

# HF&H Consultants Legislative Update – November 2019

## BILLS PASSED - SIGNED ✓

Bill	Description	Status
<p><a href="#">AB 619</a> <a href="#">Chiu</a></p> <p>Retail food: Reusable containers: Multiuse utensils</p>	<p>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.</p> <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> <p>Because any violation of these provisions would be a crime, this bill would impose a state-mandated local program.</p>	<p>07/12/19: Chapered by Secretary of State – Chapter 93, Statutes of 2019.</p> <p>Approved by the Governor.</p>
<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 authorize a local agency with authority to inspect and enforce these requirements by issuing a citation, after providing a written warning upon a first violation, and to impose a penalty in specified amounts. The bill provides that a lodging establishment that is in violation of the above requirement is liable for a civil penalty in specified amounts and would authorize the Attorney General or a district attorney, county counsel, or city attorney to bring an action to impose the civil penalty.</p> <p>The bill would prohibit, on and after January 1, 2020, a city, county, or city and 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>10/09/19 Chapered by Secretary of State - Chapter 687, Statutes of 2019.</p> <p>Approved by the Governor.</p>



# HF&H Consultants Legislative Update – November 2019

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<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>This bill would extend existing funding mechanisms, including extending the inoperative date of the Recycling Market Development Revolving Loan Subaccount from July 1, 2021 to o July 1, 2031; and extend 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>10/09/19</p> <p>Chapered by Secretary of State - Chapter 690, Statutes of 2019.</p> <p>Approved by the Governor.</p>
<p><a href="#">AB 54</a> <a href="#">Ting</a></p> <p>The California beverage Container Recycling and Litter Reduction Act</p>	<p>Existing law requires CalRecycle to annually designate convenience zones and requires that at least one certified recycling center be located within every convenience zone. Dealers within underserved convenience zones or convenience zones where no recycling location has been established are required to submit an affidavit stating that the dealer has met certain requirements, including that the dealer is redeeming all empty beverage container types during all hours of operation. If the dealer fails to do so, they are required to pay a fine of \$100 per day until the dealer meets those standard or until a recycling location is established.</p> <p>This bill, until March 1, 2020, exempts from those duties dealers located in a convenience zone that was served by a recycling center that closed between August 1, 2019, and September 1, 2019. The bill also, until July 1, 2020, exempts from those duties a dealer located in an unserved convenience zone if a completed application for a recycling center located anywhere in the convenience zone is pending and the dealer and the recycling center submit a letter to CalRecycle stating that the recycling center intends to serve that convenience zone. The bill, until July 1, 2020, would make such a recycling center eligible to receive handling fees for redeemed beverage containers once its application is approved.</p> <p>Existing law, until January 1, 2020, authorizes up to 5 limited term recycling pilot projects designed to improve redemption opportunities in unserved convenience zones. This bill would extend the operation of that</p>	<p>10/12/19</p> <p>Chapered by Secretary of State – Chapter 793, Statutes of 2019</p> <p>Approved by Governor</p>



# HF&H Consultants Legislative Update – November 2019

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	<p>authorization until January 1, 2022, and would revise certain requirements of the pilot projects. The bill authorizes CalRecycle, for the 2019–20 fiscal year to the 2021–22 fiscal year, to expend up to a total of \$5,000,000 from the California Beverage Container Recycling Fund to support the pilot projects.</p> <p>The bill also authorizes the Director of Finance to approve the expenditure of up to \$5,000,000 from the fund for supplemental payments to recycling centers, if certain conditions are met.</p> <p>Effective immediately as an urgency statute.</p>	
<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. Existing law requires the department to review a jurisdiction’s compliance with the diversion requirements every 2 or 4 years, as specified, and requires the department to issue an order of compliance if the department finds the jurisdiction failed to make a good faith effort to implement its source reduction and recycling element or household hazardous waste element.</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>08/30/19 Chapered by Secretary of State - Chapter 182, Statutes of 2019.</p> <p>Approved by the Governor.</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. (AB 341 and AB 1826)</p> <p>This bill would require a business subject to either of those requirements, and that provides customers access to the business, to provide customers with a recycling bin or container for that waste stream that is visible, easily accessible, adjacent to each bin or container for trash other than that recyclable waste stream, except in restrooms, and clearly marked with educational signage, as specified. The bill would exempt full-service restaurants from its requirements.</p> <p>The bill would also require CalRecycle to, on or before July 1, 2020, develop model signage that commercial and organic waste generators, as defined, may utilize to mark the recycling bins provided to customers.</p>	<p>10/02/19 Chapered by Secretary of State - Chapter 441, Statutes of 2019.</p> <p>Approved by the Governor.</p>



