

AMENDED IN SENATE APRIL 14, 2015

**SENATE BILL**

**No. 398**

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**Introduced by Senator Leyva  
(Coauthors: Senators Beall and Pavley)**

February 25, 2015

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An act to add Part 10 (commencing with Section 44480) to Division 26 of the Health and Safety Code, relating to nonvehicular air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 398, as amended, Leyva. Green Assistance Program.

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 from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature.

Existing law generally designates the state board as the state agency with the primary responsibility for the control of vehicular air pollution, and air pollution control and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources.

This bill would establish the Green Assistance Program, to be administered by the Secretary for Environmental ~~Protection~~, *Protection in concert with environmental justice programs*, that, among other things, would provide technical assistance to small ~~businesses and small cities~~ *businesses, small nonprofits, and disadvantaged communities* in

applying for an allocation of moneys from the Greenhouse Gas Reduction Fund and would provide assistance to small businesses and small cities in complying with all applicable state, federal, and local air quality laws. *Fund. The bill would declare that the secretary use existing resources for the 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. The Legislature finds and declares all of the  
2 following:

3 (a) ~~Small businesses and small cities~~ *businesses, small*  
4 *nonprofits, and disadvantaged communities* often lack the technical  
5 expertise to develop grant and financing options.

6 (b) In order for the state to meet its ~~air quality~~ *greenhouse gas*  
7 *emissions reductions* goals, every ~~business entity~~ and community  
8 must have the same opportunity to compete for funding that is  
9 available to meet those ~~air quality~~ goals.

10 SEC. 2. Part 10 (commencing with Section 44480) is added to  
11 Division 26 of the Health and Safety Code, to read:

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13 PART 10. GREEN ASSISTANCE PROGRAM

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15 44480. ~~The~~ *For purposes of this part, “secretary” means the*  
16 *Secretary for Environmental Protection.*

17 44482. (a) ~~The~~ *The Green Assistance Program is hereby established*  
18 *and shall be administered by the Secretary for Environmental*  
19 ~~Protection.~~ *secretary in concert with environmental justice*  
20 *programs. The program shall do all of the following: provide*  
21 *technical assistance to small businesses and small nonprofits, as*  
22 *both of those terms are defined by the secretary, and disadvantaged*  
23 *communities, as identified pursuant to Section 39711, in equitably*  
24 *applying for an allocation of the moneys deposited in the*  
25 *Greenhouse Gas Reduction Fund, created pursuant to Section*  
26 *16428.8 of the Government Code.*

27 (a) ~~Provide technical assistance to small businesses and small~~  
28 ~~cities when applying for an allocation of the moneys deposited in~~  
29 ~~the Greenhouse Gas Reduction Fund, created pursuant to Section~~  
30 ~~16428.8 of the Government Code.~~

1 ~~(b) Assist small cities in equitably applying for funding to help~~  
2 ~~mitigate the impacts of poor air quality and help improve the health~~  
3 ~~of the state's most disadvantaged communities.~~

4 ~~(c) Assist small businesses in applying for funding for energy~~  
5 ~~efficiency upgrades to meet and exceed the greenhouse gas~~  
6 ~~emissions goals established by the state board pursuant to the~~  
7 ~~California Global Warming Solutions Act of 2006 (Division 25.5~~  
8 ~~(commencing with Section 38500)).~~

9 ~~(d) Assist small businesses and small cities in complying with~~  
10 ~~all applicable state, federal, and local air quality laws.~~

11 *(b) The technical assistance provided as part of the program*  
12 *established pursuant to this part may include, but is not limited*  
13 *to, any of the following:*

14 *(1) Basic information on available programs, eligibility*  
15 *requirements, and deadlines.*

16 *(2) Referrals to designated contact people in public agencies*  
17 *administering the programs.*

18 *(3) Assistance during the application preparation and*  
19 *submission process.*

20 *44484. (a) The secretary shall conduct outreach activities to*  
21 *inform small businesses, small nonprofits, and disadvantaged*  
22 *communities of the program established pursuant to this part.*

23 *(b) The secretary may coordinate outreach activities with other*  
24 *state agencies, local agencies, and nonprofits that serve eligible*  
25 *program applicants.*

26 *44486. The program established pursuant to this part shall*  
27 *use existing resources appropriated by the Legislature to the office*  
28 *of the Secretary for Environmental Protection in the annual Budget*  
29 *Act.*