

AMENDED IN SENATE MARCH 16, 2011

SENATE BILL

No. 170

Introduced by Senator Pavley

February 3, 2011

An act to add Sections ~~40453 and 40542~~ *40004 and 40005* to the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 170, as amended, Pavley. ~~South Coast Air Quality Management District: Air pollution control district:~~ adverse effects of air pollution: intellectual property.

Existing law ~~creates the South Coast Air Quality Management District with jurisdiction over air quality within the South Coast Air Basin, including in the Counties of Los Angeles, Orange, Riverside, and San Bernardino~~ *authorizes local and regional districts with jurisdiction over the control of air pollution from all sources, other than emissions from motor vehicles.*

This bill would authorize the ~~south coast district~~ *districts* to sponsor, coordinate, and promote projects that will lead to the prevention, mitigation, or cure of the adverse effects of air pollution, including the adverse health effects of air pollution. The bill would authorize ~~the south coast district~~ *a district* to ~~determine~~ *negotiate* what share, if any, of the intellectual property, or benefits resulting from intellectual property, developed from the use of district funds, including funds discharged as grants, will accrue to ~~the south coast~~ *that* district. *The bill would require revenues generated to be deposited into a special account and used for specified purposes. If the state or a subdivision of the state purchases or licenses a good, service, or process for which a district accrues benefit resulting from the intellectual property interest, the bill*

would require the district, upon the request of the Department of General Services, to provide reimbursement to the General Fund for the amount of the benefit accrued.

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

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

1 SECTION 1. Section ~~40453~~ 40004 is added to the Health and
 2 Safety Code, to read:
 3 ~~40453. The south coast~~
 4 40004. A district may sponsor, coordinate, and promote projects
 5 that will lead to the prevention, mitigation, or cure of the adverse
 6 effects of air pollution, including the adverse health effects of air
 7 pollution.
 8 SEC. 2. Section ~~40542~~ 40005 is added to the Health and Safety
 9 Code, to read:
 10 ~~40542. The south coast district may determine~~
 11 40005. (a) A district may negotiate what share, if any, of the
 12 intellectual property, or benefits resulting from intellectual
 13 property, developed from the use of district funds, including funds
 14 discharged as grants, will accrue to ~~the south coast~~ that district.
 15 ~~The south coast~~
 16 (b) A district may negotiate revenue sharing agreements with
 17 recipients of ~~south coast~~ district funds, including the collection of
 18 royalties. Proceeds obtained by the district from these revenue
 19 sharing agreements shall ~~be used for purposes authorized by this~~
 20 ~~chapter~~. *accrue to the district and be deposited into a special*
 21 *account that may only be used, subject to the district's ability to*
 22 *recover its expenses and its administrative costs, for either of the*
 23 *following purposes:*
 24 (1) *To fund projects pursuant to Section 40004 that will lead*
 25 *to the prevention, mitigation, or cure of the adverse effects of air*
 26 *pollution, including the adverse health effects of air pollution.*
 27 (2) *To develop low-polluting fuels or technologies.*
 28 (c) *If the state or a subdivision of the state purchases or licenses*
 29 *a good, service, or process for which a district accrues a benefit*
 30 *resulting from an intellectual property interest negotiated pursuant*
 31 *to subdivision (a) or (b), upon the request of the Department of*

- 1 *General Services, the district shall prepare reimbursement to the*
- 2 *General Fund for the amount of the benefit accrued.*

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