# HF&H Consultants Legislative Update – November 2019

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<p><a href="#">SB 8</a> <a href="#">Glazer</a></p> <p><a href="#">AB 1718</a> <a href="#">Levine</a></p> <p>State parks: state beaches: smoking ban.</p> <p><b>(SB 8 signed; AB 1718 vetoed)</b></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 beach or in a unit of the state park system, or to dispose of used cigar or cigarette waste on a state 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 strategic locations, as determined by the Director of Parks and Recreation, of state beaches and units of the state park system operated by the department to provide notice of the smoking prohibition. The bill would require an entity operating, pursuant to an agreement with the department, a state beach or unit of the state park system that is not operated by the department to post signs approved by the department at strategic locations, as determined by the operating entity and approved by the department, to provide notice of the smoking prohibition. The bill would require the smoking prohibition to be enforced at a state beach or unit of the state park system only after appropriate signs have been posted pursuant to these provisions.</p>	<p><b>SB 8:</b> 10/11/19 Chapered by Secretary of State. Chapter 761, Statutes of 2019.</p> <p>Approved by the Governor.</p> <p><b>AB 1718:</b> <b>Vetoed by Governor</b></p>
<p><a href="#">SB 143</a> <a href="#">Skinner</a></p> <p>Junk dealers and recyclers: Nonferrous material: Payment by general use prepaid cards</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, including that the check is mailed or the cash or check is provided no earlier than 3 days after the date of sale.</p> <p>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. Effective immediately as an urgency statute.</p> <p>Effective immediately as an urgency statute.</p>	<p>09/05/19 Chapered by Secretary of State. Chapter 243, Statutes of 2019.</p> <p>Approved by the Governor.</p>
<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 prohibits a person from disposing, or attempting to dispose, of a lead-acid battery at a solid waste facility or on or in any land, surface waters, watercourses, or marine waters, but authorizes a person to dispose of a lead-acid battery at certain locations. The act requires, until March 31, 2022, a manufacturer battery fee of \$1 to be imposed on a manufacturer of lead-acid batteries and paid to the California Department of Tax and Fee Administration for each lead-acid battery it sells at retail to a person, or to a dealer, wholesaler, distributor, or other person for retail sale in California.</p> <p>This bill would, on and after April 1, 2022, increase the amount of the manufacturer battery fee to \$2 and would provide that the fee would continue indefinitely. The bill, on and after January 1, 2020, authorizes any imports of lead-acid batteries to be subject to the battery fee to be paid by the manufacturer on behalf of the</p>	<p>10/13/19 Chapered by Secretary of State – Chapter 860, Statues of 2019</p> <p>Approved by the Governor</p>



# HF&H Consultants Legislative Update – November 2019

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	<p>importer.. The bill would require the department, on or before January 1, 2022, 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 specified requirements related to the manufacturer battery fee.</p> <p>The bill includes certain exceptions where the manufacturer battery fee does not apply. It would require a manufacturer or specified vehicle dealers, if a lead-acid battery is sold or will be used in a manner not subject to the battery fee, to obtain written documentation from the purchaser certifying that the lead-acid battery will be used in a manner not subject to the battery fee; or, for a purpose entitling the manufacturer or dealer to regard the purchase as not subject to the battery fee. The bill would make a purchaser who subsequently sells or uses the lead-acid battery liable for the payment of any applicable fees.</p> <p>This bill would additionally require the manufacturer or importer who pays the battery fee will be credited to the account of those who remitted the fee if they meet the specified conditions. The bill would relieve an importer from liability of a lead-acid battery fee that would otherwise be imposed on the sale of that battery, provided that the manufacturer remits payment of the manufacturer battery fee to the state for the sale of that battery. The bill would authorize an importer who has paid the manufacturer battery fee and who receives an untimely statement that the fee has been paid for that battery to file a claim for a refund of any overpaid fees.</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, and specifies certain investigation procedures and requirements.</p> <p>The bill would revise provisions regarding authorization for expenditure from the Lead-Acid Battery Cleanup Fund, as specified.</p> <p>Effective immediately as an urgency statute.</p>	
<p><a href="#">AB 614</a> <a href="#">Eggman</a></p> <p>Income taxes: Credits: Food banks</p>	<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 (which include, among others: grains, meat, dairy,</p>	<p>10/02/19 Chapered by Secretary of State - Chapter 431, Statutes of 2019.</p>



