

Assembly Bill No. 2396

CHAPTER 466

An act to amend Section 42926 of the Public Resources Code, relating to solid waste.

[Approved by Governor September 22, 2016. Filed with Secretary of State September 22, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2396, McCarty. Solid waste: annual reports.

The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program. Existing law requires each state agency to submit an annual report to the department summarizing its progress in reducing solid waste that is due on or before May 1 of each year.

This bill would require each state agency to include in that annual report a summary of the state agency's compliance with specified requirements relating to recycling commercial solid waste and organic waste.

This bill would incorporate additional changes in Section 42926 of the Public Resources Code proposed by AB 2812 that would become operative only if AB 2812 and this bill are both chaptered and become effective on or before January 1, 2017, and this bill is chaptered last.

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

SECTION 1. Section 42926 of the Public Resources Code is amended to read:

42926. (a) In addition to the information provided to the department pursuant to Section 12167.1 of the Public Contract Code, each state agency shall submit an annual report to the department summarizing its progress in reducing solid waste as required by Section 42921. The annual report shall be due on or before May 1, 2012, and on or before May 1 in each subsequent year. The information in this report shall encompass the previous calendar year.

(b) Each state agency's annual report to the department shall, at a minimum, include all of the following:

- (1) Calculations of annual disposal reduction.
- (2) Information on the changes in waste generated or disposed of due to increases or decreases in employees, economics, or other factors.
- (3) A summary of progress made in implementing the integrated waste management plan.

(4) The extent to which the state agency intends to utilize programs or facilities established by the local agency for the handling, diversion, and disposal of solid waste. If the state agency does not intend to utilize those established programs or facilities, the state agency shall identify sufficient disposal capacity for solid waste that is not source reduced, recycled, or composted.

(5) A summary of the state agency's compliance with Chapter 12.8 (commencing with Section 42649) and Chapter 12.9 (commencing with Section 42649.8), if applicable.

(6) Other information relevant to compliance with Section 42921.

(c) The department shall use, but is not limited to the use of, the annual report in the determination of whether the agency's integrated waste management plan needs to be revised.

(d) For purposes of this section, the meaning of "state agency" does not include a district agricultural association, as defined in Section 3951 of the Food and Agricultural Code.

SEC. 1.5. Section 42926 of the Public Resources Code is amended to read:

42926. (a) In addition to the information provided to the department pursuant to Section 12167.1 of the Public Contract Code, each state agency shall submit an annual report to the department summarizing its progress in reducing solid waste as required by Section 42921. The annual report shall be due on or before May 1 of each year. The information in this report shall encompass the previous calendar year.

(b) A state agency's annual report to the department shall, at a minimum, include all of the following:

(1) Calculations of annual disposal reduction.

(2) Information on the changes in waste generated or disposed of due to increases or decreases in employees, economics, or other factors.

(3) A summary of progress made in implementing the integrated waste management plan.

(4) The extent to which the state agency intends to utilize programs or facilities established by the local agency for the handling, diversion, and disposal of solid waste. If the state agency does not intend to utilize those established programs or facilities, the state agency shall identify sufficient disposal capacity for solid waste that is not source reduced, recycled, or composted.

(5) A summary of the state agency's compliance with the requirements specified in subdivisions (c) and (d) of Section 42924.5.

(6) A summary of the state agency's compliance with Chapter 12.8 (commencing with Section 42649) and Chapter 12.9 (commencing with Section 42649.8), if applicable.

(7) Other information relevant to compliance with Section 42921.

(c) The department shall use, but is not limited to the use of, the annual report in the determination of whether the agency's integrated waste management plan needs to be revised.

(d) For purposes of this section, the meaning of “state agency” does not include a district agricultural association, as defined in Section 3951 of the Food and Agricultural Code.

SEC. 2. Section 1.5 of this bill incorporates amendments to Section 42926 of the Public Resources Code proposed by both this bill and AB 2812. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2017, (2) each bill amends Section 42926 of the Public Resources Code, and (3) this bill is enacted after AB 2812, in which case Section 1 of this bill shall not become operative.