

Assembly Bill No. 1392

CHAPTER 488

An act to amend Section 25471 of the Public Resources Code, relating to energy, and making an appropriation therefor.

[Approved by Governor October 5, 2011. Filed with
Secretary of State October 6, 2011.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1392, Bradford. Energy.

Existing law authorizes the State Energy Resources Conservation and Development Commission to administer funds appropriated by the federal American Recovery and Reinvestment Act of 2009 (federal act) for the Energy Efficiency and Conservation Block Grant Program. Existing law establishes the Energy Efficient State Property Revolving Fund (fund) and continuously appropriates the moneys in the fund to the Department of General Services for loans for projects on state-owned buildings and facilities to achieve greater, long-term energy efficiency, energy conservation, and energy cost and use avoidance.

This bill would, for the 2011–12 and 2012–13 fiscal years, authorize the commission to transfer an amount of money as the commission determines to be appropriate, up to a maximum of \$50,000,000, from the moneys received from the federal act into the fund. By requiring the transfer of moneys into a continuously appropriated fund, this bill would make an appropriation. The bill would require the commission to provide written notice to the Controller on the amount and the timing of the transfer. The bill would require the commission to notify, in writing, the Joint Legislative Budget Committee.

Appropriation: yes.

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

SECTION 1. Section 25471 of the Public Resources Code is amended to read:

25471. (a) There is hereby created in the State Treasury the Energy Efficient State Property Revolving Fund for the purpose of implementing this chapter. Notwithstanding Section 13340 of the Government Code, the money in this fund is continuously appropriated to the department, without regard to fiscal years, for loans for projects on state-owned buildings and facilities to achieve greater, long-term energy efficiency, energy conservation, and energy cost and use avoidance.

(b) The fund shall be administered by the department. The department may use other funding sources to leverage project loans.

(c) For the 2009–10 fiscal year, the sum of twenty-five million dollars (\$25,000,000) shall be transferred into the Energy Efficient State Property Revolving Fund from money received by the commission pursuant to the act to be used for purposes of the federal State Energy Program.

(d) (1) For the 2011–12 and 2012–13 fiscal years, the commission may transfer up to fifty million dollars (\$50,000,000), in total, as the commission determines to be appropriate, into the Energy Efficient State Property Revolving Fund from money received by the commission pursuant to the act to be used for the purposes of the federal State Energy Program.

(2) The commission shall provide written notice to the Controller on the amount and timing of the transfer of moneys into the fund.

(3) Subject to the limitations of paragraph (1), the commission may make multiple transfers to allow for reallocating available funds from project cancellations and project savings.

(4) Notwithstanding Section 9795 of the Government Code, the commission shall notify, in writing, the Joint Legislative Budget Committee when a transfer is made pursuant to this subdivision.

(e) The Controller shall disburse moneys in the fund for the purposes of this chapter, as authorized by the department.

(f) Moneys in the fund, including all interest earnings, shall be clearly delineated and distinctly accounted for in accordance with the requirements of the act.