# HF&H Consultants Legislative Update – November 2019

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	canned goods, infant formula, and more). 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.	Approved by the Governor.
<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>07/30/19                      Chaptered by Secretary of State - Chapter 133, Statutes of 2019.</p> <p>Approved by the Governor.</p>
<p><a href="#">SB 552</a>  <a href="#">Archuleta</a></p> <p>Hazardous waste:                      Transportation:                      Manifests</p>	<p>Existing law authorizes a registered hazardous waste transporter operating a door-to-door household hazardous waste collection program or household hazardous waste residential pickup service to use a specified manifesting procedure for transporting household hazardous waste. It also requires those transporters to submit quarterly reports to the Department of Toxic Substances Control; and requires the department to make all of the information in the quarterly reports available to the public, as provided. Public agencies must retain a copy of the manifest in a specified manner.</p>	<p>10/02/19                      Chaptered by Secretary of State. Chapter 481, Statutes of 2019.</p>



# HF&H Consultants Legislative Update – November 2019

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	<p>This bill would remove the inoperative date of these manifesting requirements of January 1, 2020, and would extend the operation of those provisions indefinitely.</p> <p>The bill would repeal provisions authorizing a facility operator to submit an electronic report in lieu of submitting a copy of each manifest used and would also require a transporter to submit a copy of the manifest to the department.</p> <p>The bill would remove the inoperative date of December 31, 2019 of the provisions requiring a public agency or its contractor that operates a door-to door hazardous waste collection program or household hazardous waste residential pick up service to use specified manifesting procedures, and would extend the operation of those provisions indefinitely.</p> <p>This bill would extend the operation of the requirement to consolidate the administration of the hazardous waste control laws that are applicable to those transfer facilities that operate a door-to-door household hazardous waste collection program or household hazardous waste residential pickup service from December 31, 2019 to indefinitely.</p> <p>Because the bill would continue duties imposed on public agencies (and a violation of those provisions is a crime) and duties imposed on unified program agencies, the bill would impose a state-mandated local program.</p>	Approved by the Governor.
<p><a href="#">SB 726</a> <a href="#">Caballero</a></p> <p>Hazardous waste: Public agencies: Materials exchange program</p>	<p>This bill would define “materials exchange program” to mean a program conducted at a household hazardous waste collection facility that makes reusable household hazardous products or materials available to recipients. The bill would additionally authorize a public agency’s contractor to conduct a materials exchange program and would require the contractor to provide the same instructions to a recipient. The bill would revise the requirements for the preparation and implementation of a quality assurance plan to require, among other things, a quality assurance plan prepared by a public agency, or its contractor, to be implemented at each household hazardous waste collection facility operated by the public agency, or its contractor, at which a materials exchange program is operated.</p> <p>The bill would require a recipient of a reusable household hazardous product or material to use the product or material in conformance with its label, use appropriate personal protection, and manage unused products or materials as required by applicable California law, or as required by any applicable law in the state in which the product or material is discarded. The bill would impose additional requirements on certain recipients that are commercial entities, including, among other requirements, that those commercial entities sign a statement certifying the accuracy of certain information under penalty of perjury. The bill would require a public agency</p>	<p>10/02/19 Chapered by Secretary of State. Chapter 485, Statutes of 2019.</p> <p>Approved by the Governor.</p>





# HF&H Consultants Legislative Update – November 2019

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	<p>or its contractor to immediately discontinue providing reusable household hazardous products or materials to a commercial entity if the commercial entity cannot verify its compliance with the additional requirements.</p> <p>Existing requires hazardous waste to be transported to a household hazardous waste collection facility only by specified entities. This bill would additionally authorize a permanent household hazardous waste collection facility to transport hazardous waste. The bill would prohibit an individual from transporting reusable household hazardous products or materials that exceed the maximum volume or weight. The bill would require transportation of a reusable household hazardous product or material by a public agency or its contractor, or by a recipient, to be in compliance with all applicable shipping requirements of the United States Department of Transportation.</p> <p>Because a violation of these provisions would be a crime, the bill would impose a state-mandated local program.</p>	
<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, administered by CalRecycle, authorizes a mattress recycling organization to be established by a qualified industry association to develop, implement, and administer a mattress recycling program in the state. The act requires the organization to develop and submit to CalRecycle for approval a plan, including a budget, for the recovery and recycling of used mattresses</p> <p>This bill would revise and recast provisions of the act, including requiring the organization to review the plan and determine whether amendments to the plan are necessary every 5 years. The bill would require the organization to include additional specified information and goals in the plan, the budget, and the annual reports, and would require the advisory committee to prepare written recommendations for the organization.</p> <p>The bill would prohibit, commencing January 1, 2027, the organization’s financial reserve from exceeding 60% of its annual operating expenses, except as specified. The bill would prohibit the revenue from the charge from being expended for a specified purpose. The bill would also require the department to establish a process and schedule for an orderly transition of responsibility from a decertified mattress recycling organization to a successor organization, as specified.</p>	<p>10/09/19 Chapered by Secretary of State - Chapter 673, Statutes of 2019.</p> <p>Approved by the Governor.</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, among other things, require a carpet stewardship organization to include in the carpet stewardship plan a contingency plan should the carpet stewardship plan be revoked or expire without approval of a new carpet stewardship plan. The bill would require a carpet stewardship organization to set up a trust</p>	<p>10/09/19 Chapered by Secretary of State - Chapter 680, Statutes of 2019.</p>





