

AMENDED IN ASSEMBLY APRIL 27, 2016

AMENDED IN ASSEMBLY APRIL 14, 2016

AMENDED IN ASSEMBLY APRIL 6, 2016

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2713

**Introduced by Assembly Member Chiu
(Coauthor: Assembly Member Mullin)**

February 19, 2016

An act to add Section 65850.8 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 2713, as amended, Chiu. Land use: local ordinances: energy systems.

Existing law, the Planning and Zoning Law, among other things, requires the legislative body of each county and city to adopt a general plan for the physical development of the county or city and authorizes the adoption and administration of zoning laws, ordinances, rules, and regulations by counties and cities.

Existing law requires a city, county, or city and county to approve an application for the installation of electric vehicle charging stations, as defined, through the issuance of specified permits unless the city or county makes specified written findings. Existing law provides that the implementation of consistent statewide standards to achieve the timely and cost-effective installation of electric vehicle charging stations is a matter of statewide concern.

This bill would, on or before September 30, 2017, for a city, county, or city and county with a population of 200,000 or more residents, or January 31, 2018, for a city, county, or city and county with a population of less than 200,000 ~~resident~~, *residents*, require the city, county, or city and county to make all documentation and forms associated with the permitting of advanced energy storage, as defined, available on a publicly accessible Internet Web site, as specified. The bill would require a city, county, or city and county to allow for the electronic submittal of a permit application and associated documentation, as specified. The bill would prohibit the calculation of a fee associated with the permitting or inspection of an advanced energy storage installation from being calculated based on the value of the installation or any other factor not directly associated with the cost to issue the ~~permit~~. *permit and inspect the advanced energy storage installation.*

The bill would require the Governor’s Office of Planning and Research, on or before January 1, 2019, to create a California Energy Storage Permitting Guidebook, as specified.

By increasing the duties of local officials, this bill would create 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.

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 65850.8 is added to the Government
- 2 Code, to read:
- 3 65850.8. (a) The Legislature finds and declares both of the
- 4 following:
- 5 (1) It is the policy of the state to promote and encourage the
- 6 installation of advanced energy storage and to limit obstacles to
- 7 ~~its use in order to increase the reliability, safety, and resilience of~~
- 8 ~~the state’s electrical system.~~ *use.*
- 9 (2) It is further the intent of the Legislature that the applicable
- 10 state agencies, including the Governor’s Office of Planning and
- 11 Research, extend and expand the existing initiative being conducted

1 by the Public Utilities Commission to further note best practices
2 in the safe permitting of advanced energy storage. That effort
3 should ultimately produce an Advanced Energy Storage Permitting
4 Guidebook, taking advantage of the efforts and lessons learned in
5 creating the streamlined permitting processes and modeling in part
6 after the California Solar Permitting Guidebook.

7 (b) On or before September 30, 2017, every city, county, or city
8 and county with a population of 200,000 or more residents, and
9 on or before January 31, 2018, every city, county, or city and
10 county with a population of less than 200,000 residents, shall make
11 all documentation and forms associated with the permitting of
12 advanced energy storage available on a publicly accessible Internet
13 Web site, if the city, county, or city and county has an Internet
14 Web site. The city, county, or city and county shall allow for
15 electronic submission of a permit application and associated
16 documentation, and shall authorize the electronic signature on all
17 forms, applications, and other documentation in lieu of a wet
18 signature by an applicant.

19 (c) Any fee charged for the permitting or inspection of an
20 advanced energy storage installation shall not be calculated based
21 on the value of the installation or any other factor not directly
22 associated with the cost to issue the ~~permit~~. *permit and inspect the*
23 *advanced energy storage installation.*

24 (d) On or before January 1, 2019, the Governor's Office of
25 Planning and Research shall, in consultation with local building
26 officials, the State Fire ~~Marshal~~, *Marshal*, the storage industry,
27 *labor representatives from the utility and construction industries,*
28 *licensed electrical contractors, electrical corporations, publicly*
29 *owned utilities,* the Public Utilities Commission, and other
30 stakeholders, and through review of any existing streamlined
31 permitting practices used by cities, counties, or city and counties,
32 create a California Energy Storage Permitting Guidebook modeled
33 substantially on the California Solar Permitting Guidebook.

34 (e) *In developing the California Energy Storage Permitting*
35 *Guidebook, the Governor's Office of Planning and Research shall*
36 *not include provisions that are in conflict with or are inconsistent*
37 *with provisions of the California Building Standards Code, the*
38 *California Electrical Code, or any other model code adopted by*
39 *the California Building Standards Commission pursuant to the*

1 *California Building Standards Law (Part 2.5 (commencing with*
2 *Section 18901) of Division 13 of the Health and Safety Code).*

3 (e)

4 (f) For purposes of this section, the following terms have the
5 following meanings:

6 (1) “Advanced energy storage” means an energy storage system,
7 as defined in Section 2835 of the Public Utilities Code, as well as
8 an energy storage system that is designed to provide backup energy
9 services in the event of a grid outage, that is limited to both of the
10 following:

11 (A) Electrochemical energy storage in nonventing packages.

12 (B) Customer sited installations.

13 (2) “Customer sited” means the system is interconnected to the
14 electrical grid through an existing retail customer interconnection.

15 (3) “Electronic submittal” means the utilization of one or more
16 of the following:

17 (A) Email.

18 (B) The Internet.

19 (C) Facsimile.

20 SEC. 2. No reimbursement is required by this act pursuant to
21 Section 6 of Article XIII B of the California Constitution because
22 a local agency or school district has the authority to levy service
23 charges, fees, or assessments sufficient to pay for the program or
24 level of service mandated by this act, within the meaning of Section
25 17556 of the Government Code.