

HF&H OCTOBER 2023 LEGISLATIVE UPDATE



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2023 LEGISLATION SUMMARY

Bills Signed Into Law

| BILLS SIGNED INTO LAW | | |
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| Recycling and Solid Waste | | |
| Bill | Description | Status |
| AB 592 Wilson Vehicles: commercial nonfranchise solid waste haulers: pilot program | This bill, until January 1, 2028, would authorize the Counties of Alameda, Contra Costa, and Solano to create a 3-year pilot program to regulate the transport of solid waste by commercial nonfranchise solid waste haulers on public roads in unincorporated areas of the county. | SIGNED INTO LAW (9/22/23) |
| AB 1526 Committee on Natural Resources Public resources | <p>This bill would eliminate the exemption from the state’s Architectural Paint Recovery Program of aerosol spray paint and would provide that “architectural paint” includes aerosol coating products. The bill would require, on or before July 1, 2026, a manufacturer or stewardship organization to submit an architectural paint stewardship plan or amendment to an approved plan to CalRecycle. The bill would specify that aerosol coating products shall not be regulated under the program until the implementation date of a plan approved by CalRecycle or January 1, 2027, whichever occurs sooner, unless extended by CalRecycle. The bill would revise certain dates and requirements for annual reporting under the program, and would authorize CalRecycle, in coordination with DTSC, to adopt regulations.</p> <p>This bill would amend certain components of the Plastic Pollution Prevention and Packaging Producer Responsibility Act, including the act’s definitions and a Producer Responsibility Organization’s (PRO) producer fee schedule and plan requirements. The bill revises certain details regarding the administration of the surcharge paid by the PRO that is deposited in the California Plastic Pollution Mitigation Fund.</p> <p>The bill includes other provisions regarding wells and forest management.</p> | SIGNED INTO LAW (10/13/23) |



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| BILLS SIGNED INTO LAW | | |
|--|--|--|
| Recycling and Solid Waste | | |
| Bill | Description | Status |
| <p>AB 1548 Hart</p> <p>Greenhouse Gas Reduction Fund: grant program: recycling infrastructure projects</p> | <p>This bill would expand the scope of the grant program under the Greenhouse Gas Reduction Fund to include providing financial assistance to promote in-state development of projects to sort and aggregate organic and other recyclable materials, as provided, or to divert items from disposal through enhanced reuse opportunities. The bill would require the grant program to provide eligible financial assistance for increasing opportunities for reuse of materials diverted from landfill disposal and for recyclable material recovery, sorting, or baling equipment for use at publicly owned facilities. The bill would authorize eligible infrastructure projects for the grant program to include projects undertaken by a local government at publicly owned facilities to improve the recovery, sorting, or baling of recyclable materials to get those materials into the marketplace, the purchase of equipment and construction of facilities to help develop, implement, or expand edible food waste recovery operations, and the establishment of reuse programs to divert items from landfill disposal for reuse by members of the public. The bill would also require CalRecycle to consider if and how the project may benefit low-income communities, as defined, in awarding a grant for organics composting or organics in-vessel digestion.</p> | <p>SIGNED INTO LAW (10/10/23)</p> |
| <p>AB 1716 Com. on E.S. & T.M.</p> <p>Hazardous wastes and materials: certified unified program agencies</p> | <p>This bill would revise a number of requirements under the hazardous waste control laws related to material classification, recordkeeping and reporting, penalties, uniform enforcement agencies, and risk management, among other provisions.</p> | <p>SIGNED INTO LAW (9/22/23)</p> |
| <p>SB 38 Laird</p> <p>Battery storage facilities: emergency response and emergency action plans</p> | <p>This bill would require each battery energy storage facility located in the state and subject to the requirement described above to have an emergency response and emergency action plan that covers the premises of the battery energy storage facility, as specified. The bill would require the owner or operator of the facility, in developing the plan, to coordinate with local emergency management agencies, unified program agencies, and local first response agencies. To the extent the bill would impose new duties on local government agencies, the bill would create a state-mandated local program. The bill would require the owner or operator of the facility to submit the plan to the county and, if applicable, the city where the facility is located. Because the above provisions would be part of the act and a violation of a commission action implementing this bill's requirements would be a crime, the bill would impose a state-mandated local program.</p> | <p>SIGNED INTO LAW (10/7/23)</p> |



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|---|---|--------------------------------------|
| Recycling and Solid Waste | | |
| Bill | Description | Status |
| SB 244 Eggman Right to Repair Act | <p>Under existing law, every manufacturer making an express warranty with respect to an electronic or appliance product, as defined, including televisions, radios, audio or video recording equipment, major home appliances, antennas, and rotators, with a wholesale price to the retailer of not less than \$50 nor more than \$99.99 is required to make available to service and repair facilities sufficient service literature and functional parts to effect the repair of the product for at least three years after the date a product model or type was manufactured, regardless of whether the three-year period exceeds the warranty period for the product. Existing law also requires every manufacturer making an express warranty with respect to an electronic or appliance product, as described above, with a wholesale price to the retailer of \$100 or more, to make available to service and repair facilities sufficient service literature and functional parts to effect the repair of the product for at least seven years after the date a product model or type was manufactured, regardless of whether the 7-year period exceeds the warranty period for the product.</p> <p>This bill enacts the Right to Repair Act. The bill requires, regardless of whether any express warranty is made, the manufacturer of an above-described electronic or appliance product, in the above-described circumstances, and in those same circumstances but sold to others outside of direct retail sales, to make available, on fair and reasonable terms, to product owners, service and repair facilities, and service dealers, the means, as described, to effect the diagnosis, maintenance, or repair of the product, as provided. The bill also requires a service and repair facility or service dealer that is not an authorized facility or dealer of a manufacturer to provide a written notice containing specified information related to warranties to any customer seeking repair of an electronic or appliance product before the repair facility or service dealer repairs the product. The bill also authorizes a city, a county, a city and county, or the state to bring an action in superior court to impose civil penalties on a person or entity for violating the Right to Repair Act, as provided, making this requirements and enforcement provisions operative on July 1, 2024.</p> | SIGNED INTO LAW (10/10/23) |



