

AMENDED IN SENATE MAY 4, 2016

AMENDED IN SENATE MAY 18, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1511

**Introduced by Assembly Members Perea, Daly, and Salas Member
Santiago
(Coauthors: Assembly Members Cooley, Cooper, Frazier, Gipson,
and O'Donnell)**

March 5, 2015

An act to add Section 399.33 to, and to repeal and add Sections 381.2 and 740.2 of, the Public Utilities Code, relating to energy. An act to amend Sections 27880 and 27950 of the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL'S DIGEST

AB 1511, as amended, ~~Perea~~ *Santiago*. ~~Energy-Firearms: lending.~~

(1) Existing law generally requires the loan of a firearm to be conducted through a licensed firearms dealer. A violation of this provision is a crime. Existing law exempts from this requirement a loan of a firearm between persons who are personally known to each other, if the loan is infrequent and does not exceed 30 days in duration.

This bill would instead limit that exemption to the loan of a firearm to a spouse or registered domestic partner, or to a parent, child, sibling, grandparent, or grandchild, related as specified. By expanding the application of an existing crime, this bill would impose a state-mandated local program.

(2) Existing law exempts from the requirement to conduct the loan of a firearm through a licensed firearms dealer a loan made to a

licensed hunter for use by that hunter for a period of time not to exceed the duration of the hunting season for which the firearm is to be used.

This bill would instead exempt from that requirement the loan of a firearm to a person personally known to the transferor if that person has a California hunting license and only possesses the firearm while engaged in hunting. By expanding the application of an existing crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~(1) Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission), by March 1, 2010, to establish a regulatory proceeding to develop and implement a comprehensive program to achieve greater energy savings in California's existing residential and nonresidential building stock.~~

~~Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations. Existing law authorizes the PUC to fix the rates and charges for every public utility and requires that those rates and charges be just and reasonable. Existing law requires the PUC, in consultation with the Energy Commission, to identify all potentially achievable cost-effective electricity efficiency savings and to establish efficiency targets for electrical corporations to achieve pursuant to their procurement plan. Existing law requires the PUC, in consultation with the Energy Commission, to identify all potentially achievable cost-effective natural gas efficiency savings and to establish efficiency targets for gas corporations to achieve, and requires that a gas corporation first meet its unmet resource needs through all available gas efficiency and demand reduction resources that are cost effective, reliable, and feasible. Existing law requires the PUC, by March 1, 2010, to investigate the ability of electrical corporations and gas corporations to provide various energy efficiency financing options to their customers for the purposes of implementing the comprehensive program developed by the Energy Commission described above.~~

~~This bill would require the PUC to authorize electrical corporations and gas corporations to recover in rates the reasonable costs of a program that provides financial incentives or rebates to customers of the utility~~

to increase energy efficiency in existing buildings based on all estimated energy savings and energy usage reductions, taking into consideration overall reduction in normalized metered energy consumption as a measure of energy savings. The bill would require the program to include energy usage reductions resulting from the installation of a measure or equipment required for modifications to existing buildings to bring them into conformity with, or exceed, existing energy efficiency building standards.

~~(2) The California Renewables Portfolio Standard Program requires the PUC to implement annual procurement targets for the procurement of eligible renewable energy resources for all retail sellers to achieve the targets and goals of the program. Existing law requires each electrical corporation to submit to the PUC a distribution resources plan proposal to identify optimal locations for the deployment of distributed resources.~~

~~This bill would authorize a retail seller of electricity or a local publicly owned electric utility to include electricity generated by, or saved as a result of the use of, distributed resources in meeting its renewables portfolio standard procurement obligations.~~

~~(3) Existing law requires the PUC, in consultation with the Energy Commission, the State Air Resources Board, electrical corporations, and the motor vehicle industry, to evaluate policies to develop infrastructure sufficient to overcome any barriers to the widespread deployment and use of plug-in hybrid and electric vehicles and, by July 1, 2011, to adopt rules that address specified matters.~~

~~This bill would delete the requirement that the PUC evaluate policies to develop infrastructure sufficient to overcome any barriers to the widespread deployment and use of plug-in hybrid and electric vehicles and, by July 1, 2011, to adopt rules that address specified matters. The bill would require the PUC to require each electrical corporation to file an electric vehicle infrastructure plan to develop, own, and operate electric vehicle charging stations and service equipment to support the widespread deployment and use of plug-in hybrid and electric vehicles. The bill would require that the plans encourage and support the widespread deployment of electric vehicles, protect competitive markets for electric vehicle charging equipment, and support consumer choice in electric vehicle charging equipment. The bill would require the PUC, by March 1, 2016, after notice and an opportunity to comment, to approve, or modify and approve, the electric vehicle infrastructure plan filed by each electrical corporation and the rate changes to implement the plan, if the PUC determines that the plan reasonably assists in~~

achieving the state’s electric vehicle deployment goals necessary to reduce emissions of greenhouse gases and reduce the use of petroleum.

