

AMENDED IN SENATE JUNE 4, 2014

**SENATE BILL**

**No. 1309**

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**Introduced by ~~Senator~~ *Senators Steinberg and Gaines***

February 21, 2014

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An act to amend Section 10720 of the Elections Code, relating to ~~elections~~ *battery manufacturing, and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1309, as amended, Steinberg. ~~Senate vacancy.~~ *Battery manufacturing: electric vehicles and stationary uses.*

*Existing law establishes the Air Quality Improvement Program that is administered by the State Air Resources Board for the purposes of funding projects related to, among other things, reduction of criteria air pollutants and improvement of air quality. Pursuant to the Air Quality Improvement Program, the state board has established the Clean Vehicle Rebate Project to promote the production and use of zero-emission vehicles and the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project to provide vouchers to help California fleets to purchase hybrid and zero-emission trucks and buses.*

*This bill would state the intent of the Legislature to enact legislation to expedite groundbreaking and construction in California of a large-scale battery factory to manufacture batteries for both electric-vehicle and stationary uses.*

*This bill would declare that it is to take effect immediately as an urgency statute.*

~~Existing law authorizes the Governor to appoint a person to fill a vacancy occurring during the term of a member of the United States Senate from California.~~

~~This bill would make a technical, nonsubstantive change to this provision.~~

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

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

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

3     *(1) California is the nation's largest market for cars and*  
4 *light-duty trucks. The transportation sector also is the biggest*  
5 *contributor to California's greenhouse gas emissions, accounting*  
6 *for approximately 40 percent of those emissions.*

7     *(2) California is a world leader in combating climate change*  
8 *and in adopting policies that promote innovative solutions to the*  
9 *challenge while ensuring a strong economy. California is a leader*  
10 *in electric vehicles, electric vehicle infrastructure, renewable*  
11 *energy, and battery storage for renewables and electric vehicles.*

12     *(3) Zero-emission vehicles provide multiple benefits in addition*  
13 *to reducing greenhouse gas emissions, such as reducing*  
14 *conventional pollutants, operating quietly and cleanly, allowing*  
15 *home refueling, and lowering operating and fuel costs. Executive*  
16 *Order B-16-2012 establishes a goal of facilitating over 1.5 million*  
17 *zero-emission vehicles in California by 2025.*

18     *(b) It is the intent of the Legislature to enact legislation,*  
19 *including, but not limited to, financial incentives and changes to*  
20 *regulatory and environmental processes, to expedite*  
21 *groundbreaking and construction in California of a large-scale*  
22 *battery factory to manufacture batteries for both electric-vehicle*  
23 *and stationary uses thus increasing the production of electric*  
24 *vehicles and renewable energy consistent with California's efforts*  
25 *to fight climate change as well as creating economic opportunity*  
26 *and thousands of jobs in California.*

27     *SEC. 2. This act is an urgency statute necessary for the*  
28 *immediate preservation of the public peace, health, or safety within*  
29 *the meaning of Article IV of the Constitution and shall go into*  
30 *immediate effect. The facts constituting the necessity are:*

31     *In order to ensure that California can compete in terms of its*  
32 *business climate with other states bidding to site major clean*  
33 *energy facilities, it is necessary this act take effect immediately.*

1 SECTION 1. Section 10720 of the Elections Code is amended to  
2 read:

3 10720. If a vacancy occurs in the representation of this state  
4 in the Senate of the United States, the Governor may appoint and  
5 commission an elector of this state who possesses the qualifications  
6 for the office to fill the vacancy until his or her successor is elected  
7 and qualifies and is admitted to his or her seat by the United States  
8 Senate. However, whenever a vacancy occurs within a term fixed  
9 by law to expire on the third day of January following the next  
10 general election, the person so appointed shall hold office for the  
11 remainder of the unexpired term unless the vacancy is filled at a  
12 special election held prior to the general election, in which case  
13 the person elected at the special election shall hold office for the  
14 remainder of the unexpired term. An election to fill a vacancy in  
15 the term of a United States Senator shall be held at the general  
16 election next succeeding the occurrence of the vacancy or at a  
17 special election.