

AMENDED IN SENATE AUGUST 21, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2593**

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**Introduced by Assembly Member Bradford**

February 21, 2014

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An act to add Section 39717 to the Health and Safety Code, relating to greenhouse gases.

LEGISLATIVE COUNSEL'S DIGEST

AB 2593, as amended, Bradford. Greenhouse gases: diversity reporting.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature.

This bill would require a business enterprise with ~~a~~ gross annual ~~revenue~~ *revenues* exceeding \$25,000,000 participating in a program administered by the state board that is funded, in whole or in part, from the fund to report annually to the state board regarding its programs to increase procurement from women, minority, and disabled veteran *business* enterprises, if any.

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 39717 is added to the Health and Safety  
2 Code, to read:

3 39717. (a) For the purposes of this section, the following terms  
4 have the following meanings:

5 (1) “Control” means exercising the power to make policy  
6 decisions.

7 (2) “Disabled veteran business enterprise” has the same meaning  
8 as defined in paragraph (7) of subdivision (b) of Section 999 of  
9 the Military and Veterans Code.

10 (3) “Minority business enterprise” means a business enterprise  
11 that is at least 51 percent owned by a minority group or, in the case  
12 of a publicly owned business, at least 51 percent of the stock of  
13 which is owned by one or more minority groups, and whose  
14 management and daily business operations are controlled by one  
15 or more of those individuals. Minority includes African Americans,  
16 Hispanic Americans, Native Americans, and Asian Pacific  
17 Americans.

18 (4) “Operate” means being actively involved in the day-to-day  
19 management and not merely officers or directors.

20 (5) “Women business enterprise” means a business enterprise  
21 that is at least 51 percent owned by a woman or, in the case of a  
22 publicly owned business, at least 51 percent of the stock of which  
23 is owned by one or more women, and whose management and  
24 daily business operations are controlled by one or more of those  
25 individuals.

26 (b) (1) A business enterprise with gross annual revenues  
27 exceeding twenty-five million dollars (\$25,000,000) participating  
28 in a program administered by the state board that is funded, in  
29 whole or in part, from the fund shall report annually to the state  
30 board regarding its programs to increase procurement from women,  
31 minority, and disabled veteran business enterprise, if any.

32 (2) *The business enterprise shall submit the report pursuant to*  
33 *paragraph (1) in an electronic format, as determined by the state*  
34 *board.*

35 (3) *The state board shall make the report available to the public*  
36 *on its Internet Web site.*

- 1    (c) *This section does not apply to a business enterprise*
- 2    *participating in a program administered by a governmental agency*
- 3    *that is not the state board.*

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