~~(4) The Public Utilities Act makes any public utility that violates the act, or that fails to comply with any part of any order, decision, rule, direction, demand, or requirement of the PUC, guilty of a crime.~~

~~Because the provisions of this bill are within the act and require action by the PUC to implement its requirements, a violation of these provisions would impose a state-mandated local program by creating a new crime.~~

~~(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

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

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

- 1 SECTION 1. Section 27880 of the Penal Code is amended to
- 2 read:
- 3 27880. Section 27545 does not apply to the loan of a firearm
- 4 ~~between persons who are personally known to each other~~, if all of
- 5 the following requirements are satisfied:
- 6 (a) *The loan is to a spouse, registered domestic partner, or any*
- 7 *of the following relations, whether by consanguinity, adoption, or*
- 8 *steprelation:*
- 9 (1) *Parent.*
- 10 (2) *Child.*
- 11 (3) *Sibling.*
- 12 (4) *Grandparent.*
- 13 (5) *Grandchild.*
- 14 ~~(a)~~
- 15 (b) *The loan is infrequent, as defined in Section 16730.*
- 16 ~~(b)~~
- 17 (c) *The loan is for any lawful purpose.*
- 18 ~~(c)~~
- 19 (d) *The loan does not exceed 30 days in duration.*
- 20 ~~(d)~~

1 (e) Until January 1, 2015, if the firearm is a handgun, the
2 individual being loaned the firearm shall have a valid handgun
3 safety certificate. Commencing January 1, 2015, for any firearm,
4 the individual being loaned the firearm shall have a valid firearm
5 safety certificate, except that in the case of a handgun, an unexpired
6 handgun safety certificate may be used.

7 *SEC. 2. Section 27950 of the Penal Code is amended to read:*

8 27950. Section 27545 does not apply to the loan of a firearm,
9 other than a handgun, to a ~~licensed hunter for use by that hunter~~
10 ~~for a period of time not to exceed the duration of the hunting season~~
11 ~~for which the firearm is to be used: person personally known to~~
12 ~~the transferor if that person has a California hunting license and~~
13 ~~only possesses the firearm while engaged in hunting.~~

14 *SEC. 3. No reimbursement is required by this act pursuant to*
15 *Section 6 of Article XIII B of the California Constitution because*
16 *the only costs that may be incurred by a local agency or school*
17 *district will be incurred because this act creates a new crime or*
18 *infraction, eliminates a crime or infraction, or changes the penalty*
19 *for a crime or infraction, within the meaning of Section 17556 of*
20 *the Government Code, or changes the definition of a crime within*
21 *the meaning of Section 6 of Article XIII B of the California*
22 *Constitution.*

23 ~~SECTION 1. The Legislature finds and declares all of the~~
24 ~~following:~~

25 ~~(a) In January of 2013, Governor Brown issued a zero-emission~~
26 ~~vehicle action plan calling for one and one-half million~~
27 ~~zero-emission vehicles in California by 2025 and the infrastructure~~
28 ~~to support one million zero-emission vehicles by 2020.~~

29 ~~(b) In Decision 14-12-079 (December 18, 2014), Phase 1~~
30 ~~Decision Establishing Policy to Expand the Utilities' Role in~~
31 ~~Development of Electric Vehicle Infrastructure, the Public Utilities~~
32 ~~Commission set aside that part of Decision 11-07-029 that had~~
33 ~~required electrical corporations to demonstrate a "market failure"~~
34 ~~or "underserved market" as part of any request for authority to~~
35 ~~own plug-in electric vehicle charging infrastructure.~~

36 ~~(c) In January of 2015, Governor Brown proposed a plan to~~
37 ~~reduce petroleum use in cars and trucks by 50 percent by 2030.~~

38 ~~(d) A significant barrier still exists relative to the availability~~
39 ~~of electric vehicle charging stations and service equipment to~~
40 ~~support electric vehicle charging needed in public locations,~~

1 multifamily dwellings, workplaces, and fleet locations to support
2 California’s goals for reducing the use of petroleum.

3 (e) It is estimated that in order to support the need for electric
4 vehicle charging stations and service equipment, at least one
5 electric vehicle charging station and related service equipment is
6 needed for every four electric vehicles, compared to the current
7 ratio of twenty to one.

8 (f) If California is to achieve its aggressive goals for reducing
9 emissions of greenhouse gases, as well as its goals for reducing
10 the use of petroleum, significant electric vehicle and service
11 equipment infrastructure investments will need to be made by
12 electrical corporations.