# HF&H Consultants Legislative Update – November 2019

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	<p>fund or an escrow account, into which the bill would require the organization to deposit all unexpended funds and ongoing consumer assessments, for use in the event that the carpet stewardship plan terminates or is revoked. The bill would require, if a carpet stewardship plan is revoked or terminated, the trustee or escrow agent to accept carpet stewardship assessment payments directly from manufacturers and to make payments from the trust fund or escrow account as CalRecycle directs, in writing, to implement the most recently approved carpet stewardship plan. The bill would authorize CalRecycle, if a new carpet stewardship plan has not been approved within one year after termination or revocation, to make modifications to the previously approved plan, as it deems necessary, and continue to direct payments from the trust fund or escrow account to implement the modified plan.</p> <p>This bill would repeal certain provisions relating to existing carpet stewardship assessment per unit of carpet sold in the state that is remitted by carpet manufacturers to the organization and would replace the assessment with differential assessments that take into account the financial burden that a particular carpet material has on the stewardship program, and the amount of postconsumer recycled content contained in a particular carpet, as prescribed.</p> <p>The bill repeals the previous prohibition that limits the total amount of administrative fees paid to CalRecycle by a carpet stewardship organization submitting a carpet stewardship plan.</p> <p>This bill would increase the former civil penalty amount that CalRecycle is authorized to impose on any person in violation of any provision of the carpet stewardship laws from \$1,000 per day to \$5,000 per day.</p>	<p>Approved by the Governor.</p>
<p><a href="#">AB 1237</a> <a href="#">Aguiar-Curry</a></p> <p>Greenhouse Gas Reduction Fund: Guidelines</p>	<p>This bill, no later than January 1, 2021, would require an agency that receives an appropriation from the Greenhouse Gas Reduction Fund to post on the internet website of the agency’s program from which moneys from the fund are being allocated the guidelines, as specified, for how moneys from the fund are allocated for competitive financing programs, as specified.</p>	<p>09/27/19 Chapered by Secretary of State - Chapter 357, Statutes of 2019.</p> <p>Approved by the Governor.</p>
<p><a href="#">SB 457</a> <a href="#">Hueso</a></p>	<p>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 and facilitate the development of a variety of sources of in-state biomethane.</p>	<p>10/02/19 Chapered by Secretary of State. Chapter</p>



# HF&H Consultants Legislative Update – November 2019

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Biomethane: Gas corporations	<p>This bill would require the commission to extend the program until December 31, 2026, or until all available program funds are expended, whichever occurs first.</p> <p>Because the bill extends the monetary incentive program and requires continuation of action by the commission to implement certain requirements, and because failure to comply with these commission actions would be a crime, the bill would impose a state-mandated local program by extending the operation of a crime.</p>	<p>479, Statutes of 2019.</p> <p>Approved by the Governor.</p>
<a href="#">SB 44</a> <a href="#">Skinner</a>	<p>This bill would require the state board, no later than January 1, 2021, and at least every 5 years thereafter, in consultation with the Department of Transportation, the State Energy Resources Conservation and Development Commission, and the Governor’s Office of Business and Economic Development and in collaboration with relevant stakeholders, to update the state board’s 2016 mobile source strategy to include a comprehensive strategy for the deployment of medium-duty and heavy-duty vehicles in the state for the purpose of bringing the state into compliance with federal ambient air quality standards and reducing motor vehicle greenhouse gas emissions from the medium-duty and heavy-duty vehicle sector. The bill would require the state board to recommend reasonable and achievable goals, based on specified factors, for reducing emissions from medium-duty and heavy-duty vehicles by 2030 and 2050, respectively, as part of the comprehensive strategy. The bill also would require the state board to include other specified information in the updates to the 2016 mobile source strategy. The bill would authorize the state board to establish a process to identify medium-duty and heavy-duty vehicle segments that can more quickly reduce motor vehicle emissions, consistent with the California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program, with a beachhead market analysis.</p>	<p>09/20/19</p> <p>Chapered by Secretary of State. Chapter 297, Statutes of 2019.</p> <p>Approved by the Governor.</p>