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| BILLS SIGNED INTO LAW | | |
|---|--|--------------------------------------|
| Recycling and Solid Waste | | |
| Bill | Description | Status |
| SB 353 Dodd Beverage containers: recycling | <p>This bill expands the application of the California Beverage Container Recycling and Litter Reduction Act to any size container of 100% fruit juice and any size container of vegetable juice, beginning January 1, 2024. The bill also revises the calculation of processing payments distributed to recycling centers by CalRecycle. This bill authorizes CalRecycle to adjust the processing payment quarterly, based on the lower of either the applicable preceding 12-month or 3-month average scrap value instead of only the prior 12-month scrap value. The bill would require a processing payment equal to the processing payment applied to HDPE beverage containers to be applied to a beverage container that is a box, bladder, pouch, or similar container, containing wine or distilled spirits.</p> <p>This bill requires the department to pay to a recycling center in a rural area, as specified, in addition to a processing payment, a transportation, operations, and logistics payment for glass beverage containers, as specified, until January 1, 2030.</p> <p>The bill includes additional specifications and exemptions around labeling requirements for certain manufacturers, and language clarifying provisions related to wine, beer, or distilled spirits.</p> | SIGNED INTO LAW (10/13/23) |
| SB 568 Newman Electronic waste: export | <p>Existing law, the Electronic Waste Recycling Act of 2003, requires a person who exports covered electronic waste or electronic devices intended for recycling or disposal, to a foreign country, or to another state for ultimate export to a foreign country, to notify CalRecycle and provide specified demonstrations concerning the waste or device to be exported.</p> <p>This bill adds to the requirements for export of covered electronic waste or a covered electronic device a demonstration that capacity does not exist in California to otherwise safely and responsibly recycle the waste or device.</p> | SIGNED INTO LAW (10/4/23) |
| SB 613 Seyarto Organic waste: reduction goals: local jurisdictions: low-population waiver | <p>This bill, for a local jurisdiction, waives requirements established by SB 1383 (2016) and its implementing regulations until December 31, 2028, if the local jurisdiction does not qualify for other specified waivers, disposed of fewer than 5,000 tons of solid waste in 2014, and has fewer than 7,500 people, as provided. Beginning January 1, 2027, the bill authorizes CalRecycle, in its discretion, to renew the waiver, as provided.</p> | SIGNED INTO LAW (10/13/23) |



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| BILLS SIGNED INTO LAW | | |
|---|--|---|
| Recycling and Solid Waste | | |
| Bill | Description | Status |
| SB 642 Cortese Hazardous materials: enforcement: county counsel | This bill expands certain authorizations for specified legal actions related to hazardous waste, business and area plans, storage tanks, and medical wastes to include county counsel, as specified. | SIGNED INTO LAW (9/1/23) |

| BILLS SIGNED INTO LAW | | |
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| Water Resources, Rates, and Fees | | |
| Bill | Description | Status |
| AB 399 Boerner Water Ratepayers Protections Act of 2023: County Water Authority Act: exclusion of territory: procedure | <p>The County Water Authority Act provides for the formation of county water authorities and grants to those authorities specified powers with regards to providing water service. A public agency whose corporate area as a unit is part of a county water authority may obtain exclusion of the area by submitting to the electors within the public agency, at any general or special election, the proposition of excluding the public agency’s corporate area from the county water authority.</p> <p>This bill, the Water Ratepayers Protections Act of 2023, additionally requires the public entity to submit the proposition of excluding the public agency’s corporate area from the county water authority to the electors within the territory of the county water authority. The bill requires the 2 elections to be separate; however, the bill authorizes both elections to run concurrently. The bill requires the ballot materials to include a fiscal impact statement, as described. The bill also requires the ballot materials for the election encompassing the territory of the county water authority to include a statement describing the annual aggregated fiscal impact to remaining members of the county water authority as a result of the reorganization. The bill requires the county water authority to prepare that statement. By imposing a higher level of service on a local agency, the bill imposes a state-mandated local program. The bill requires a majority vote for withdrawal in both elections for the withdrawal of the public agency from the territory of the county water authority.</p> <p>This bill provides 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 statutory provisions.</p> | SIGNED INTO LAW (10/13/23) |



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|--|---|--|
| Water Resources, Rates, and Fees | | |
| Bill | Description | Status |
| <p>AB 516 Ramos</p> <p>Mitigation Fee Act: fees for improvements: reports and audits</p> | <p>The Mitigation Fee Act authorizes a person to request an audit to determine whether a fee or charge levied by a local agency exceeds the amount reasonably necessary to cover the cost of a product, public facility, as defined, or service provided by the local agency. Existing law prohibits a local agency from imposing water or sewer connection fees or capacity charges that exceed the estimated reasonable cost of providing the service for which the fee or charge is imposed, unless voter approval is obtained, as specified.</p> <p>This bill, except with respect to the above-described connection fees and capacity charges, expands the purposes of the audit to include a determination of when the revenue generated by a fee or charge is scheduled to be expended and when the public improvement is scheduled to be completed.</p> <p>The bill requires a local agency to inform a person paying a fee imposed as a condition of approval of a development project, as described above, of their right to request the audit described above and their right to file a written request for mailed notice of the local agency’s meeting to review the fee account or fund information made public, as described above. The bill also requires the local agency to provide the person with a link to the page on the local agency’s website where the fee account or fund information made public, as described above, is available for review.</p> | <p>SIGNED INTO LAW (10/11/23)</p> |



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| Water Resources, Rates, and Fees | | |
| Bill | Description | Status |
| <p>AB 604 Lee</p> <p>Mobilehome parks: water utility charges</p> | <p>Existing law, the Mobilehome Residency Law, governs the term and conditions of mobilehome park tenancies. Existing law, if the management of a mobilehome park elects to separately bill water utility service to homeowners, limits charges and fees on homeowners in connection with those services to specified types of charges and fees. Under existing law, a mobilehome park that provides water service only to its tenants from water supplies and facilities that it owns, not otherwise dedicated to public service, is not a water corporation. However, a mobilehome park is subject to the jurisdiction of the Public Utilities Commission (PUC). The PUC may determine the merits of a water rates complaint filed by the tenants of the mobilehome park that represent 10% or more of the park's service connections.</p> <p>This bill prohibits the commission from making an order for the payment of reimbursement upon the ground of unjustness or unreasonableness if the rate in question complies with limitations on charges and fees in connection with water utility service under the Mobilehome Residency Law. The bill provides that a person or other entity that maintains a mobilehome park or a multiple unit residential complex, and provides water service through a submeter service system, is exempt from regulation as a public utility if management of the mobilehome park complies with those limitations on charges and fees.</p> | <p>SIGNED INTO LAW (10/13/23)</p> |



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| Water Resources, Rates, and Fees | | |
| Bill | Description | Status |
| <p>AB 1572 Friedman</p> <p>Potable water: nonfunctional turf</p> | <p>This bill makes legislative findings and declarations concerning water use, including that the use of potable water to irrigate nonfunctional turf is wasteful and incompatible with state policy relating to climate change, water conservation, and reduced reliance on the Sacramento-San Joaquin Delta ecosystem. The bill directs all appropriate state agencies to encourage and support the elimination of irrigation of nonfunctional turf with potable water.</p> <p>This bill requires an integrated regional water management plan to address the identification and consideration of the water-related needs of owners and occupants of affordable housing, including the removal and replacement of nonfunctional turf.</p> <p>This bill prohibits the use of potable water for the irrigation of nonfunctional turf located on commercial, industrial, and institutional properties, other than a cemetery, and on properties of homeowners’ associations, common interest developments, and community service organizations or similar entities. The bill authorizes the State Water Resources Control Board to create a form for compliance certification and requires owners of covered properties to certify their compliance, as specified. The bill authorizes a public water system, city, county, or city and county to enforce these provisions, as specified. The bill requires the Governor’s Office of Business and Economic Development to support small and minority-owned businesses that provide services that advance compliance with these provisions.</p> | <p>SIGNED INTO LAW (10/13/23)</p> |
| <p>AB 1594 Garcia</p> <p>Medium- and heavy-duty zero-emission vehicles: public agency utilities</p> | <p>Executive Order No. N-79-20 establishes the goal of transitioning medium- and heavy-duty vehicles in California to zero-emission vehicles by 2045 for all operations where feasible and by 2035 for drayage trucks, and requires the State Air Resources Board to develop and propose medium- and heavy-duty vehicle regulations to meet that goal.</p> <p>This bill requires any state regulation that seeks to require, or otherwise compel, the procurement of medium- and heavy-duty zero-emission vehicles to authorize public agency utilities to purchase replacements for traditional utility-specialized vehicles that are at the end of life when needed to maintain reliable service and respond to major foreseeable events, including severe weather, wildfires, natural disasters, and physical attacks, as specified. The bill defines a public agency utility to include a local publicly owned electric utility, a community water system, a water district, and a wastewater treatment provider, as specified.</p> | <p>SIGNED INTO LAW (10/8/23)</p> |



