

Assembly Bill No. 2760

CHAPTER 542

An act to amend Section 8282 of the Public Utilities Code, relating to public utility contracting.

[Approved by Governor September 25, 2014. Filed with Secretary of State September 25, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2760, Committee on Utilities and Commerce. Public utilities: contracting: women, minority, and disabled veteran business enterprises.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, as defined. Existing law directs the commission to require every electrical, gas, water, wireless telecommunications service provider, and telephone corporation with annual gross revenues exceeding \$25,000,000, and their regulated subsidiaries and affiliates, to implement a program developed by the commission to encourage, recruit, and utilize minority-, women-, and disabled veteran-owned business enterprises, as defined, in the procurement of contracts from those corporations or from their regulated subsidiaries and affiliates, and to require the reporting of certain information. The commission, by its rulemaking authority, has adopted General Order 156, applicable to certain electrical, gas, and telephone corporations, to effectuate these requirements.

This bill would define "renewable energy" for purposes of the above-described requirements.

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

SECTION 1. Section 8282 of the Public Utilities Code is amended to read:

8282. For the purposes of this article, the following definitions apply:

(a) "Women business enterprise" means a business enterprise that is at least 51 percent owned by a woman or women; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and whose management and daily business operations are controlled by one or more of those individuals.

(b) "Minority business enterprise" means a business enterprise that is at least 51 percent owned by a minority group or groups; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more minority groups, and whose management and daily business operations are controlled by one or more of those individuals. The

contracting utility shall presume that minority includes Black Americans, Hispanic Americans, Native Americans, and Asian Pacific Americans.

(c) “Disabled veteran business enterprise” has the same meaning as defined in subdivision (g) of Section 999 of the Military and Veterans Code.

(d) “Control” means exercising the power to make policy decisions.

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

(f) “Renewable energy” project means a project for the development and operation of an eligible renewable energy resource meeting the requirements of the California Renewables Portfolio Standard Program (Article 16 (commencing with Section 399.11), Chapter 2.3, Part 1, Division 1).