<b>BILLS PASSED – VETOED</b>		
Bill	Description	Status
<a href="#">SB 232</a> <a href="#">Dodd</a>  Hazardous substances: Regulated metals: Packaging materials	<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</p>	<p>09/27/19</p> <p>In Senate. Consideration of Governors veto pending</p> <p>09/27/19</p>



# HF&H Consultants Legislative Update – November 2019

<b>BILLS PASSED – VETOED</b>		
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	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. This exemption would be repealed on January 1, 2024.	Vetoed by Governor  09/10/19 Enrolled and presented to the Governor.
<a href="#"><u>AB 1093</u></a> <a href="#"><u>Rubio, Blanca</u></a>  Municipal separate storm sewer systems: Financial capability analysis	This bill would require the State Water Resources 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. The bill would require the state board and the regional water quality control 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.	09/27/19 Vetoed by Governor  09/11/19 Enrolled and presented to the Governor
<a href="#"><u>AB 625</u></a> <a href="#"><u>Kalra</u></a>  Service contracts: Public transit: Collection and transportation of solid waste: Retention of employees	Existing law imposes requirements on certain local government agencies that award or otherwise enter into contracts for public transit services or for the collection and transportation of solid waste, relating to the retention of employees of the prior contractor or subcontractor. Existing law requires such a local government agency letting a contract out to bid to give a 10% preference to a bidder who agrees to retain employees for a specified period, as prescribed. Specific provisions apply only to service contracts for the collection and transportation of solid waste.  This bill would expand the application of these provisions to a state agency that enters into such a contract.	10/13/19 Vetoed by Governor  09/09/19 Enrolled and presented to the Governor
<a href="#"><u>AB 792</u></a> <a href="#"><u>Ting</u></a>  Recycling: Plastic beverage containers: Minimum content standards	This bill, on and after January 1, 2021, would establish a tiered plan that would require the total amount of plastic beverage containers filled by beverage manufacturers to contain specified amounts of postconsumer recycled plastic content per year, on average; starting at 25% in 2021 and increasing to no less than 50% on and after January 1, 2030. The bill would impose civil penalties on manufacturers in violation and would authorize CalRecycle to conduct audits and investigations of manufacturers.  The bill would require penalties collected to be deposited in the Recycling Enhancement Penalty Account, which the bill would create. The bill would require moneys in the Recycling Enhancement Penalty Account to be expended for the sole purpose of supporting the recycling, infrastructure, collection, and processing of	10/12/19 Vetoed by Governor  09/26/19 Presented to Governor.



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<b>BILLS PASSED – VETOED</b>		
Bill	Description	Status
	<p>plastic beverage containers in this state; including, but not limited to, funding processing payments not covered by processing fees and funding market development payments.</p> <p>The bill would require CalRecycle to contract with a research university to conduct a study on PET and HDPE markets, to be completed by May 1, 2025. The bill would authorize CalRecycle to allocate moneys from the California Beverage Container Recycling Fund for the study.</p> <p>Reporting requirements include:</p> <ul style="list-style-type: none"> <li>• On or before March 1 of each year, a manufacturer of a beverage sold in a plastic beverage container subject to the California Redemption Value, shall report to CalRecycle the amount in pounds and by resin type of virgin plastic and postconsumer recycled plastic used by the manufacturer for plastic beverage containers subject to the California Redemption Value for sale in the state in the previous calendar year. The manufacturer shall submit this information to the department under penalty of perjury pursuant to standardized forms in the form and manner prescribed by the department.</li> <li>• On or before March 1, 2020, and annually thereafter, a plastic material reclaimer shall report to CalRecycle the number of empty plastic beverage containers subject to the California Redemption Value that the plastic material reclaimer has collected and sold in the previous calendar year.</li> <li>• On or before March 1, 2020, and annually thereafter, a manufacturer of postconsumer recycled plastic shall report to CalRecycle the pounds of “food-grade” flake, pellet, sheet, fines, or other forms that were sold in the previous calendar year and their capacity to produce “food-grade” material.</li> </ul> <p>All of the above reports shall be submitted under penalty of perjury, thus this bill would expand the crime of perjury and impose a state-mandated local program. The bill would prohibit a city, county, or other local government jurisdiction from adopting an ordinance regulating the minimum recycled plastic content requirements for plastic beverage containers.</p> <p>This bill would modify current resin code labeling requirements for rigid plastic bottles and containers to specify that these requirements do not apply to certain medical devices, prescription medicine, and packaging used for those products.</p>	