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| BILLS SIGNED INTO LAW | | |
|---|---|--|
| Water Resources, Rates, and Fees | | |
| Bill | Description | Status |
| <p><u>SB 3</u> Dodd</p> <p>Discontinuation of residential water service: covered water system</p> | <p>Existing law, the Water Shutoff Protection Act, prohibits an urban and community water system, defined as a public water system that supplies water to more than 200 service connections, from discontinuing residential service for nonpayment, as specified, and requires specified procedures before it can discontinue residential service for nonpayment.</p> <p>This bill expands the scope of the Water Shutoff Protection Act by requiring that it instead apply to a covered water system, defined to include specified water systems and suppliers, including a community water system. The bill requires a community water system, that is not otherwise required to comply, to comply with the act's provisions on and after August 1, 2024. The bill would instead apply the above-described language requirements for the written policy of discontinuation of residential service for nonpayment to a covered water system that serves 200 or more service connections. The bill requires a covered water system that serves fewer than 200 service connections to have a written policy on disconnection of residential service for nonpayment available in English, any language spoken by at least 10% of the people residing in its service area, and, upon request of a customer, other designated languages. The bill authorizes, as part of the act, the Attorney General, at the request of the board or upon the Attorney General's own motion, to bring an action in state court to restore to any person in interest any money or property, real or personal, that may have been acquired by any method, act, or practice prohibited by the act. The bill makes related changes.</p> <p>The bill also expands the use of available fund in the Safe Drinking Water Account for administration of the Water Shutoff Protection Act, as specified.</p> | <p>SIGNED INTO LAW (10/13/23)</p> |
| <p><u>SB 389</u> Allen</p> <p>State Water Resources Control Board: investigation of water right</p> | <p>This bill authorizes the State Water Resources Control Board to ascertain whether or not a water right is valid. The bill authorizes the board to issue an information order in furtherance of an investigation, as executed by the executive director of the board, as specified. The bill authorizes a diversion or use of water ascertained to be unauthorized to be enforced as a trespass, as specified.</p> | <p>SIGNED INTO LAW (10/8/23)</p> |



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| BILLS SIGNED INTO LAW | | |
|--|---|-------------------------------------|
| Water Resources, Rates, and Fees | | |
| Bill | Description | Status |
| SB 659 Ashby California Water Supply Solutions Act of 2023 | This bill establishes the California Water Supply Solutions Act of 2023 to require the Department of Water Resources, as part of the 2028 update, and each subsequent update thereafter to the California Water Plan, to provide actionable recommendations to develop additional groundwater recharge opportunities that increase the recharge of the state’s groundwater basins, as provided. The bill requires the department to consult with the State Water Resources Control Board, the 9 regional water quality control boards, and the advisory committee, in carrying out these provisions. The bill requires the recommendations to identify immediate opportunities and potential long-term solutions to increase the state’s groundwater supply, and include, among other things, best practices to advance all benefits of groundwater recharge, as specified. | SIGNED INTO LAW (10/8/23) |

| BILLS SIGNED INTO LAW | | |
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| General Local Government Processes | | |
| Bill | Description | Status |
| AB 557 Hart Open meetings: local agencies: teleconferences | <p>This bill revises the authority of a legislative body to hold a teleconference meeting under those abbreviated teleconferencing procedures when a declared state of emergency is in effect. Specifically, the bill extends indefinitely that authority in the circumstances under which the legislative body either (1) meets for the purpose of determining whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, or (2) has previously made that determination. The bill also extends the period for a legislative body to make the above-described findings related to a continuing state of emergency to not later than 45 days after the first teleconferenced meeting, and every 45 days thereafter, in order to continue to meet under the abbreviated teleconferencing procedures. The bill makes additional corrections and nonsubstantive changes to those provisions.</p> <p>The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose. This bill makes legislative findings to that effect.</p> | SIGNED INTO LAW (10/8/23) |



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Bills Vetoed

| BILLS VETOED: | | |
|---|--|--|
| Recycling and Solid Waste | | |
| Bill | Description | Status |
| AB 407 Chen Hazardous waste: used oil | Existing law authorizes DTSC to regulate the disposal of hazardous waste, including used oil, except for used oil that is not subject to regulation as either hazardous waste or used oil under federal law. This bill would delete the criterion that the used oil not be subject to regulation as used oil under federal law. | VETOED BY GOVERNOR (10/8/23) |
| AB 1489 Wood Solid waste: compostable covered materials | This bill would exempt products eligible to be labeled with the term “compostable” from the source reduction requirements of the Plastic Pollution Prevention and Packaging Producer Responsibility Act (SB 54, 2022). | VETOED BY GOVERNOR (10/8/23) |
| SB 271 Dodd Powered wheelchairs: repair | <p>This bill would require an original manufacturer of a powered wheelchair to provide documentation, parts, embedded software, firmware, and tools used to inspect, diagnose, maintain, and repair the wheelchair to an owner or an independent repair provider for the purposes of providing service on the equipment in the state, on fair and reasonable terms and costs. The bill includes similar provisions regarding electronic security locks for powered wheelchairs, as specified.</p> <p>This bill would, beginning on January 1, 2025, and until January 1, 2029, prohibit the department from requiring prior authorization for the repair of a complex rehabilitation technology powered wheelchair if the cost of the repair does not exceed \$1,250. The bill would also, beginning on January 1, 2025, and until January 1, 2029, prohibit a treatment authorization request for repair or replacement of a complex rehabilitation technology powered wheelchair from requiring a prescription or documentation of medical necessity from the treating practitioner for repairs or replacement if the complex rehabilitation technology powered wheelchair has already been approved for use by the patient, as specified.</p> | VETOED BY GOVERNOR (10/7/23) |



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BILLS VETOED:

