship organization to include in the carpet stewardship plan a contingency plan should the carpet stewardship plan expire without approval of a new carpet stewardship plan or should the carpet stewardship plan be revoked. The bill would require a carpet stewardship organization to set up a trust fund or an escrow account, into which the bill would require the organization to deposit sufficient funds to implement the programs in the carpet stewardship plan for a period of one year, in the event that the carpet stewardship plan terminates or is revoked. The bill includes additional provisions related to the trust fund or escrow account.</p> <p>This bill would authorize the department to administratively impose civil penalties on any person who is in violation of any provision of the carpet stewardship laws, of up to \$10,000 per day.</p>	<p>05/23/19 In Senate. Read first time. To Com. on RLS. for assignment.</p>



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Water/Waste Water		
Bill	Description	Status
<p><a href="#">AB 1093</a> <a href="#">Rubio, Blanca</a></p> <p>Municipal separate storm sewer systems: Financial capability analysis</p>	<p>This bill would require the State Water Resource Control Board, by July 1, 2020, to establish financial capability assessment guidelines for municipal separate storm sewer system permittees that are adequate and consistent when considering the costs to local jurisdictions, including costs incurred in previous years.</p> <p>The bill would require the state board and the regional boards to continue using available regulatory tools and other approaches to foster collaboration with permittees to implement permit requirements in light of the costs of implementation.</p>	<p>05/20/19 Read second time. Ordered to third reading.</p>
<p><a href="#">AB 755</a> <a href="#">Holden</a></p> <p>California tire fee: Stormwater Permit Compliance Fund</p>	<p>The California Tire Recycling Act, until January 1, 2024, requires a person who purchases a new tire to pay a California tire fee of \$1.75 per tire, for deposit, except for 11/2% retained by retailers in the California Tire Recycling Management Fund for expenditure by the Department of Resources Recycling and Recovery upon appropriation by the Legislature for prescribed purposes related to disposal and use of used tires. Commencing January 1, 2024, existing law reduces the California tire fee to \$0.75 per tire and changes the retailers' share to 3%.</p> <p>Existing law authorizes the department, in carrying out the act, to solicit and use any and all expertise available in, and to contract or cooperate with, other state agencies, as provided. Existing law authorizes the department to contract with the California Department of Tax and Fee Administration to collect the California tire fee. Existing law requires the department, or its authorized agent, to be reimbursed for its costs of collection, auditing, and making refunds associated with the California Tire Recycling Management Fund, in an amount up to 3% of the total annual revenue deposited in the fund. This bill would require the California Department of Tax and Fee Administration to collect the California tire fee and would repeal the provision authorizing the Department of Resources Recycling and Recovery to solicit and use the expertise of, and contract or cooperate with, other state agencies.</p> <p>The bill would increase the California tire fee by \$1.50 and require the California Department of Tax and Fee Administration to transfer the additional moneys to the Stormwater Permit Compliance Fund, which would be established by the bill, and would make the moneys available to the State Water Resources Control Board. The bill would continuously appropriate moneys in the fund for competitive grants for projects and programs for municipal storm sewer system permit compliance requirements that would prevent or remediate pollutants, including zinc, caused by tires in the state and for an annual audit of the fund. Money in the fund would be available upon appropriation for the administrative expenses of the fund, not to exceed 5% of the overall revenue annually deposited in the fund, except as specified. The bill would also make conforming changes.</p>	<p>05/20/19 Read second time. Ordered to third reading.</p>



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Water/Waste Water		
Bill	Description	Status
	The bill would revise and recast the provisions governing payments and transfers from the California Tire Recycling Management Fund. The bill would require the California Department of Tax and Fee Administration, instead of the Department of Resources Recycling and Recovery, to be reimbursed for its costs of collection, auditing, and making refunds associated with the California Tire Recycling Management Fund, in an amount up to 2.5% of the total annual revenue deposited in the fund.	