# HF&H Consultants Legislative Update – November 2019

BILLS NOT PASSED		
Bill	Description	Status
<p><a href="#">AB 1080</a> <a href="#">Gonzalez, Calderon, Friedman, and Ting</a></p> <p><a href="#">SB 54</a> <a href="#">Allen, Skinner, Stern, and Wiener</a></p> <p>California Circular Economy and Plastic Pollution Reduction Act</p>	<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>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><b>AB 1080:</b> 09/14/19 Ordered to inactive file at the request of Senator Bradford.</p> <p><b>SB 54:</b> 09/12/19 Read second time. Ordered to third reading.</p>
<p><a href="#">AB 1228</a> <a href="#">Calderon</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="#">AB 1171</a> <a href="#">Chen</a></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>4/29/19 In committee: Set, first hearing. Hearing canceled</p>



# HF&H Consultants Legislative Update – November 2019

BILLS NOT PASSED		
Bill	Description	Status
Solid waste: Food packaging material: Local regulation	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.	at the request of author.
<a href="#">AB 1488</a> <a href="#">Burke</a>  Recycling: Plastic beverage containers: Reporting	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.  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 calendar year into flake, pellet, sheet, or any other form; and into food grade flake, pellet, sheet, or any other food grade form.	05/16/19 Committee on APPR. Held under submission.
<a href="#">AB 161</a> <a href="#">Ting</a>  Solid waste: Paper waste: Electronic proofs of purchase	This bill would require a business that accepts payment through cash, credit, or debit transactions, subject to certain exceptions, 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 a proof of purchase, unless otherwise required by state or federal law. The bill would prohibit a paper proof of purchase provided to a consumer by a business from containing bisphenol A or bisphenol S, and from including items not essential to the transaction, including, but not limited to, coupons or advertisements. 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. The bill would make these provisions operative on January 1, 2022.	08/30/19 In committee Held under submission.  08/12/19: In committee: Referred to Senate APPR. suspense file.
<a href="#">AB 886</a> <a href="#">Eggman</a>  Plastic bags	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.	03/04/19 Referred to Com. on NAT. RES.
<a href="#">AB 1163</a> <a href="#">Eggman</a>	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	04/30/19 In committee: Set, first hearing.



# HF&H Consultants Legislative Update – November 2019

BILLS NOT PASSED		
Bill	Description	Status
Consumer warranty protection: Express warranties	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.	Hearing canceled at the request of author.
<a href="#">SB 424 Jackson</a>  Tobacco products: Single-use and multiuse components	<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 made of any material, an attachable and single-use plastic device meant to facilitate manual manipulation or filtration of a tobacco product, and a single-use electronic cigarette or vaporizer device. The bill would prohibit that selling, giving, or furnishing, whether conducted directly or indirectly through an in-person transaction, or by means of any public or private method of shipment or delivery to an address in this state. 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 in a proceeding conducted pursuant to the procedures of the enforcing agency, as specified.</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, as provided. 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, as defined, for the costs of collecting and recycling those reusable components. The bill would authorize the CalRecycle to impose an administrative penalty, as provided, on a manufacturer that is in violation of these provisions.</p>	<p>06/13/19 Referred to Coms. on G.O. and HEALTH.</p> <p>05/23/19 Read third time. Passed. (Ayes 25. Noes 9.) Ordered to the Assembly.</p>
<a href="#">AB 129 Bloom</a>  Microfiber Pollution	<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; 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</p>	<p>04/09/19 In committee: Set, first hearing. Hearing canceled at the request of author.</p>





# HF&H Consultants Legislative Update – November 2019

BILLS NOT PASSED		
Bill	Description	Status
	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.	
<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, in an infraction case, if the court finds that the waste placed, deposited, or dumped includes used tires. By changing the definition of a crime, the bill would impose a state-mandated local program.	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
<a href="#">AB 1672</a> <a href="#">Bloom</a>  Solid Waste: Flushable products	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. 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.	05/16/19 In committee: Hearing postponed by committee
<a href="#">SB 213</a> <a href="#">Wieckowski</a>	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	02/13/19