Recycling and Solid Waste

| Bill | Description | Status |
|--|--|--|
| <p>SB 303 Allen</p> <p>Solid waste: Plastic Pollution Prevention and Packaging Producer Responsibility Act</p> | <p>Existing law establishes the Plastic Pollution Prevention and Packaging Producer Responsibility Act (Act), which covers certain single-use packaging and plastic single-use food serviceware, as provided. The Act requires producers of covered materials to participate in a producer responsibility organization (PRO), and requires CalRecycle to establish an advisory board, among other provisions.</p> <p>This bill would authorize an affected entity asserting that specific actions taken by the PRO, a producer, or an entity under contract with the PRO are not consistent with specified prohibitions and requirements of the Act, and are therefore disrupting or adversely affecting the operation of solid waste collection programs, solid waste recycling facilities, or composting facilities providing services in accordance with local solid waste handling requirements to bring such concerns and supporting evidence to the advisory board. The bill would delete the requirement that the board submit the concern to CalRecycle and would instead require that the advisory board provide a recommendation for resolution within 90 days of submission of the request. The bill would thereafter authorize either party to initiate nonbinding arbitration, as specified, and specify the requirements of the arbitrator and the arbitration process. The bill includes additional details regarding review timelines, plan updates, and the role of CalRecycle and the advisory board.</p> <p>The bill would also revise and clarify certain language and definitions in the Act.</p> | <p>VETOED BY GOVERNOR (10/8/23)</p> |
| <p>SB 665 Allen</p> <p>Plastic waste: single-use plastics alternatives: working group</p> | <p>This bill would require the California Environmental Protection Agency, by January 1, 2025, to establish a working group of specified state entities to establish a framework, by July 1, 2026, for evaluating novel material types as they are developed to inform state policy decisions, as provided. The bill would require the working group to, among other things, develop recommendations related to novel material types, including the appropriate marketing of the material, the handling of the material at the end of its useful life, and how the material needs to be treated in relation to existing state policies, rules, and regulations. The bill would repeal these provisions on January 1, 2029.</p> | <p>VETOED BY GOVERNOR (10/8/23)</p> |



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BILLS VETOED:

Recycling and Solid Waste

| Bill | Description | Status |
|---|--|--|
| SB 728 Limon Plastic gift cards: prohibition | This bill would prohibit, beginning January 1, 2027, a retailer from selling, offering for sale, or distributing plastic gift cards, except as exempted by the bill. The bill would authorize a retailer to continue to sell, offer for sale, or distribute an existing stock of plastic gift cards until January 1, 2028, as specified. The bill would authorize various entities to enforce these provisions and would impose specified civil penalties for violations of these provisions. | VETOED BY GOVERNOR (10/8/23) |
| SB 751 Padilla Franchise agreements: solid waste handling services: labor dispute | This bill would prohibit any franchise contracts, licenses, or permits for solid waste handling services, as defined, entered into or substantially amended, as defined, by a local agency on or after January 1, 2024, from containing a force majeure provision that excuses the service provider from complying with the franchise contracts, licenses, or permits in the event of a work stoppage associated with a labor dispute, as defined. The bill would require specified provisions to be included in any exclusive franchise contract, license, or permit for solid waste handling services entered into or substantially amended by a local agency after January 1, 2024, and would require these provisions to apply in the event of service being disrupted by a work stoppage associated with a labor dispute. | VETOED BY GOVERNOR (10/8/23) |
| SB 777 Allen Solid waste: reusable grocery bags and recycled paper bags | <p>Existing law prohibits certain stores from providing a single-use carryout bag to a customer and prohibits those stores from selling or distributing a reusable grocery bag or a recycled paper bag at the point of sale unless the store makes that bag available for purchase for not less than \$0.10. Existing law requires a store to retain those collected moneys to be used only for costs associated with complying with those provisions, actual costs of providing recycled paper bags or reusable grocery bags, and costs associated with a store’s educational materials or campaigns encouraging the use of reusable grocery bags.</p> <p>This bill would require a store to retain the collected moneys to also be used for costs associated with providing consumers with an opportunity for returning reusable grocery bags to the store for recycling, and any other costs associated with ensuring that collected bags are recycled.</p> <p>The bill would require stores to submit an annual report to CalRecycle with specified information related to the total costs associated with complying with the act, as specified, and the balance, if any, of remaining funds, in the year. The bill includes additional details and exemptions regarding that provision.</p> | VETOED BY GOVERNOR (10/8/23) |



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BILLS VETOED

Water Resources, Rates, and Fees

| Bill | Description | Status |
|--|---|--|
| <p>AB 246 Papan</p> <p>Product safety: menstrual products: perfluoroalkyl and polyfluoroalkyl substances</p> | <p>This bill would, beginning January 1, 2025, prohibit any person from manufacturing, distributing, selling, or offering for sale in the state any menstrual products that contain regulated PFAS, and requires a manufacturer to use the least toxic alternative when removing regulated PFAS in menstrual products to comply with these provisions. The bill would require a manufacturer of a menstrual product to provide persons that offer the product for sale or distribution in the state with a certificate of compliance stating that the menstrual product is in compliance with these provisions and does not contain any regulated PFAS. The bill would make a violation of these provisions punishable by a civil penalty not to exceed \$10,000 per day for each violation, as specified, and would authorize the Attorney General, a city prosecutor, a city or county attorney, a county counsel, or a district attorney to bring an action to enforce these provisions.</p> | <p>VETOED BY GOVERNOR (10/8/23)</p> |
| <p>AB 676 Bennett</p> <p>Water: general state policy</p> | <p>Existing law establishes the policy that the use of water for domestic purposes is the highest use of water and that the next highest use is for irrigation. This bill would specify that the use of water for domestic purposes includes water use for human consumption, cooking, sanitary purposes, care of household livestock, animals, and gardens, fire suppression and other safety purposes, and a purpose determined to be a domestic purpose as established by the common law.</p> | <p>VETOED BY GOVERNOR (10/8/23)</p> |



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BILLS VETOED

Water Resources, Rates, and Fees

| Bill | Description | Status |
|---|--|--|
| <p>AB 1423 Schiavo</p> <p>Product safety: PFAS: artificial turf or synthetic surfaces</p> | <p>This bill would prohibit, except as provided and commencing January 1, 2026, a public entity, including a charter city, charter county, city, or county, any public or private school serving pupils in kindergarten or any of grades 1 to 12, inclusive, a public institution of higher education, other than the University of California, or a private institution of higher education from purchasing or installing a covered surface containing regulated PFAS, as defined.</p> <p>Commencing January 1, 2026, the bill would prohibit a person or entity from manufacturing, distributing, selling, or offering for sale in the state any covered surface that contains regulated PFAS. The bill would provide that a violation of this prohibition is punishable by a specified civil penalty, upon an action brought by the Attorney General, a city attorney, a county counsel, or a district attorney. The bill would require a manufacturer of a covered surface to use the least toxic alternative when replacing regulated PFAS in a covered surface in accordance with these provisions.</p> <p>This bill would provide that if the Department of Toxic Substances Control adopts regulations pursuant to these provisions, as provided, that conflict with the above-described prohibitions concerning regulated PFAS, enforcement mechanisms, or requirements to replace regulated PFAS with the least toxic alternative, then those regulations adopted by the department shall prevail.</p> | <p>VETOED BY GOVERNOR (10/8/23)</p> |
| <p>AB 1628 McKinnor</p> <p>Microfiber filtration</p> | <p>This bill would require, on and after January 1, 2029, that all new washing machines sold or offered for sale in California for residential or state use contain a microfiber filtration system, as defined, with a mesh size not greater than 100 micrometers, and bear a label with a specified consumer notice, as provided. The bill would provide that a violation of these provisions is punishable by a specified civil penalty, upon an action brought by the Attorney General, a city attorney, a county counsel, or a district attorney. The bill would also include legislative findings and declarations.</p> | <p>VETOED BY GOVERNOR (10/8/23)</p> |



