

Assembly Bill No. 2812

CHAPTER 530

An act to amend Section 42926 of, and to add Section 42924.5 to, the Public Resources Code, relating to recycling.

[Approved by Governor September 23, 2016. Filed with Secretary of State September 23, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2812, Gordon. Solid waste: recycling: state agencies and large state facilities.

Existing law requires the Department of Resources Recycling and Recovery to develop and adopt requirements relating to adequate areas for collecting, storing, and loading recyclable materials in state buildings. Existing law requires each state agency or large state facility, when entering into a new lease, or renewing an existing lease, to ensure that adequate areas are provided for, and adequate personnel are available to oversee, the collection, storage, and loading of recyclable materials in compliance with those requirements.

This bill would require the department, on or before July 1, 2017, to develop guidance for collecting and recycling recyclable materials in office buildings of state agencies and large state facilities, except buildings and facilities of community college districts or their campuses. The bill would require that a covered state agency and large state facility, on and after July 1, 2018, provide adequate receptacles, signage, education, and staffing, and arrange for recycling services consistent with specified law, for each office building of the state agency or large state facility. The bill would require, at least once per year, a covered state agency and large state facility to review the adequacy and condition of receptacles for recyclable material and of associated signage, education, and staffing.

Existing law requires each state agency to submit an annual report to the department summarizing its progress in reducing solid waste, as specified.

This bill would require that report to include a summary of the state agency's compliance with this act.

This bill would incorporate additional changes in Section 42926 of the Public Resources Code proposed by AB 2396 that would become operative only if AB 2396 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 42924.5 is added to the Public Resources Code, to read:

42924.5. (a) On or before July 1, 2017, the department shall develop guidance for collecting and recycling recyclable materials in office buildings of state agencies and large state facilities.

(b) For purposes of this section, “recyclable materials” shall include, but are not limited to, paper, plastic, metal, and organic waste.

(c) On and after July 1, 2018, a state agency and large state facility, for each office building of the state agency or large state facility, shall provide adequate receptacles, signage, education, and staffing, and arrange for recycling services consistent with Sections 42649.2 and 42649.81.

(d) At least once per year, a state agency and large state facility shall review the adequacy and condition of receptacles for recyclable material and of associated signage, education, and staffing.

(e) For purposes of this section, “state agency” and “large state facility” do not include buildings or facilities of community college districts or their campuses.

SEC. 2. 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) 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. 2.5. 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. 3. Section 2.5 of this bill incorporates amendments to Section 42926 of the Public Resources Code proposed by both this bill and Assembly Bill 2396. 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 Assembly Bill 2396, in which case Section 2 of this bill shall not become operative.