

AMENDED IN ASSEMBLY AUGUST 3, 2016

AMENDED IN ASSEMBLY AUGUST 1, 2016

AMENDED IN ASSEMBLY JUNE 15, 2016

AMENDED IN SENATE MAY 27, 2016

AMENDED IN SENATE APRIL 11, 2016

SENATE BILL

No. 1049

Introduced by Senator Hill

February 12, 2016

An act to add Section 326 to, and to add and repeal Section 326.1 of, the Public Utilities Code, relating to the Public Utilities Commission.

LEGISLATIVE COUNSEL'S DIGEST

SB 1049, as amended, Hill. Public Utilities Commission: electrical and gas corporations: close call reporting ~~program~~. *programs*.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical and gas corporations. The California Constitution authorizes the commission to establish rules for electrical and gas corporations, subject to control by the Legislature.

This bill would ~~require~~ *authorize* the commission to establish procedures and processes to implement a confidential, nonpunitive, and independent close call reporting program for purposes of facilitating the identification of accident precursors by persons familiar with the operations of electrical or gas corporations and of collecting, analyzing, and disseminating unbiased safety information. The bill would authorize any person to voluntarily submit through the program a confidential close call report that both involves an electrical or gas corporation and relates to public, employee, or contractor safety. *The bill would also*

require the commission to implement, through a proceeding, a close call reporting pilot program that would be consistent with the program described above.

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. Section 326 is added to the Public Utilities Code,
 2 to read:

3 326. (a) The commission ~~shall~~ *may* establish procedures and
 4 processes to implement a confidential, nonpunitive, and
 5 independent close call reporting program for purposes of
 6 facilitating the identification of accident precursors by persons
 7 familiar with the operations of electrical or gas corporations,
 8 including, but not limited to, employees and contractors of
 9 electrical or gas corporations, and of collecting, analyzing, and
 10 disseminating unbiased safety information. Through the program,
 11 any person, including, but not limited to, an employee or contractor
 12 of an electrical or gas corporation or a member of the public, may
 13 voluntarily submit a confidential close call report that both involves
 14 an electrical or gas corporation and relates to public, employee,
 15 or contractor safety.

16 (b) The commission shall not use a report submitted pursuant
 17 to subdivision (a) or information derived therefrom, except for
 18 information concerning an accident or criminal offense, in an
 19 enforcement action.

20 (c) The commission may contract with a third party to administer
 21 the program.

22 (d) An employee of, or the employee of a contractor performing
 23 work for, an electrical or gas corporation shall not be subject to
 24 demotion, discharge, or any other form of retaliation or
 25 discrimination for participating in the close call reporting program
 26 established pursuant to this section.

27 SEC. 2. *Section 326.1 is added to the Public Utilities Code, to*
 28 *read:*

29 326.1. (a) *On or before July 1, 2017, the commission shall*
 30 *implement, through a proceeding, a confidential, nonpunitive, and*
 31 *independent close call reporting pilot program that is consistent*
 32 *with the program described in Section 326.*

1 ***(b) This section shall remain in effect only until January 1, 2022,***
2 ***and as of that date is repealed, unless a later enacted statute, that***
3 ***is enacted before January 1, 2022, deletes or extends that date.***

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