

AMENDED IN SENATE APRIL 27, 2010

AMENDED IN SENATE APRIL 12, 2010

SENATE BILL

No. 1198

Introduced by Senator Huff

**(Coauthors: Senators Cogdill, Denham, Dutton, Harman,
Hollingsworth, and Runner)**

(Coauthors: Assembly Members Gilmore, Jeffries, Knight, Silva, and
Smyth)

February 18, 2010

An act to amend ~~Sections 25213 and 25402~~ *Section 25213* of the
Public Resources Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

SB 1198, as amended, Huff. Energy: State Energy Resources
Conservation and Development Commission: regulations.

The Warren-Alquist State Energy Resources Conservation and
Development Act requires the State Energy Resources Conservation
and Development Commission to adopt those regulations that are
necessary to carry out the act.

The act also requires the commission, after one or more public
hearings, to prescribe, by regulation, standards for minimum levels of
operating efficiency and prescribe other measures, such as energy and
water consumption labeling not preempted by federal labeling law, to
promote the use of energy and water efficient appliances that do not
result in any added total costs for consumers over the designed life of
the appliances concerned.

This bill would ~~prohibit the implementation of~~ *provide that* the
television product labeling ~~requirement~~ *regulations* adopted by the
commission ~~unless~~ *would not be effective until July 1, 2011, and if the*

United States Federal Trade Commission fails to issue a final labeling rule for ~~that product~~ *those products* as of July 1, 2011. *The bill further provides that those regulations would remain in effect only until the Federal Trade Commission issues a final labeling rule for television products.*

~~This bill would, for all appliance standards that are effective as of January 1, 2011, require that discount rates, payback calculations, and life cycle cost estimates use interest rates applicable to consumer financing and the average life of the product before replacement.~~

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

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

1 SECTION 1. Section 25213 of the Public Resources Code is
2 amended to read:

3 25213. (a) The commission shall adopt rules and regulations,
4 as necessary, to carry out the provisions of this division in
5 conformity with the provisions of Chapter 3.5 (commencing with
6 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
7 Code. The commission shall make available to a person upon
8 request copies of proposed regulations, together with summaries
9 of reasons supporting their adoption.

10 ~~(b) Notwithstanding subdivision (a), the television product~~
11 ~~labeling requirement adopted by the commission shall not be~~
12 ~~implemented unless the United States Federal Trade Commission~~
13 ~~fails to issue a final labeling rule for that product as of July 1, 2011.~~

14 *(b) (1) Notwithstanding any other law, the television product*
15 *labeling regulations adopted by the commission shall not take*
16 *effect, and the commission shall not enforce those regulations,*
17 *before July 1, 2011.*

18 *(2) On and after July 1, 2011, the television product labeling*
19 *regulations shall be effective if the Federal Trade Commission*
20 *fails to issue a final labeling rule for television products before*
21 *July 1, 2011, and shall remain in effect until the Federal Trade*
22 *Commission issues a final labeling rule for television products.*

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**All matter omitted in this version of the bill
appears in the bill as amended in the
Senate, April 12, 2010. (JR11)**

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