Senate Bill No. 135

Passed the Senate September 12, 2013

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Secretary of the Senate

Passed the Assembly September 12, 2013

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Chief Clerk of the Assembly

This bill was received by the Governor this _____ day of _____, 2013, at _____ o'clock ___M.

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Private Secretary of the Governor

CHAPTER _____

An act to add and repeal Section 8587.8 of the Government Code, relating to earthquake safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 135, Padilla. Earthquake early warning system.

There is in state government, pursuant to the Governor's Reorganization Plan No. 2, operative July 1, 2013, the Office of Emergency Services. Existing law requires the office to develop and distribute an educational pamphlet for use by kindergarten, any of grades 1 to 12, inclusive, and community college personnel to identify and mitigate the risks posed by nonstructural earthquake hazards.

This bill would require the office, in collaboration with various entities, including the United States Geological Survey, to develop a comprehensive statewide earthquake early warning system in California through a public-private partnership and would require the system to include certain features, including the installation of field sensors. The bill would require the office to develop an approval mechanism, as provided, to review compliance with earthquake early warning standards as they are developed. The bill would require the office to identify funding sources for the system. The bill would prohibit the office from identifying the General Fund as a funding source to establish the system, beyond those components or programs that are currently funded. The bill would make these provisions contingent upon the office identifying funding sources for the system, as provided. If no funding sources are identified by January 1, 2016, the bill would repeal these provisions.

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

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) According to the United States Geological Survey, California is one of the most seismically active states, second only to Alaska.

(2) California has experienced dozens of disastrous earthquakes, which have caused loss of life, injury, and economic loss. Some of the most significant earthquakes in California's history include:

(A) The 1906 San Francisco earthquake, which, at a magnitude of 7.8, resulted in an estimated 3,000 deaths and over $500 million in property losses.

(B) The 1971 San Fernando earthquake, which, at a magnitude of 6.7, resulted in at least 65 deaths and caused property damage of over $500 million.

(C) The 1989 Loma Prieta earthquake, which, at a magnitude of 6.9, caused 63 fatalities and over $6 billion in property damage.

(D) The 1994 Northridge earthquake, which, at a magnitude of 6.7, claimed the lives of 60 people and caused estimated property damage of between $13 and $32 billion.

(3) About 90 percent of the world's earthquakes and over 80 percent of the world's largest earthquakes occur along the Circum-Pacific Belt, also known as the Pacific Ring of Fire. The Pacific Ring of Fire includes the very active San Andreas Fault Zone in California.

(4) The Uniform California Earthquake Rupture Forecast (UCERF) released in 2008 predicted a 99.7 percent likelihood of a magnitude 6.7 or larger earthquake in California in the next 30 years.

(5) A 2013 study published by the California Institute of Technology (Caltech) and the Japan Agency for Marine-Earth Science and Technology discovered that a statewide California earthquake involving both the Los Angeles and San Francisco metropolitan areas may be possible.

(6) Japan, Taiwan, Mexico, Turkey, Romania, Italy, and China either have or are working on earthquake early warning systems that are capable of saving lives and helping to mitigate loss.

(7) The Office of Emergency Services, Caltech, California Geological Survey, University of California, United States Geological Survey, and others have been conducting earthquake early warning research and development in California. They operate the California Integrated Seismic Network, which has a demonstration earthquake early warning capability.

(8) By building upon the California Integrated Seismic Network and processing data from an array of sensors throughout the state, a fully developed earthquake early warning system would

effectively detect some strength and progression of earthquakes and alert the public within seconds, sometimes up to 60 seconds, before potentially damaging ground shaking is felt.

(9) An earthquake early warning system should disseminate earthquake information in support of public safety, emergency response, and loss mitigation.

(b) It is the intent of the Legislature that the establishment of an earthquake early warning system pursuant to this act shall not result in any undue burden upon the General Fund and that, to the maximum extent possible, the Office of Emergency Services shall seek other sources for funding the implementation of Section 8587.8 of the Government Code.

SEC. 2. Section 8587.8 is added to the Government Code, to read:

8587.8. (a) The Office of Emergency Services, in collaboration with the California Institute of Technology (Caltech), the California Geological Survey, the University of California, the United States Geological Survey, the Alfred E. Alquist Seismic Safety Commission, and other stakeholders, shall develop a comprehensive statewide earthquake early warning system in California through a public-private partnership, which shall include, but not be limited to, the following features:

(1) Installation of field sensors.

(2) Improvement of field telemetry.

(3) Construction and testing of central processing and notification centers.

(4) Establishment of warning notification distribution paths to the public.

(5) Integration of earthquake early warning education with general earthquake preparedness efforts.

(b) In consultation with stakeholders, the Office of Emergency Services shall develop an approval mechanism to review compliance with earthquake early warning standards as they are developed. The development of the approval mechanism shall include input from a broad representation of earthquake early warning stakeholders. The approval mechanism shall accomplish all of the following:

(1) Ensure the standards are appropriate.

(2) Determine the degree to which the standards apply to providers and components of the system.

(3) Determine methods to ensure compliance with the standards.

(4) Determine requirements for participation in the system.

(c) The Office of Emergency Services shall identify funding for the system described in subdivision (a) through single or multiple sources of revenue that shall be limited to federal funds, funds from revenue bonds, local funds, and private grants. The Office of Emergency Services shall not identify the General Fund as a funding source for the purpose of establishing the system described in subdivision (a), beyond the components or programs that are currently funded.

(d) Subdivisions (a) and (b) shall not become operative until the Office of Emergency Services identifies funding pursuant to subdivision (c).

(e) (1) If funding is not identified pursuant to subdivision (c) by January 1, 2016, this section is repealed unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.

(2) The Office of Emergency Services shall file with the Secretary of State its determination that funding was not identified pursuant to subdivision (c) by January 1, 2016.

Approved _____, 2013

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Governor