

Senate Bill No. 494

Passed the Senate September 10, 2015

Secretary of the Senate

Passed the Assembly September 8, 2015

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2015, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 8587.8 of, and to add Section 8587.9 to, the Government Code, relating to emergency services.

LEGISLATIVE COUNSEL'S DIGEST

SB 494, Hill. Emergency services: seismic safety and earthquake-related programs.

Existing law creates, within the office of the Governor, the Office of Emergency Services which, under the Director of Emergency Services, coordinates disaster response, emergency planning, emergency preparedness, disaster recovery, disaster mitigation, and homeland security activities. Existing law requires, subject to the identification of funding by January 1, 2016, various entities, including the Office of Emergency Services, through a public-private partnership, to develop a comprehensive statewide earthquake early warning system in California that includes certain features, including the installation of field sensors. Existing law repeals this early warning system requirement on January 1, 2016, if the funding is not identified. It also requires the office to file with the Secretary of State a determination that funding was not identified by January 1, 2016.

This bill would instead require the identification of funding for the earthquake early warning system to occur by July 1, 2016, and would make conforming changes.

This bill would create the California Earthquake Safety Fund and would require moneys in the fund, upon appropriation by the Legislature, be used for seismic safety and earthquake-related programs, including the earthquake early warning system described above. The bill would authorize the fund to accept federal funds, funds from revenue bonds, local funds, and funds from private sources for purposes of carrying out its provisions, and would make conforming changes.

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

SECTION 1. Section 8587.8 of the Government Code is amended to read:

8587.8. (a) The Office of Emergency Services, in collaboration with the California Institute of Technology (Caltech), the California Geological Survey, the University of California, the United States Geological Survey, the Alfred E. Alquist Seismic Safety Commission, and other stakeholders, shall develop a comprehensive statewide earthquake early warning system in California through a public-private partnership, which shall include, but not be limited to, the following features:

- (1) Installation of field sensors.
- (2) Improvement of field telemetry.
- (3) Construction and testing of central processing and notification centers.
- (4) Establishment of warning notification distribution paths to the public.
- (5) Integration of earthquake early warning education with general earthquake preparedness efforts.

(b) In consultation with stakeholders, the Office of Emergency Services shall develop an approval mechanism to review compliance with earthquake early warning standards as they are developed. The development of the approval mechanism shall include input from a broad representation of earthquake early warning stakeholders. The approval mechanism shall accomplish all of the following:

- (1) Ensure the standards are appropriate.
- (2) Determine the degree to which the standards apply to providers and components of the system.
- (3) Determine methods to ensure compliance with the standards.
- (4) Determine requirements for participation in the system.

(c) The Office of Emergency Services shall identify funding for the system described in subdivision (a) through single or multiple sources of revenue that shall be limited to federal funds, funds from revenue bonds, local funds, and funds from private sources. The Office of Emergency Services shall not identify the General Fund as a funding source for the purpose of establishing the system described in subdivision (a), beyond the components or programs that are currently funded.

(d) Subdivisions (a) and (b) shall not become operative until the Office of Emergency Services identifies funding pursuant to subdivision (c).

(e) (1) If funding is not identified pursuant to subdivision (c) by July 1, 2016, this section is repealed unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.

(2) The Office of Emergency Services shall file with the Secretary of State its determination that funding was not identified pursuant to subdivision (c) by July 1, 2016.

SEC. 2. Section 8587.9 is added to the Government Code, to read:

8587.9. (a) The Legislature finds and declares that there is a critical need for a consistent and coordinated approach to seismic safety and earthquake-related programs in the State of California through the Governor's Office of Emergency Services. These programs may include, but are not limited to, earthquake response, recovery, warning, mitigation, planning, research, preparedness, training and exercises, hazard grants, public information, and education. This approach includes the coordination of state agencies and departments that have responsibilities to monitor and respond to, and to recover from, earthquakes and to assist the citizens and businesses in California. In order to facilitate the requirements of Section 8587.8, the Legislature establishes the California Earthquake Safety Fund within the State Treasury.

(b) (1) The California Earthquake Safety Fund is hereby created in the State Treasury. Upon appropriation by the Legislature, the moneys in the fund shall be used for seismic safety and earthquake-related programs, including the statewide earthquake early warning system described in Section 8587.8.

(2) Pursuant to subdivision (c) of Section 8587.8, the California Earthquake Safety Fund may accept federal funds, funds from revenue bonds, local funds, and funds from private sources for purposes of carrying out the provisions of this section.

Approved _____, 2015

Governor