

AMENDED IN SENATE JUNE 24, 2015

AMENDED IN SENATE MAY 27, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 274

**Introduced by Committee on Environmental Safety and Toxic
Materials (Assembly Members Alejo (Chair), Dahle (Vice Chair),
Gonzalez, Gray, McCarty, and Ting)**

February 11, 2015

An act to add *and repeal* Section 25269.9 to of the Health and Safety Code, relating to hazardous substances.

LEGISLATIVE COUNSEL'S DIGEST

AB 274, as amended, Committee on Environmental Safety and Toxic Materials. Oversight costs: uncollectible accounts.

Existing law requires the Department of Toxic Substances Control to comply with specified procedures when recovering oversight costs for corrective action taken pursuant to the hazardous waste control laws or for certain other actions taken pursuant to the Carpenter-Presley-Tanner Hazardous Substances Account Act. The department is required to take specified actions with regard to uncollectible accounts, including reviewing all current outstanding receivables and making an appropriate adjustment for estimated uncollectible amounts. The department is authorized, if warranted, to write off or write down those receivable amounts.

This ~~bill~~ *bill*, until January 1, 2019, would define the term “uncollectible account” and would authorize the department not to pursue an uncollectible account and to write off or write down that uncollectible account, as specified.

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 25269.9 is added to the Health and Safety
2 Code, to read:
3 25269.9. (a) The Legislature finds and declares both of the
4 following:
5 (1) The department should prioritize its cost recovery efforts to
6 make the most efficient use of its resources available for that
7 activity.
8 (2) It is not cost effective or practicable to seek recovery of an
9 uncollectible account, as defined in subdivision (b).
10 (b) For purposes of this section, “uncollectible account” means
11 response action, corrective action, or oversight costs, including
12 accrued interest, incurred by the department that meet all of the
13 following conditions:
14 (1) The response action, corrective action, or oversight costs
15 were incurred by the department on or after July 1, 1987, but not
16 later than December 31, 2013, while overseeing or carrying out a
17 response or corrective action pursuant to Chapter 6.5 (commencing
18 with Section 25100) or Chapter 6.8 (commencing with Section
19 25300).
20 (2) The response action, corrective action, or oversight costs
21 are not more than five thousand dollars (\$5,000).
22 (3) The department will not incur further response action,
23 corrective action, or oversight costs related to the site for which
24 the costs were incurred.
25 (4) The department’s estimated cost to pursue the oversight
26 costs exceeds the value of the oversight costs.
27 (c) The department is not required to pursue an uncollectible
28 account and may write off or write down that uncollectible account
29 pursuant to Section 25269.8.
30 (d) The requirements of Chapter 5 (commencing with Section
31 13940) of Part 4 of Division 3 of Title 2 of the Government Code
32 shall not apply to any action taken by the department pursuant to
33 subdivision (c).

1 *(e) This section shall remain in effect only until January 1, 2019,*
2 *and as of that date is repealed, unless a later enacted statute, that*
3 *is enacted before January 1, 2019, deletes or extends that date.*

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