

Introduced by Senator FullerFebruary 22, 2013

An act to amend Section 41700 of the Health and Safety Code, relating to air resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 763, as introduced, Fuller. Air resources: discharges.

Existing law, until January 1, 2014, authorizes a local air pollution control district or air quality management district to adopt a rule or regulation, consistent with protecting the public's comfort, repose, health, and safety, and not causing injury, detriment, nuisance, or annoyance, that ensures district staff and resources are not used to investigate complaints, determined to be repeated and unsubstantiated, alleging a nuisance odor violation of that discharge prohibition. If a district adopts such a rule or regulation, the district is required to submit the rule or regulation to the Senate Committee on Environmental Quality and the Assembly Committee on Natural Resources within 30 days of adopting the rule or regulation.

Existing law, operative on January 1, 2014, provides that, except as specified, a person is prohibited from discharging a quantity of air contaminants or other material that causes injury, detriment, nuisance, or annoyance to the public, or that endangers the comfort, repose, health, or safety of the public, or that causes injury or damage to business or property, as provided.

This bill would make technical, nonsubstantive changes to the above-referenced provisions that become operative on January 1, 2014.

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

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

- 1 SECTION 1. Section 41700 of the Health and Safety Code, as
- 2 added by Section 2 of Chapter 411 of the Statutes of 2010, is
- 3 amended to read:
- 4 41700. (a) Except as otherwise provided in Section 41705, a
- 5 person shall not discharge from any source whatsoever ~~quantities~~
- 6 *a quantity* of air contaminants or other material that ~~cause~~ *causes*
- 7 injury, detriment, nuisance, or annoyance to any considerable
- 8 number of persons or to the public, or that ~~endanger~~ *endangers*
- 9 the comfort, repose, health, or safety of any of those persons or
- 10 the public, or that ~~cause~~ *causes*, or ~~have~~ *has* a natural tendency to
- 11 cause, injury or damage to business or property.
- 12 (b) This section shall become operative on January 1, 2014.