# HF&H Consultants Legislative Update – November 2019

BILLS NOT PASSED		
Bill	Description	Status
Litter: Receptacles	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.	Referred to Com. on RLS.
<a href="#">AB 794 Ting</a>  Beverage container recycling: Report to the Legislature	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.	05/16/19 In committee: Held under Submission
<a href="#">AB 1236 Lackey, Flora</a>  Public resources: Greenhouse gases: Recycling: California Environmental Quality Act  “Recycle It Here Act”	This bill, no later than January 1, 2022, would require the State Air Resources Board for a market-based compliance mechanism applicable from January 1, 2021, to December 31, 2030, to investigate the potential for a carbon offset compliance protocol for recycled product manufacturing. The bill would authorize \$200,000,000 from the annual proceeds of the fund to be subsequently appropriated to the Department of Resources Recycling and Recovery for the department’s Recycled Fiber, Plastic, and Glass Grant Program. The bill would require the Department of Resources Recycling and Recovery, 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.	05/16/19 In committee: Held under submission  05/08/19 In committee: Set, first hearing. Referred to APPR. suspense file.
<a href="#">AB 1770 Frazier</a>  Tire recycling program: Rubberized pavement	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.	06/06/19 Referred to Com. on EQ. 05/23/19 Read third time. Passed. Ordered to the Senate.
<a href="#">SB 33 Skinner</a>  Solid waste: Reduction and recycling	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.	01/16/19 Referred to Com. on RLS.



# HF&H Consultants Legislative Update – November 2019

BILLS NOT PASSED		
Bill	Description	Status
<p><a href="#"><u>SB 724</u></a> <a href="#"><u>Stern , Glazer</u></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 Held in committee and under submission. 05/13/19: Placed on APPR. suspense file.</p>
<p><a href="#"><u>SB 667</u></a> <a href="#"><u>Hueso</u></a></p> <p>Greenhouse gases: Recycling infrastructure and facilities</p>	<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>	<p>08/30/19 Hearing postponed by committee on APPR.</p> <p>05/23/19 Ordered to the Assembly.</p>
<p><a href="#"><u>SB 372</u></a> <a href="#"><u>Wieckowski</u></a></p> <p>Single-use plastic products: Extended producer responsibility</p>	<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>	<p>02/28/19 Referred to Com. on RLS.</p>
<p><a href="#"><u>SB 405</u></a> <a href="#"><u>Archuleta</u></a></p> <p>Solid waste: Reclaimed asphalt pavement:</p>	<p>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.</p>	<p>07/11/19 Ordered to inactive file on request of Assembly</p>



# HF&H Consultants Legislative Update – November 2019

BILLS NOT PASSED		
Bill	Description	Status
Pilot project: The County of Los Angeles		Member Calderon.
<a href="#">AB 257</a> <a href="#">Mathis</a>  Solid waste: Woody Biomass: Collection and Conversion	<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>	05/16/19 In committee: Held under submission  04/10/19 In committee: Set, first hearing. Referred to APPR. suspense file.
<a href="#">AB 793</a> <a href="#">Ting</a>  Solid Waste: Biomass	<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>	05/16/19 Referred to Com. on EQ.
<a href="#">AB 144</a> <a href="#">Aguiar-Curry</a>  Public resources management: Organic waste	<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>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>	05/16/19 In committee: Held under submission.  04/24/19 In committee: Set, first hearing. Referred to APPR. suspense file.



# HF&H Consultants Legislative Update – November 2019

BILLS NOT PASSED		
Bill	Description	Status
	<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>	
<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 extend the operation of those provisions until January 1, 2023. 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>09/11/19 Ordered to inactive file on request of Assembly Member Calderon.</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>06/25/19 In Senate committee on EQ: Hearing postponed by committee.</p>



# HF&H Consultants Legislative Update – November 2019

BILLS NOT PASSED		
Bill	Description	Status
	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><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>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.</p>	<p>05/29/19 Ordered to inactive file at the request of Assembly Member Holden.</p>