13 SEC. 2. Section 381.2 of the Public Utilities Code is repealed.

14 SEC. 3. Section 381.2 is added to the Public Utilities Code, to
15 read:

16 381.2. (a) (1) In coordination with the program approved
17 pursuant to Section 25943 of the Public Resources Code to achieve
18 greater energy savings in California’s existing residential and
19 nonresidential building stock, the commission shall authorize
20 electrical corporations and gas corporations to recover in their
21 rates the reasonable costs of a program that provides financial
22 incentives or rebates to customers of those corporations to increase
23 energy efficiency in existing buildings based on all estimated
24 energy savings and energy usage reductions, taking into
25 consideration overall reduction in normalized metered energy
26 consumption as a measure of energy savings.

27 (2) The program shall include energy usage reductions resulting
28 from the installation of a measure or equipment required for
29 modifications to existing buildings to bring them into conformity
30 with, or exceed, the standards in Part 6 (commencing with Section
31 100.0) of Title 24 of the California Code of Regulations.

32 (3) The commission shall authorize electrical corporations and
33 gas corporations to count all energy savings achieved toward
34 overall energy efficiency goals or targets established by the
35 commission.

36 (b) (1) By December 31, 2018, the commission shall, in
37 compliance with Section 9795 of the Government Code, report to
38 the Legislature summarizing the energy efficiency savings achieved
39 pursuant to subdivision (a).

1 ~~(2) Pursuant to Section 10231.5 of the Government Code,~~
2 ~~paragraph (1) is inoperative on December 31, 2022.~~

3 ~~(e) It is the intent of the Legislature that, until January 1, 2020,~~
4 ~~the implementation of the program described in subdivision (a)~~
5 ~~would not result in an increase in rates for the support of the energy~~
6 ~~efficiency programs of electrical corporations or gas corporations.~~

7 ~~SEC. 4. Section 399.33 is added to the Public Utilities Code,~~
8 ~~to read:~~

9 ~~399.33. Notwithstanding any other provision of this article, a~~
10 ~~retail seller or a local publicly owned electric utility may include~~
11 ~~electricity generated by, or saved as a result of the use of,~~
12 ~~distributed resources, as defined in Section 769, in meeting its~~
13 ~~renewables portfolio standard procurement obligations.~~

14 ~~SEC. 5. Section 740.2 of the Public Utilities Code is repealed.~~

15 ~~SEC. 6. Section 740.2 is added to the Public Utilities Code, to~~
16 ~~read:~~

17 ~~740.2. (a) The commission shall require each electrical~~
18 ~~corporation to file an electric vehicle infrastructure plan to develop,~~
19 ~~own, and operate electric vehicle charging stations and service~~
20 ~~equipment to support the widespread deployment and use of plug-in~~
21 ~~hybrid and electric vehicles. The plan shall encourage and support~~
22 ~~the widespread deployment of electric vehicles, protect competitive~~
23 ~~markets for electric vehicle charging equipment, and support~~
24 ~~consumer choice in electric vehicle charging equipment.~~
25 ~~Applications filed by an electrical corporation prior to January 1,~~
26 ~~2016, for approval of electric vehicle infrastructure investments~~
27 ~~shall be considered as having been filed pursuant to this section.~~

28 ~~(b) By March 1, 2016, after notice and an opportunity to~~
29 ~~comment, the commission shall approve, or modify and approve,~~
30 ~~the electric vehicle infrastructure plan filed by each electrical~~
31 ~~corporation and the rate changes to implement the plan, if the~~
32 ~~commission determines that the plan reasonably assists in achieving~~
33 ~~the state's electric vehicle deployment goals necessary to reduce~~
34 ~~emissions of greenhouse gases and reduce the use of petroleum.~~
35 ~~The commission shall not require individual electrical corporation~~
36 ~~plans to be consistent, but shall encourage flexibility and innovation~~
37 ~~by each electrical corporation in seeking to achieve California's~~
38 ~~overall electric vehicle deployment goals.~~

39 ~~SEC. 7. No reimbursement is required by this act pursuant to~~
40 ~~Section 6 of Article XIII B of the California Constitution because~~

1 ~~the only costs that may be incurred by a local agency or school~~
2 ~~district will be incurred because this act creates a new crime or~~
3 ~~infraction, eliminates a crime or infraction, or changes the penalty~~
4 ~~for a crime or infraction, within the meaning of Section 17556 of~~
5 ~~the Government Code, or changes the definition of a crime within~~
6 ~~the meaning of Section 6 of Article XIII B of the California~~
7 ~~Constitution.~~

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