HF&H OCTOBER 2023 LEGISLATIVE UPDATE

Bills Failed to Pass

| FAILED TO PASS | | |
|--|--|---|
| Recycling and Solid Waste | | |
| Bill | Description | Status |
| AB 2 Ward Recycling: solar photovoltaic modules | This bill would expand the scope of the Electronic Waste Recycling Act of 2003 to include covered solar photovoltaic (PV) module products, for limited purposes, as specified. The bill would also require, on or before October 1, 2026, and on or before October 1 each year thereafter, CalRecycle to establish a covered solar PV recycling fee based on the reasonable regulatory costs to administer covered electronic waste recycling. The bill includes additional details regarding the fee’s adjustment and administration. Beginning January 1, 2028, the bill would require a solar photovoltaic module, that is not a customer-owned solar PV module, to be included in a plan that describes how the module will be managed at the end of its useful life, who is responsible for managing it, and how it will be recycled, refurbished, or reused. | Last action: Held Under Submission in COM APPR (9/1/23) |
| AB 234 Bauer-Kahan Microparticles | This bill would enact the Synthetic Polymer Microparticles in Cosmetic and Cleaning Products Prevention Act. The bill would prohibit a synthetic polymer microparticle from being placed on the market in this state as a substance on its own or, where the synthetic polymer microparticles are present to confer a sought-after characteristic, in mixtures in a concentration equal to or greater than 0.01% by weight. The restriction would apply on and after specified dates depending on the type of product, as described, except as otherwise provided. The bill would specify the screening tests and pass criteria to be used for purposes of determining compliance with this prohibition. The bill would make a person who violates this prohibition liable for a civil penalty not to exceed \$5,000 per day for each violation, in addition to any other penalty established by law. The bill would authorize the civil penalty to be assessed and recovered in a civil action brought by a city attorney, a district attorney, a county counsel, or the Attorney General in any court of competent jurisdiction. | Last action: Re-referred to COMM on NAT RES (4/3/23) |
| AB 324 Pacheco Gas corporations: renewable gas procurement | Existing law requires the Public Utilities Commission to consider adopting specific biomethane procurement targets or goals for each gas corporation, and demonstrate the targets are a cost-effective means of reducing short-lived climate pollutants. This bill would require the commission to consider establishing procurement goals for renewable hydrogen, as defined, and consider requiring each gas corporation and core transport agent to annually procure a proportionate share of renewable hydrogen to meet those goals. | Last action: Held under submission in COM APPR (5/18/23) |



HF&H OCTOBER 2023 LEGISLATIVE UPDATE

FAILED TO PASS

Recycling and Solid Waste

| Bill | Description | Status |
|--|---|---|
| AB 347 Ting Household product safety: toxic substances: testing and enforcement | This bill would require the Department of Toxic Substances Control to adopt guidance regarding the PFAS prohibition and the internet posting and labeling requirements for cookware, and to post that guidance on its internet website by January 1, 2025. By July 1, 2026, the bill would require the department to test specified number of samples of food packaging and cookware for compliance. The bill would authorize the department to assess administrative fines against manufacturers for non-compliance, as specified. The bill would require all fines collected pursuant to this bill to be deposited into the Chapter 15 Fine Account, which the bill would create. The bill would require the department to receive complaints from consumers concerning PFAS in these products that are sold in this state, and submit a report to the legislature by July 1, 2027. | Last action: Ordered to inactive file at request of Senator Cortese (9/11/23) |
| AB 348 Ting Beverage containers: producer responsibility score | This bill would require CalRecycle to post on its website within 30 days, rather than 45 days, information regarding the amount of virgin and post-consumer recycled plastics used for plastic beverage containers in the state, as reported by manufacturers under the California Beverage Container Recycling and Litter Reduction Act. | Last action: Referred to COM on NAT. RES (2/9/23) |
| AB 495 Hoover Battery recycling: records retention | The Rechargeable Battery Recycling Act of 2006 requires each July 1, the Department of Toxic Substances Control (DTSC) to survey battery handling or battery recycling facilities, or both, and to post on its internet website the estimated amount, by weight, of each type of rechargeable battery returned for recycling in California during the previous calendar year under the act. Existing law makes the act inoperative on September 30, 2026, and repeals the act on January 1, 2027. This bill would require the DTSC to continue to post that information on its internet website on and after October 1, 2026. | Last action: Referred to COM on ES and TM (3/16/23) |
| AB 573 Garcia Organic waste: meeting recovered organic waste product procurement targets | This bill would require CalRecycle, for the purposes of SB 1383 regulations, to allow a local jurisdiction, until December 1, 2031, to use California-derived recovered organic waste that is sent for processing to a facility out of state, to meet organic waste procurement target requirements. | Last action: In Committee on APPR: held under submission (9/1/23) |



HF&H OCTOBER 2023 LEGISLATIVE UPDATE

| FAILED TO PASS | | |
|--|--|--|
| Recycling and Solid Waste | | |
| Bill | Description | Status |
| <p>AB 627 Jackson</p> <p>Heavy-duty trucks: grant program: operating requirements</p> | <p>This bill, commencing on January 1, 2035, and except as specifically exempted, would prohibit the operation of a heavy-duty diesel-fueled vehicle, as defined, within the city limits of any city identified by the state board as containing a disadvantaged community and meeting specified air pollution criteria with respect to diesel particulate matter, as specified. A violation of this prohibition, as a provision within the Vehicle Code, would be punishable as an infraction. By expanding the scope of an existing crime, the bill would impose a state-mandated local program. The bill would require the South Coast Air Quality Management District to establish a statewide program to provide grants for replacement of diesel-fueled trucks.</p> | <p>Last action: Hearing cancelled at request of author (4/11/23)</p> |
| <p>AB 660 Irwin</p> <p>Food and beverage products: labeling: quality dates, safety dates, and sell-by dates: recycling</p> | <p>This bill would require the Department of Food and Agriculture to, in consultation with the State Department of Public Health, before January 1, 2025, publish information to assist food manufacturers, processors, and retailers responsible for the labeling of food products to use specified terms on food product labels to communicate quality dates and safety dates, as provided. The bill would prohibit a person from selling or offering for sale in the state a food item i) that is not labeled in accordance with these terms, or ii) that is labeled with the phrase “sell by.” The bill includes provisions to address food items with specific “sell-by” labeling requirements under existing law, including: infant formula, eggs, pasteurized in-shell eggs, shellfish, and food items using reduced oxygen packaging.</p> <p>The bill would require the State Department of Public Health to make certain updates to its regulations involving the California Retail Food Code. By revising the standards that are enforced by local health agencies and by expanding the scope of existing crime, this bill would constitute a state-mandated local program.</p> <p>This bill includes additional specifications related to beverage manufacturers.</p> | <p>Last action: Re-referred to Com. on AGRI (8/17/23)</p> |



