

AMENDED IN SENATE JUNE 25, 2012
AMENDED IN SENATE JUNE 20, 2012
AMENDED IN ASSEMBLY MAY 25, 2012
AMENDED IN ASSEMBLY MAY 1, 2012
AMENDED IN ASSEMBLY APRIL 11, 2012
AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2238

Introduced by Assembly Member Perea

February 24, 2012

An act to amend Section 116326 of the Health and Safety Code, and to amend Section 75125 of, and to add Section 75129.5 to, *add Section 116760.85 to the Public Resources Health and Safety Code*, relating to public water systems.

LEGISLATIVE COUNSEL'S DIGEST

AB 2238, as amended, Perea. Public water systems: drinking water. Existing law, *the Safe Drinking Water State Revolving Fund Law of 1997*, requires the State Department of Public Health to administer programs to fund improvements and expansion of small community water systems using specified priorities. Existing law requires the department to encourage the consolidation of small community water systems that serve disadvantaged communities if consolidation will help the affected agencies and the state meet specified goals. Existing law allows funding of studies regarding the feasibility of consolidating 2 or more community water systems, at least one of which is a small

~~community water system that serves a disadvantaged community. Existing law requires the department to give funding priority to projects involving physical restructuring of 2 or more community water systems into a single, consolidated system when it is shown that the consolidation would further specified goals *specified projects for public water systems that will enable suppliers to meet safe drinking water standards.*~~

This bill would require the department to take specified actions in considering an application for funding pursuant to these provisions, including, but not limited to, reviewing and considering the determinations and recommendations made by the affected local agency formation commission within the previous 5 calendar years in certain specified studies.

~~This bill would require the department, in administering programs to fund improvements and expansions of small community water systems and other water systems, as specified, to promote service delivery alternatives that improve efficiency and affordability of infrastructure and service delivery, as specified.~~

~~The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative measure, provides funding for safe drinking water, water quality and supply, flood control, natural resource protection, and park improvements. Existing law establishes the Strategic Growth Council and appropriates \$500,000 from the funding provided by the initiative to support the council and its activities. Existing law requires the council to manage and award grants and loans to support the planning and development of sustainable communities, as specified.~~

~~This bill would provide that LAFCOs intending to fund consolidation, merger, or extension of services projects for the purposes of promoting water conservation, and to support the planning and development of sustainable communities, are eligible for funding under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.~~

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 116760.85 is added to the Health and*
- 2 *Safety Code, to read:*

1 116760.85. *In considering an application for funding pursuant*
2 *to this chapter, the department shall do all of the following:*

3 (a) *Review and consider the determinations and*
4 *recommendations made by the affected local agency formation*
5 *commission within the previous five calendar years in any of the*
6 *following:*

7 (1) *A special study conducted pursuant to Section 56378 of the*
8 *Government Code.*

9 (2) *A sphere of influence study conducted pursuant to Section*
10 *56425 of the Government Code.*

11 (3) *A service review conducted pursuant to Section 56430 of*
12 *the Government Code.*

13 (b) *Consult with the executive officer of the affected local agency*
14 *formation commission to determine whether any circumstances*
15 *have changed since the studies and review conducted pursuant to*
16 *subdivision (a) were completed or if there is any additional*
17 *information that would assist the department in its determination.*

18 (c) *Review and consider the conclusions and recommendations*
19 *of other local and regional studies designed to develop and identify*
20 *regional solutions to meet the goals of the Safe Drinking Water*
21 *Revolving Fund Law of 1997.*

22 (d) *Report to the applicant regarding the review required*
23 *pursuant to subdivision (a) and the consultation required pursuant*
24 *to subdivision (b).*

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**All matter omitted in this version of the bill
appears in the bill as amended in the
Senate, June 20, 2012. (JR11)**