# HF&H Consultants Legislative Update – November 2019

BILLS NOT PASSED		
Bill	Description	Status
<a href="#">SB 43</a> <a href="#">Allen</a>  Carbon intensity and pricing: retail products	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, so that the total carbon equivalent emissions associated with such retail products can be quantified.	07/08/19 Failed passage in Assembly Com. on REV. & TAX., Reconsideration granted.
<a href="#">SB 236</a> <a href="#">Wilk</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 Senate Coms. on B., P. & E.D. and EQ.
<a href="#">AB 1652</a> <a href="#">Wicks</a>  Crimes: littering.	Existing law prohibits littering or dumping waste into a body of water, as specified, or onto a beach or shoreline. A violation of this prohibition is a misdemeanor punishable by a fine. Under existing law, the court may, in addition to a fine, order a convicted person to pick up litter as a condition of probation. This bill would instead authorize the court to order a person to perform community service, including, but not limited to, picking up litter.	08/30/19 Ordered to inactive file at the request of Senator Hertzberg.
<a href="#">SB 409</a> <a href="#">Wilk</a>  Illegal dumping.	This bill would make it a crime to transport waste matter, rocks, concrete, asphalt, or dirt for the purpose of dumping it in the locations described above. The bill would make it a crime to dump or deposit waste matter, rocks, concrete, asphalt, or dirt on private property with the consent of the owner or an agent of the owner if a permit or license was required by a state or local agency and was not obtained. The bill would make it a crime for a property owner or agent to receive waste matter, rocks, concrete, asphalt, or dirt if a permit or license is required from a state or a local agency and was not obtained prior to receiving the waste matter, rocks, concrete, asphalt, or dirt. The bill would increase the fines for violating these prohibitions. The bill would also make it unlawful to transport waste matter in commercial quantities for the purpose of dumping it in the locations described above. Because this bill would expand the scope of a crime, it would impose a state-mandated local program.	06/25/19 June 25 set for second hearing canceled at the request of author.  05/16/19 Referred to Assembly Com. on PUB. S.





# HF&H Consultants Legislative Update – November 2019

Federal Legislation 2019-2020		
Legislation	Description	Status
<a href="#">HR 0</a> <a href="#">Udall</a> and <a href="#">Lowenthal</a>	<p>The goal of the legislation is to prevent plastic pollution from consumer products from getting into animal &amp; human food-chains, landscapes, and waterways across the United States and into our oceans. The proposal includes a mix of phase-outs of certain single-use consumer products, an extended producer responsibility for those and other products, and deposit or charge requirements at the consumer retail level.</p> <p>The legislation includes: Extended Producer Responsibility (EPR) for source reduction and end-of-life management including clean-up; incentives for product redesign; ban on expanded polystyrene (EPS), lightweight plastic carryout bags, cups and lids, cotton buds, cutlery, plates, straws, snack packaging and drink stirrers which will all have to be made from reusable or more sustainable materials; retail paper and non-reusable bag fee; bottle deposit fee with recycling rate goals and standardized collection for all material types.</p> <p>Producers, state/local governments, and disproportionately affected communities can apply for grants to assist in recycling capabilities and environmental remediation. The bill would create the Create Clean Cities Program to leverage smart technology and social media to help local governments cost-effectively identify pollution hot spots and implement source reduction solutions.</p> <p>States that prohibit local governments from implementing more aggressive measures to reduce plastic products (such as fees at retail levels) will lose funding from the Federal Fund.</p>	To be introduced
<a href="#">HR 4050</a> <a href="#">Omar</a>  “Zeroing Excess, Reducing Organic Waste, and Sustaining Technical Expertise Act” or the “ZERO WASTE Act”	<p>This bill would direct the Administrator of the Environmental Protection Agency to award grants for projects that are consistent with zero-waste practices. This competitive grant program would assist jurisdictions, or other entities, with investment in zero waste initiatives such as source reduction, reuse, recycling infrastructure, and market development.</p>	07/25/2019 Introduced and referred to House Committee on Energy and Commerce
<a href="#">S 1396</a> <a href="#">Stabenow</a>	<p>This bill modifies the tax credit for producing electricity from renewable resources to revise the federal definition of "municipal solid waste."</p> <p>The bill specifies that municipal solid waste does not include solid waste collected as part of a system which commingles commonly recycled paper with other solid waste which is not commonly recycled at any point from the time of collection through any materials recovery. The bill includes exceptions for incidental and residual waste.</p>	05/09/2019 Senate – Read twice and referred to the Committee on Finance



# HF&H Consultants Legislative Update – November 2019

Federal Legislation 2019-2020		
Legislation	Description	Status
	In the case of a facility that produces electricity both from municipal solid waste and other solid waste that is not a qualified energy resource (1) the facility is a qualified facility if it otherwise meets the requirements for qualified facilities, and (2) the credit only applies to the portion of the electricity produced from municipal solid waste.	

## Additional Resources

- - [Glossary of Legislative Terms](#)
- - [Bill Tracking and Searching](#)
- - [2019-2020 Calendar of Legislative Deadlines](#)

## SB 1383 Status

- Most recent draft: October 2, 2019
- Comment period: October 3, 2019 – October 18, 2019
- For more information visit [CalRecycle’s website](#) and sign up for CalRecycle’s [SLCP listserv](#) for updates on the regulations.



# THE LIFE CYCLE OF LEGISLATION —From Idea into Law