HF&H OCTOBER 2023 LEGISLATIVE UPDATE

| FAILED TO PASS | | |
|---|---|--|
| Recycling and Solid Waste | | |
| Bill | Description | Status |
| <p>AB 863 Aguiar-Curry</p> <p>Carpet recycling: carpet stewardship organizations: fines: succession: training</p> | <p>Existing law establishes a carpet stewardship program to increase the amount of postconsumer carpet that is diverted from landfills and recycled into secondary products. Existing law authorizes 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 \$5,000 per day or \$10,000 per day if the violation is intentional, knowing, or negligent.</p> <p>This bill would amend those penalties to \$10,000 per day or \$50,000 per day if the violation is intentional, knowing, or reckless. This bill would make a carpet stewardship organization that violates a provision of the carpet stewardship law three (3) times ineligible to act as an agent on behalf of manufacturers to design, submit, and administer a carpet stewardship plan and would apply, in that event, the successorship process.</p> <p>This bill would require the department-approved carpet stewardship organization to prioritize the assessments received for carpets sold for use in California on activities to carry out the carpet stewardship plan within California, and make available up to 10% of those assessments for grants to apprenticeship programs for training apprentice and journey-level carpet installers in proper carpet recycling practices, as provided. The bill would authorize the department, if it determines that a carpet stewardship organization or manufacturer has not complied with one or more of the requirements of the carpet stewardship laws, to adopt regulations that establish requirements for carpet stewardship organizations or manufacturers to take specific actions to bring those entities into compliance with those laws.</p> | <p>Last action: Ordered to third reading (8/29/23)</p> |



HF&H OCTOBER 2023 LEGISLATIVE UPDATE

FAILED TO PASS

Recycling and Solid Waste

| Bill | Description | Status |
|--|--|--|
| AB 891 Irwin Beverage container recycling: nonpetroleum materials | <p>Beginning January 1, 2025, this bill would require the department to provide a 10% reduction in the processing fee applicable to the percentage of a beverage container, by weight, that derives from nonpetroleum biomaterials, not to exceed 50% of the total beverage container weight sold. The bill would require an independent third party to certify the recyclability and percentage of nonpetroleum biomaterials used in beverage containers, as specified. The bill would require the department to charge a fee to cover its reasonable costs of implementing these provisions.</p> <p>This bill would also authorize a beverage manufacturer to report to the department, in pounds and by resin type, the amount of virgin plastic derived from nonpetroleum biomaterials for plastic beverage containers subject to the California Redemption Value for sale in the state in the previous calendar year.</p> | Last action: In COM on APPR (5/18/23) |
| AB 909 Hoover Solid Waste Disposal and Codisposal Site Cleanup Program | <p>This bill would authorize CalRecycle, beginning July 1, 2024, upon appropriation by the Legislature, to collect and properly manage illegally disposed hazardous waste and household hazardous waste, as defined, regardless of whether they were co-disposed with nonhazardous solid waste. The bill would require the department to annually seek up to \$500,000 from the Department of Toxic Substances Control in reimbursement for grants awarded and program costs incurred. The bill would also prohibit the department from expending funds from the Integrated Waste Management Fund for purposes of this program in excess of the amount reimbursed by the Department of Toxic Substances Control.</p> | Last action: Held Under Submission in COMM On APPR (5/18/23) |
| AB 1238 Ward Hazardous waste: solar panels | <p>This bill would require the Department of Toxic Substances Control (DTSC) to develop alternative management standards for managing photovoltaic modules. The bill would specify parameters for the standards, including, but not limited to, that they promote the safe collection, reuse, and recycling of photovoltaic modules. The bill would require DTSC to hold at least one public workshop to discuss concepts for the standards with stakeholders before submitting an initial statement of reasons to the Office of Administrative Law. Because a violation of regulations adopted by the department under these provisions would be a crime, this bill would impose a state-mandated local program.</p> | Last action: Referred to COM on EQ (6/7/23) |
| AB 1290 Rivas Product safety: plastic packaging: substances | <p>This bill would prohibit, beginning January 1, 2026, a person from manufacturing, selling, offering for sale, or distributing in the state, (1) opaque or pigmented polyethylene terephthalate bottles, and (2) plastic packaging that contains certain chemicals, pigments, or additives, as specified. The bill would exclude from that prohibition packaging used for certain medical, drug, and federally regulated products. The bill would authorize the imposition of a civil penalty for a violation of that prohibition, as specified.</p> | Last action: Ordered to inactive file by Assembly Member Rivas (5/31/23) |



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FAILED TO PASS

Recycling and Solid Waste

| Bill | Description | Status |
|---|--|--|
| AB 1347 Ting Solid waste: paper waste: proofs of purchase | This bill would, on and after January 1, 2026, require a business, as defined, that accepts payment through cash, credit, or debit transactions, subject to certain exceptions, to provide a consumer with the option to receive or not receive a proof of purchase. On and after January 1, 2026, the bill 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 also exempt a business from the requirement to provide the consumer with an option to not receive a proof of purchase if a consumer voluntarily opts in to receive a proof of purchase through the rules of an association, warehouse, or other club to which the consumer belongs. The bill would prohibit, on and after January 1, 2024, a paper proof of purchase provided to a consumer by a business from containing bisphenol A, and, on and after January 1, 2025, from containing any bisphenols. The bill would specify that a violation is punishable by specified civil penalties. | Last action: In Com on Appr. Held under submission (9/1/23) |
| AB 1534 Irwin Methane emissions: municipal solid waste landfills: remote sensing data | This bill would require the State Air Resources Board, no later than June 30, 2026, to evaluate and, if feasible and to the extent data is available, revise regulations regarding methane emissions reductions to incorporate the use of methane remote sensing data at municipal solid waste landfills. | Last action: In COM on APPR (5/18/23) |
| AB 1705 McKinnor Solid waste facilities: state policy goals | This bill would prohibit a person from establishing or expanding a transformation facility or an EMSW conversion facility in the state until CalRecycle has determined that the state has achieved 75% source reduction and 50% organic waste diversion from landfills on or before 2000 and 75% diversion on or before 2025 for three consecutive years. | Last action: In COM on APPR. Hearing postponed by committee. (5/17/23) |
| SB 367 Seyarto Farm, ranch, and public lands cleanup and abatement: grant program | Existing law establishes the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program, administered by CalRecycle. This bill would rename the program to the “Farm, Ranch, and Public Lands Solid Waste Cleanup and Abatement Grant Program,” and extend its purposes to cleaning up and abating the effects of solid waste that is illegally disposed of on public lands owned by the state or federal government. The bill would create the Public Lands Solid Waste Cleanup and Abatement Account in the General Fund and would authorize the department to expend the moneys in the account for these extended grant program purposes upon appropriation by the Legislature in the annual Budget Act. | Last action: Held Under Submission in COM on APPR (9/1/23) |



