

AMENDED IN ASSEMBLY MARCH 15, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1694**

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**Introduced by Assembly Member Lackey  
(Principal coauthor: Assembly Member Mathis)  
(Coauthor: Assembly Member Gallagher)**

January 21, 2016

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An act to add Section ~~79747.5~~ 189.3 to the Water Code, relating to water, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1694, as amended, Lackey. ~~Water Quality, Supply, and Infrastructure Improvement Act of 2014: stormwater: multibenefit projects. State Water Resources Control Board: grant program for school drinking water.~~

Existing law, the ~~Water Quality, Supply, and Infrastructure Improvement Act of 2014~~, approved by the voters as Proposition 1 at the November 4, 2014, statewide general election, authorizes the issuance of general obligation bonds in the amount of \$7,545,000,000 to finance a water quality, supply, and infrastructure improvement program. The bond act provides that the sum of \$810,000,000 is to be available, upon appropriation by the Legislature, for expenditures on, and competitive grants and loans to, projects that are included in and implemented in an adopted integrated regional water management plan and respond to climate change and contribute to regional water security. The bond act requires \$200,000,000 of these funds to be available for grants for multibenefit stormwater management projects *law establishes the State Water Resources Control Board as a state agency with authority over matters relating to water quality. Existing law requires*

*the state board to formulate and adopt state policy for water quality control. .*

~~This bill, in implementing these grants for multibenefit stormwater management projects, would require special consideration to be given to projects that would use cisterns for water storage and flood protection. This bill would appropriate \$90,000,000 from the proceeds of the bond act for the purpose of the grants for multibenefit stormwater management projects. bill would require the state board to establish a grant program to award grants to public elementary and secondary schools to improve access to, and the quality of, drinking water. The bill would specify various types of projects for which these grants could be awarded. The bill would require the state board to give priority to applicant public elementary and secondary schools that serve a disadvantaged community, as defined. The bill would require the state board to develop procedures for the submission of applications for grants by local educational agencies and criteria for the evaluation of these applications.~~

*The bill would appropriate \$10,000,000, without regard to fiscal years, from the General Fund to the state board for allocation to local educational agencies as grants made pursuant to the bill. The bill would provide that funds allocated to local educational agencies pursuant to this bill would supplement, and not supplant, the other state funds apportioned to these local educational agencies for their support. To the extent that the funds appropriated by this bill are allocated to school districts, the amount of these funds would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.*

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

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

- 1     SECTION 1. Section 189.3 is added to the Water Code, to read:
- 2     189.3. (a) The board shall establish a grant program to award
- 3     grants to public elementary and secondary schools to improve
- 4     access to, and the quality of, drinking water. The board may award
- 5     grants under this section for projects including, but not necessarily
- 6     limited to, any of the following:
- 7     (1) Installation of water bottle filling stations.

1 (2) Installation or replacement of drinking water fountains with  
2 devices that are capable of removing any contaminants that are  
3 present in the school’s water supply.

4 (3) Installation of point-of-entry or point-of-use treatment  
5 devices.

6 (4) Plumbing repairs that improve drinking water quality.

7 (b) In awarding grants under this section, the board shall give  
8 priority to applicant public elementary and secondary schools that  
9 serve a disadvantaged community, as that term is defined in Section  
10 79505.5.

11 (c) The board shall implement this section by taking actions  
12 including, but not necessarily limited to, the development of  
13 procedures for the submission of applications for grants by local  
14 educational agencies and criteria for the evaluation of these  
15 applications. The actions taken by the board pursuant to this  
16 subdivision shall not be subject to the rulemaking requirements  
17 of Chapter 3.5 (commencing with Section 11340) of Part 1 of  
18 Division 3 of Title 2 of the Government Code.

19 SEC. 2. The sum of ten million dollars (\$10,000,000) is hereby  
20 appropriated, without regard to fiscal years, from the General  
21 Fund to the State Water Resources Control Board for allocation  
22 to local educational agencies as grants to improve access to, and  
23 the quality of, drinking water at public elementary and secondary  
24 schools pursuant to Section 189.3 of the Water Code. The funds  
25 allocated to local educational agencies pursuant to this section  
26 shall supplement, and not supplant, the other state funds  
27 apportioned to these local educational agencies for their support.

28 SECTION 1. ~~Section 79747.5 is added to the Water Code, to~~  
29 ~~read:~~

30 ~~79747.5. In implementing Section 79747, special consideration~~  
31 ~~shall be given to multibenefit stormwater management projects~~  
32 ~~that would use cisterns for water storage and flood protection.~~

33 SEC. 2. ~~Ninety million dollars (\$90,000,000) is hereby~~  
34 ~~appropriated from the Water Quality, Supply, and Infrastructure~~  
35 ~~Improvement Fund of 2014 for the purpose of Section 79747 of~~  
36 ~~the Water Code.~~