

AMENDED IN ASSEMBLY APRIL 13, 2016

AMENDED IN ASSEMBLY APRIL 5, 2016

AMENDED IN ASSEMBLY MARCH 31, 2016

AMENDED IN ASSEMBLY MARCH 18, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2124

Introduced by Assembly Members Eduardo Garcia and Lackey

February 17, 2016

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

LEGISLATIVE COUNSEL'S DIGEST

AB 2124, as amended, Eduardo Garcia. State Water Resources Control Board: grant program for school drinking water.

Existing 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.~~ *requires a school district to provide access to free, fresh drinking water during meal times in school food service areas, unless the governing board of a school district adopts a resolution stating that it is unable to comply with this requirement and demonstrating the reasons why it is unable to comply due to fiscal constraints or health and safety concerns.*

Existing law, the California Safe Drinking Water Act, governs drinking water quality, and requires the State Water Resources Control Board to ensure that all public water systems are operated in compliance with the act. Among other things, the act requires the board

to adopt primary drinking water standards for contaminants in drinking water, as specified.

This 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.~~ *water at those schools.* The bill would specify various types of projects *that will provide students and school staff with access to safe drinking water* for which these grants could be awarded. The bill would require the ~~state~~ board to give priority to applicants that serve a *very small* disadvantaged community, as defined, and applicants ~~with known violations of primary drinking water standards.~~ *that are served by public water systems that the board finds consistently fail to provide an adequate supply of safe drinking water.* 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, as specified. ~~For applicants that do not serve disadvantaged communities, the bill would authorize the state board to require applicants to commit additional resources to a project or to give extra consideration to those applicants.~~

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
- 2 read:
- 3 189.3. (a) The board shall establish a grant program to award
- 4 grants to public elementary and secondary schools to improve
- 5 access to, and the quality of, ~~drinking water.~~ *water at those schools.*

1 The board may award grants under this section for projects *that*
2 *will provide students and school staff with access to safe drinking*
3 *water*, including, but not necessarily limited to, any of the
4 following:

5 (1) Installation of water bottle filling stations.

6 (2) Installation or replacement of drinking water fountains with
7 devices that are capable of removing any contaminants that are
8 present in the school's water supply.

9 (3) Installation of point-of-entry or point-of-use treatment
10 devices.

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

12 (b) The board shall implement this section by taking actions
13 including, but not necessarily limited to, the development of
14 procedures for the submission of applications for grants by local
15 educational agencies and criteria for the evaluation of these
16 applications. The actions taken by the board pursuant to this
17 subdivision shall not be subject to the rulemaking requirements of
18 Chapter 3.5 (commencing with Section 11340) of Part 1 of Division
19 3 of Title 2 of the Government Code.

20 (c) (1) In developing the procedure for awarding grants, the
21 board shall do each of the following:

22 ~~(A) Establish a set-aside fund for rural areas of not less than 30~~
23 ~~percent.~~

24 *(A) Set requirements for grant recipients to adopt a program*
25 *for inspecting and maintaining any water treatment device funded*
26 *by the grant.*

27 (B) Establish a maximum grant amount.

28 (C) Give priority to each of the following:

29 (i) Applicants that serve a ~~disadvantaged community, as that~~
30 ~~term is defined in Section 79505.5.~~ *very small disadvantaged*
31 *community.*

32 (ii) Applicants ~~with known violations of primary drinking water~~
33 ~~standards.~~ *that are served by public water systems that the board*
34 *finds consistently fail to provide an adequate supply of safe*
35 *drinking water.*

36 (2) ~~(A) In developing the procedure for awarding grants, the~~
37 ~~board may do either of the following:~~ *encourage applicants to*
38 *commit additional resources to the project, except that the board*
39 *shall not require matching funds for local educational agencies*
40 *serving very small disadvantaged communities or interfere with*

1 *the prioritization of grant funding to very small disadvantaged*
2 *communities.*

3 ~~(i) Give extra consideration to applicants that commit additional~~
4 ~~resources to a project.~~

5 ~~(ii) Require applicants to commit additional resources to a~~
6 ~~project.~~

7 ~~(B) The authority provided to the board pursuant to~~
8 ~~subparagraph (A) does not apply to applicants that serve~~
9 ~~disadvantaged communities.~~

10 *(d) For purposes of this section, “very small disadvantaged*
11 *community” means a municipality with a population of 10,000*
12 *persons or less, or a reasonably isolated and divisible segment of*
13 *a larger municipality encompassing 10,000 persons or less, with*
14 *an annual median household income that is less than 80 percent*
15 *of the statewide annual median household income.*

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