HF&H OCTOBER 2023 LEGISLATIVE UPDATE

| FAILED TO PASS | | |
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| Recycling and Solid Waste | | |
| Bill | Description | Status |
| SB 378 Gonzalez State parks: state beaches: expanded polystyrene food container and cooler ban | This bill would make it an infraction punishable by a fine of up to \$25 for a person to bring an expanded polystyrene food container or cooler on a state beach or in a unit of a state park system, and for improper disposal, as provided. The bill would provide that a person who violates this provision for the first time shall be subject to a warning by an officer of the state parks. The bill would require the Department of Parks and Recreation to, among other things, develop and post signs at strategic locations to provide notice of the expanded polystyrene prohibition. The bill would require the expanded polystyrene prohibition to be enforced at a state beach or unit of the state park system only after appropriate signs have been posted. | Last action: Hearing cancelled at request of author (4/3/23) |
| SB 552 Newman Solid waste: single-use foodware accessory and single-use food packaging | This bill would state the intent of the Legislature to enact future legislation that would prohibit a restaurant from providing a dine-in customer with any single-use foodware accessory or single-use food packaging. | Last action: Referred to COM on RLS (2/22/23) |
| SB 560 Laird Solid waste: gas cylinders: stewardship program | This bill would establish a stewardship program for gas cylinder products, as defined, and would authorize producers of those products to establish one more producer stewardship organizations for that purpose. The bill would require each producer or producer stewardship organization to submit a gas cylinder stewardship plan to the department that details, among other things, convenient and accessible opportunities for the recovery of gas cylinders used by consumers. The bill would prohibit gas cylinder producers that are not participating in a department-approved stewardship plan from supplying, selling, or offering for sale gas cylinders in the state. The bill would impose recordkeeping and reporting requirements on producers and producer stewardship organizations with department-approved stewardship plans and would require those producers to pay all administrative and operational costs associated with establishing and implementing the stewardship plan in which it participates, including the cost of collection, transportation, recycling, and the safe and proper management of recovered gas cylinders. The bill would require the department to set, review, and revise necessary convenience and performance standards and ensure appropriate data metrics for the gas cylinder stewardship program. | Last action: Held under submission in COMM on APPR (5/18/23) |



HF&H OCTOBER 2023 LEGISLATIVE UPDATE

FAILED TO PASS

Recycling and Solid Waste

| Bill | Description | Status |
|---|---|---|
| SB 615 Allen Vehicle traction batteries | The bill would require all vehicle traction batteries in the state to be recovered and reused, repurposed, or remanufactured and eventually recycled at the end of their useful life in a motor vehicle or any other application. The bill would also require a vehicle manufacturer, dealer, automobile dismantler, automotive repair dealer, and nonvehicle secondary user to be responsible for ensuring the responsible end-of-life management of a vehicle traction battery once it is removed from a vehicle or other application. The bill would make a vehicle or battery manufacturer responsible for collecting a stranded battery, as defined, and repurposing the battery, if possible, but would require the manufacturer to ensure the battery is recycled if it cannot be reused. The bill would require, by January 1, 2025, a battery supplier, as described, to be responsible for the development of a core exchange program for replacing a battery, module, or cell removed from a vehicle, as specified. The bill would also require a battery supplier to annually submit a report to the Department of Toxic Substances Control, as provided. The bill would require a qualified facility, as defined, buying removed batteries to submit a report containing specified information to the department and would require specified entities that remove a battery from a vehicle that is still in service to participate in the core exchange program. The bill would make a secondary user that purchases a battery that was removed from a vehicle responsible for ensuring the battery is sent to a qualified facility at the end of the battery's useful life and reporting specified information to the department. The bill would include a statement of legislative findings and declarations and a statement of policy regarding end-of-life management of vehicle traction batteries. | Last action: Hearing canceled at request of author (6/15/23) |



HF&H OCTOBER 2023 LEGISLATIVE UPDATE

| FAILED TO PASS | | |
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| Recycling and Solid Waste | | |
| Bill | Description | Status |
| <p>SB 707 Newman</p> <p>Responsible Textile Recovery Act of 2023</p> | <p>This bill would enact the Responsible Textile Recovery Act of 2023, which would require producers, as defined, either individually or through the creation of one or more stewardship organizations, to establish a stewardship program for the collection and recycling of any postconsumer apparel or postconsumer textile article that is unwanted by a consumer.</p> <p><u>The bill would require a Program Operator to:</u></p> <ul style="list-style-type: none"> Submit a complete stewardship plan to CalRecycle for review and approval and review the plan at least every 5 years after approval. Submit an annual report to CalRecycle. Pay fees to CalRecycle, not to exceed CalRecycle’s actual and reasonable regulatory costs to implement and enforce the provisions of the act (to be deposited in the Textile Stewardship Recovery Fund in the State Treasury for CalRecycle expenditure, upon appropriation) <p><u>This bill would require CalRecycle to:</u></p> <ul style="list-style-type: none"> Post on its internet website a list of producers in compliance with the program Adopt regulations governing the program <p><u>The bill would authorize CalRecycle to:</u></p> <ul style="list-style-type: none"> Beginning January 1, 2032, reassess the adopted regulations including adjusting minimum requires collection sites and establishing minimum recycling efficiency. <p>Impose administrative civil penalties for a violation of the program’s requirements, not to exceed \$10,000 per day, or not to exceed \$50,000 per day for an intentional, knowing, or reckless violation, as specified (to be deposited in the Textile Stewardship Recovery Penalty Account for expenditure upon appropriation)</p> | <p>Last action: Hearing cancelled at request of author (7/11/23)</p> |



HF&H OCTOBER 2023 LEGISLATIVE UPDATE

FAILED TO PASS

Recycling and Solid Waste

| Bill | Description | Status |
|---|---|---|
| SB 854 Smallwood-Cuevas and Portantino Carpet recycling: carpet stewardship | This bill would, commencing with the July 1, 2024 fiscal year, require a carpet stewardship organization to make available up to 10% of the assessments collected for the sale of carpet for use in California for grants to apprenticeship programs for training apprentice and journey-level carpet installers in proper carpet recycling practices, as provided. | Last action: Rereferred to COM on APPR (4/11/23) |

FAILED TO PASS

Water Resources, Rates, and Fees

| Bill | Description | Status |
|--|--|--|
| AB 366 Caballero The California Water Plan: long-term supply targets | This bill would revise and recast certain provisions regarding The California Water Plan to, among other things, require the department to instead establish a stakeholder advisory committee and to expand the membership of the committee to include tribes, labor, and environmental justice interests. The bill would require the department to coordinate with the California Water Commission, the State Water Resources Control Board, other state and federal agencies as appropriate, and the stakeholder advisory committee to develop a comprehensive plan for addressing the state’s water needs and meeting specified long-term water supply targets established by the bill for purposes of The California Water Plan. The bill would require the plan to provide recommendations and strategies to ensure enough water supply for all beneficial uses, and include a discussion of various strategies that may be pursued in order to meet the water supply targets and an economic analysis. The bill would require the department to submit an annual report between plan updates, conduct public workshops, and post the preliminary draft plan on the departments’ website. | Last action: Hearing cancelled at request of author (7/11/23) |



HF&H OCTOBER 2023 LEGISLATIVE UPDATE

FAILED TO PASS

Water Resources, Rates, and Fees

| Bill | Description | Status |
|--|--|---|
| <p>AB 1337 Wicks</p> <p>State Water Resources Control Board: water diversion curtailment.</p> | <p>This bill would authorize the State Water Resources Control Board to issue a curtailment order for any diversion, regardless of basis of right, when water is not available under the diverter’s priority of right. The bill would require the board to adopt regulations to implement this provision. This bill would expand the instances when the diversion or use of water is considered a trespass. This bill would additionally authorize the board to issue a cease and desist order when a water right holder fails to curtail diversions when water is unavailable under the water right holder’s priority of right.</p> | <p>Last action: Hearing cancelled at request of author (7/10/23)</p> |
| <p>AB 1567 Garcia, Carrillo, Connolly, Friedman, Papan</p> <p>Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024</p> | <p>This bill would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2023. If approved by the voters, this bill would authorize the issuance of bonds in the amount of \$15,995,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, clean energy, and workforce development programs.</p> <p>This bill would provide for the submission of these provisions to the voters at the November 5, 2024, statewide general election.</p> <p>SB 867 is a related bill, which also failed to pass.</p> | <p>Last action: Referred to COMs on NR & W and GOV & F (6/14/23)</p> |
| <p>AB 1573 Friedman</p> <p>Water conservation: landscape design: model ordinance</p> | <p>This bill would make a number of revisions and requirements for provisions to be added to the State’s Model Water Efficient Landscape Ordinance, as adopted and updated by the Department of Water Resources.</p> | <p>Last action: Ordered to inactive file at request of Senator Stern (9/7/23)</p> |



