

Assembly Bill No. 115

CHAPTER 630

An act to add Section 116760.55 to the Health and Safety Code, relating to drinking water, and making an appropriation therefor.

[Approved by Governor October 8, 2013. Filed with
Secretary of State October 8, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

AB 115, Perea. Safe Drinking Water State Revolving Fund.

Existing law, the California Safe Drinking Water Act, requires the State Department of Public Health to administer provisions relating to the regulation of drinking water to protect public health, including, but not limited to, conducting research, studies, and demonstration programs relating to the provision of a dependable, safe supply of drinking water, enforcing the federal Safe Drinking Water Act, adopting and enforcing regulations, and conducting studies and investigations to assess the quality of water in domestic water supplies.

Existing law establishes the Safe Drinking Water State Revolving Fund, which is continuously appropriated to the department for the provision of grants and revolving fund loans to provide for the design and construction of projects for public water systems that will enable suppliers to meet safe drinking water standards. Existing law requires the department to establish criteria for projects to be eligible for the grant and loan program, including that a legal entity exist that has the authority to enter into contracts and incur debt on behalf of the community to be served and owns the public water system or has the right to operate the public water system under a lease with a term of at least 20 years, unless otherwise authorized by the department.

This bill would authorize a legal entity, as defined, to apply for grant funding on behalf of one or more public water systems serving disadvantaged or severely disadvantaged communities if specified requirements are met, including having a signed agreement with each public water system for which it is applying for funding. By authorizing the use of a continuously appropriated fund for new purposes, this bill would make an appropriation.

This bill would, if legislation is enacted in 2013 that transfers the statutory and regulatory authority for the California Safe Drinking Water Act from the State Department of Public Health, delay the implementation of the provisions of the act for one year after the effective date of the transfer of authority.

Appropriation: yes.

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

SECTION 1. Section 116760.55 is added to the Health and Safety Code, to read:

116760.55. (a) For purposes of the department considering eligibility for grant funding for a planning project, a legal entity may apply on behalf of one or more public water systems serving disadvantaged or severely disadvantaged communities if all of the following requirements are met:

(1) The legal entity has a signed agreement with each public water system for which it is applying for funding for a planning and feasibility study project that indicates that the public water system agrees to the joint application and that the legal entity is acting on behalf of, and in place of, the public water system.

(2) The application is for 100 percent grant funding for a planning and feasibility project.

(3) The planning and feasibility study project includes a study of the feasibility of consolidation, which may include expansion of service to communities not currently served by a public water system.

(4) The applicant has demonstrated that the legal entity has the ability to complete the proposed planning project.

(5) At least one of the project participating public water systems has a primary drinking water standard violation and is on the project priority list.

(b) For purposes of this section, “legal entity” means an entity that is duly formed and operating under the laws of this state.

SEC. 2. If legislation enacted in 2013 transfers the statutory and regulatory authority for the implementation of the California Safe Drinking Water Act from the State Department of Public Health, this act shall not become operative until one year after the effective date of the transfer of authority.