Greenhouse Gases		
Bill	Description	Status
<a href="#"><u>AB 1237</u></a> <a href="#"><u>Aguiar-Curry</u></a>  Greenhouse Gas Reduction Fund: Guidelines	This bill would require an agency that receives an appropriation from the Greenhouse Gas Reduction Fund to post on its website the agency’s guidelines for how moneys from the fund are allocated.	05/16/19 Referred to Com. on EQ.
<a href="#"><u>AB 352</u></a> <a href="#"><u>Garcia, Eduardo</u></a>  California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund: Grant programs and Transformative Climate Communities Program	<p>This bill, beginning July 1, 2020, would require state agencies administering competitive grant programs that allocate moneys from the Greenhouse Gas Reduction Fund to give specified communities preferential points during grant application scoring for programs intended to improve air quality, to include a specified application timeline. This bill would require the Department of Finance to include in an annual report to the Legislature specified information on the applications received for each grant program allocating moneys from the Greenhouse Gas Reduction Fund.</p> <p>This bill would additionally authorize the Strategic Growth Council, when awarding grants under the Transformative Climate Communities Program, to give priority to plans and projects covering areas that have a high proportion of census tracts identified as low-income communities. The bill would authorize applicants from the Counties of Imperial and San Diego to include daytime population numbers in their grant applications. The bill would prohibit the council when adopting the program’s guidelines from limiting the geographic boundaries of a project to a number of square miles.</p>	05/21/19 Read second time. Ordered to third reading.



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Greenhouse Gases		
Bill	Description	Status
<a href="#"><u>SB 43</u></a> <a href="#"><u>Allen</u></a>  Carbon taxes	This bill would require the State Air Resources Board, no later than January 1, 2022, to submit a report to the Legislature on the findings from a study, as specified, to determine the feasibility and practicality of assessing the carbon intensity of all retail products subject to the tax imposed pursuant to the Sales and Use Tax Law.	05/21/19 Read second time and amended. Ordered to third reading.
<a href="#"><u>AB 40</u></a> <a href="#"><u>Ting</u></a>  Zero-emission vehicles: Comprehensive strategy	This bill, no later than January 1, 2021, would require the State Air Resources Board to develop a comprehensive strategy to ensure that the sales of new motor vehicles and new light-duty trucks in the state have transitioned to zero-emission vehicles by 2040.	04/08/19 In committee: Hearing postponed by committee.
<a href="#"><u>SB 236</u></a> <a href="#"><u>Wilk</u></a>  Low-Carbon Innovation Grant Program: Low-Carbon Innovation Panel	This bill would establish the Low-Carbon Innovation Panel in the Governor’s Office of Business and Economic Development, and the Low-Carbon Innovation Grant Program, to be administered by the panel, to award grants to help researchers, entrepreneurs, and companies create and commercialize new low-carbon technologies that will help the state meets its greenhouse gas emissions reductions targets. The bill would authorize moneys from the Greenhouse Gas Reduction Fund to be available for the program.	04/10/19 Re-referred to Coms. on B., P. & E.D. and EQ.



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Greenhouse Gases		
Bill	Description	Status
<a href="#">SB 457</a> <a href="#">Hueso</a>  Biomethane: Gas corporations	The Public Utilities Commission adopted a 5-year monetary incentive program for biomethane projects, effective June 11, 2015 through December 31, 2021, to promote the in-state production and distribution of biomethane. This bill would require the commission to extend the program until December 31, 2026.	05/16/19 Ordered to 3 <sup>rd</sup> reading.  05/10/19 Set for hearing May 16.  04/22/19 April 22 hearing: Placed on APPR. suspense file.

## Additional Resources

- [Glossary of Legislative Terms](#)
- [Bill Tracking and Searching](#)
- [2019 Calendar of Legislative Process](#)



# THE LIFE CYCLE OF LEGISLATION — From Idea into Law