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FAILED TO PASS

Water Resources, Rates, and Fees

| Bill | Description | Status |
|---|---|---|
| <p>AB 1648 Bains</p> <p>Water: Colorado River conservation</p> | <p>This bill would prohibit the Metropolitan Water District of Southern California and the Department of Water and Power of the City of Los Angeles from achieving a reduction in, or conservation of, Colorado River water consumption required by an agreement with specified entities through increased water deliveries or imports from other regions of California, including the San Joaquin Valley and the Sacramento-San Joaquin Delta. The bill would require the Colorado River Board of California, the Department of Water Resources, and the State Water Resources Control Board to use their existing authority to enforce these provisions. The bill would specify that these provisions apply retroactively to January 1, 2023, and apply to any agreement entered into on or after that date.</p> | <p>Last action: Re-referred to COM. on W., P., & W. (3/20/23)</p> |
| <p>AB 1660 Ta</p> <p>Cosmetic products: perfluoroalkyl and polyfluoroalkyl substances (PFAS)</p> | <p>Existing law prohibits, beginning January 1, 2025, a person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains intentionally added PFAs. This bill would authorize a person or entity to petition the board to exempt an intentionally added PFAS from that prohibition, and would authorize the state board to, in consultation with the State Water Resources Control Board, the Office of Environmental Health Hazard Assessment, and the Department of Toxic Substances Control, exempt an intentionally added PFAS from that prohibition if the state board determines that the intentionally added PFAS meets specified qualifications. The bill would require the petitioner to provide specified information in their exemption petition to the board, including, among other things, the name of the intentionally added PFAS proposed for exemption, its intended end use, and its intended concentration in the proposed cosmetic product.</p> | <p>Last action: Hearing cancelled at request of author (4/13/23)</p> |
| <p>SB 651 Grove</p> <p>California Environmental Quality Act: groundwater recharge projects: Judicial Council rules of court</p> | <p>This bill would require the Judicial Council to adopt a rule of court to establish procedures requiring actions or proceedings brought to attack, review, set aside, void, or annul the certification of an environmental impact report, or the granting of any project approvals, for groundwater recharge projects, as described, except as provided, that implement a groundwater sustainability plan or an interim groundwater sustainability plan, as described, that would require the actions or proceedings, including any appeals, to be resolved within 270 days of the filing of the certified record of proceedings with the court. The bill would also include a related statement of legislative intent.</p> | <p>Last action: Re-referred to Com. on NAT. RES. (6/22/23)</p> |



OTHER REGULATIONS AND POLICIES

Advanced Clean Fleet Regulations

The California Air Resources Board (CARB) is developing new regulatory language to transition all medium and heavy-duty diesel trucks to zero emissions vehicles (ZEVs) by 2045. State and local government fleets, including city, county, special district, and State agency fleets, are required to ensure 50% of vehicle purchases are ZEV beginning in 2024 and 100% of vehicles purchased are zero-emission by 2027. “Specialty vehicles,” including solid waste collection fleets, have more time to comply, if selecting the “ZEV milestones” option. The “ZEV Milestones” option specifies the following years by which specified percentages of solid waste fleet vehicle purchases that must be ZEV: 10% by 2030, 25% by 2033, 50% by 2036, 75% by 2039, and 100% by 2042. Certain exemptions may be available related to infrastructure construction delays, delivery delays, availability, daily usage amounts, back-up vehicles, and emergency conditions. Additionally, CARB’s final resolution acknowledged the importance of biomethane derived from organic waste to implement SB 1383. CARB will require staff to coordinate across state agencies and provide a report by 2025 regarding how implementation of ACF regulations, SB 1383, and SB 1440 will be harmonized.

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Federal Legislation

| Federal Legislation | | |
|---|--|--|
| Bill | Description | Status |
| HR 215 Valadao Working to Advance Tangible and Effective Reforms (WATER) for California Act | This bill would provide long-term water supply and regulatory reliability to drought-stricken California, and for other purposes. | Last action: Committee on Natural Resources (4/28/23) |
| HR 651 Brownley COMPOST Act | This bill would require the designation of composting as a conservation practice and activity, and to provide grants and loan guarantees for composting facilities and programs, and for other purposes. | Last action: Referred to subcommittee on conservation, research, and biotechnology (2/23/23) |
| HR 652 Brownley Zero Food Waste Act | This bill would provide grants to reduce the amount of food waste, and for other purposes. | Last action: Referred to Subcommittee on Health (2/10/23) |
| S 177 Booker Zero Food Waste Act | This bill directs the Environmental Protection Agency to establish a grant program to study and reduce food waste. | Last action: Referred to Committee on Environment and Public Works (1/31/23) |



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| Federal Legislation | | |
|---|--|--|
| Bill | Description | Status |
| S 179 Booker Cultivating Organic Matter through the Promotion Of Sustainable Techniques (COMPOST) Act | This bill makes composting a conservation practice for purposes of Department of Agriculture (USDA) conservation programs and requires USDA to establish a competitive program and loan guarantees for projects that expand access to food waste composting. | Last action: Referred to Committee on Agriculture, Nutrition, and Forestry (1/31/23) |



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ADDITIONAL RESOURCES

- [Previous HF&H Legislative Updates](#)
- [Glossary of Legislative Terms](#)
- [California Legislation Tracking/Bill Search](#)
- [2023-2024 Calendar of California Legislative Deadlines](#)
- [CalRecycle's Proposed Regulations/Rulemaking Page](#)
- [Federal Legislation Tracking/Bill Search](#)

TERMS AND COMMITTEE ABBREVIATIONS

Committee Abbreviations:

- Com on A. & A.R. – Committee on Accountability and Administrative Review
- Com. on APPR. – Committee on Appropriations
- Com. on B. & P. – Committee on Business and Professions
- Com. on E., U. & C. – Committee on Energy, Utilities, and Communications
- Com. on E.S. & T.M. – Committee on Environmental Safety and Toxic Materials
- Com. on E.Q. – Committee on Environmental Quality
- Com. on GOV & F – Committee on Governance and Finance
- Com. on HEALTH – Committee on Health
- Com. on JUD. – Committee on Judiciary
- Com. on NAT. RES. – Committee on Natural Resources

- Com. N.R. & W. – Committee on Natural Resources and Water
- Com. on PUB S. – Committee on Public Safety
- Com. on Rev. & Tax. – Committee on Revenue and Taxation
- Com. on RLS – Committee on Rules
- Com. on TRANS – Committee on Transportation
- Com. on U. & E. – Committee on Utilities and Energy

Other Terms/Abbreviations:

- CalRecycle: The Department of Resources Recycling and Recovery
- DGS: Department of General Services.
- DTSC: Department of Toxic Substances Control

