

AMENDED IN ASSEMBLY MARCH 7, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1815

Introduced by Assembly Member Alejo

February 8, 2016

An act to amend Section 39713 of, and to add Section 39713.5 to, the Health and Safety Code, relating to greenhouse gases.

LEGISLATIVE COUNSEL'S DIGEST

AB 1815, as amended, Alejo. California Global Warming Solutions Act of 2006: disadvantaged communities.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law requires the California Environmental Protection Agency to identify disadvantaged communities and requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. Existing law requires the 3-year investment plan to allocate a minimum of 25% of the available moneys in the fund to projects that provide benefits to disadvantaged communities.

This bill would require the ~~state board~~ agency to prepare and post on its Internet Web site a specified report on the projects funded to benefit disadvantaged communities.

This bill would *also* require the ~~state board~~ agency to establish a comprehensive technical assistance program, upon the appropriation of moneys from the Greenhouse Gas Reduction Fund, for eligible applicants, as specified, assisting eligible communities, as defined.

This bill also would require the department to include in the 3-year investment plan an allocation to the ~~state board~~ agency for that technical assistance program.

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 39713 of the Health and Safety Code is
2 amended to read:
3 39713. (a) The investment plan developed and submitted to
4 the Legislature, pursuant to Section 39716, shall allocate a
5 minimum of 25 percent of the available moneys in the fund to
6 projects that provide benefits to communities described in Section
7 39711.
8 (b) The investment plan shall allocate a minimum of 10 percent
9 of the available moneys in the fund to projects located within
10 communities described in Section 39711.
11 (c) The allocation pursuant to subdivision (b) may be, but need
12 not be, for projects included, in whole or in part, in the set of
13 projects supported by the allocation described in subdivision (a).
14 (d) The ~~state board~~ California Environmental Protection Agency
15 shall prepare and post on its Internet Web site a report on the
16 projects funded pursuant to this section. The report shall include
17 all of the following:
18 (1) A general description of each project.
19 (2) The location where each project will be implemented.
20 (3) The estimated date of completion of each project.
21 (4) The amount awarded to each project.
22 (5) The status of any moneys in the fund that are not awarded
23 pursuant to this section and the reasons those moneys have not
24 been awarded.

1 SEC. 2. Section 39713.5 is added to the Health and Safety
2 Code, to read:

3 39713.5. (a) For purposes of this section, ~~“eligible the~~
4 *following terms have the following meanings:*

5 (1) *“Agency” means the California Environmental Protection*
6 *Agency.*

7 (2) *“Eligible communities” means census tracts identified as*
8 *disadvantaged pursuant to Section 39711 or with median incomes*
9 *at or below 80 percent of the statewide median income.*

10 (b) The investment plan developed and submitted to the
11 Legislature pursuant to Section 39716 shall allocate from the
12 available moneys in the fund technical assistance moneys to the
13 ~~state board~~ *agency* to implement this section. That allocation of
14 technical assistance moneys shall not be used to satisfy the
15 requirements of subdivisions (a) and (b) of Section 39713.

16 (c) (1) Upon an appropriation of moneys from the fund, the
17 ~~state board~~ *agency* shall establish a comprehensive technical
18 assistance program for eligible applicants assisting eligible
19 communities that the ~~state board~~ *agency* determines require
20 technical assistance in accessing programs allocated moneys
21 appropriated from the fund.

22 (2) Eligible applicants include, but are not limited to, regional
23 agencies and nonprofit organizations coordinating with local
24 governments. *A city may be an eligible applicant if it has a*
25 *population of 600,000 or less, as reported by the United States*
26 *Census Bureau in the 2010 census.*

27 (3) (A) ~~The state board, in consultation with the California~~
28 ~~Environmental Protection Agency and agency, in consultation~~
29 *with agencies that administer programs using moneys appropriated*
30 *from the fund, shall develop guidelines to implement this program*
31 *consistent with this section.*

32 (B) ~~The state board~~ *agency* shall provide an opportunity for
33 public comment prior to finalizing the guidelines.

34 (d) ~~The state board~~ *agency* shall prioritize technical assistance
35 for those communities demonstrating the greatest need for
36 increased capacity to access programs using moneys appropriated
37 from the fund.

38 (e) The program established pursuant to this section shall
39 provide assistance to eligible applicants with any of the following:

40 (1) Identifying state agencies with appropriate grant programs.

1 (2) Developing competitive project proposals to apply for
2 moneys available through state agencies or pursuant to this chapter.

3 (3) Coordinating existing local programs to reduce greenhouse
4 gas emissions with new programs receiving moneys pursuant to
5 this chapter.

6 (4) Conducting community outreach to residents of eligible
7 communities that the ~~state board~~ *agency* determines require
8 technical assistance on consumer programs receiving state or local
9 moneys pursuant to this chapter or for other programs that reduce
10 greenhouse gas emissions.

11 (f) Technical assistance provided pursuant to this section shall
12 promote programs that reduce emissions of greenhouse gases and
13 demonstrate a direct, meaningful benefit to eligible communities.
14 Cobenefits of these programs may include, but are not limited to,
15 improved air quality, improved water quality, improved public
16 health, increased access to employment in clean energy, increased
17 access to affordable housing and transit, reduced residential and
18 commercial water use, and increased residential and commercial
19 energy efficiency.