

Senate Bill No. 1319

CHAPTER 678

An act to amend Section 25395 of the Health and Safety Code, relating to hazardous substances, and making an appropriation therefor.

[Approved by Governor October 8, 1995. Filed with Secretary of State October 10, 1995.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1319, Calderon. Hazardous substance account.

(1) Existing law, the Carpenter-Presley-Tanner Hazardous Substance Account Act, except as provided, provides that it shall remain in effect only until July 1, 1996, and as of that date is repealed, unless a later enacted statute, which is enacted before July 1, 1996, deletes or extends that date. The act, among other things, requires the Controller to establish a separate subaccount in the Hazardous Substance Account for specified purposes and continuously appropriates the funds deposited in the account to the Department of Toxic Substance Control for those purposes. The act also continuously appropriates \$1,000,000 from the account to the department as a reserve account for emergencies. The act authorizes a person to apply to the State Board of Control for compensation of a loss caused by the release of a hazardous substance, and provides that any person who knowingly gives, or causes to be given, any false information as a part of a claim for compensation is guilty of a misdemeanor.

This bill would extend the effective date of the act to July 1, 1998. The bill, by extending the act, would extend those continuous appropriations, thereby making appropriations. The bill, by extending the act, would also extend that misdemeanor provision, thereby imposing a state-mandated program by creating a new crime.

(2) 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.

Appropriation: yes.



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

SECTION 1. Section 25395 of the Health and Safety Code is amended to read:

25395. (a) Except as provided in subdivisions (b), (c), and (d), this chapter shall remain in effect only until July 1, 1998, and as of that date is repealed, unless a later enacted statute, which is enacted before July 1, 1998, deletes or extends that date.

(b) On July 1, 1998, the Department of Finance shall submit a report to the Secretary of State which states whether the principal of, and interest on, the bonds sold pursuant to Article 7.5 (commencing with Section 25385) have been paid and the General Fund has been reimbursed for any and all amounts that were expended therefrom to pay the principal of, and interest on, those bonds. If the report states that the bonds have not been paid and the General Fund has not been reimbursed, then, notwithstanding subdivision (a), Article 1 (commencing with Section 25300), Article 2 (commencing with Section 25310), Article 3 (commencing with Section 25330), Article 4 (commencing with Section 25340), Article 6 (commencing with Section 25360), Article 7.5 (commencing with Section 25385), and this article, shall not be repealed and shall remain in effect until the date specified in subdivision (c).

(c) If the articles specified in subdivision (b) remain in effect after July 1, 1998, pursuant to subdivision (b), on the date when the principal of, and interest on, the bonds sold pursuant to Article 7.5 (commencing with Section 25385) have been paid and the General Fund has been reimbursed for any and all amounts that were expended therefrom to pay the principal of, and interest on, those bonds, the Department of Finance shall submit a report to the Secretary of State containing that information. The articles specified in subdivision (b) shall be repealed on the date when that report is submitted.

(d) Section 25364.6 shall not be repealed, except as provided in subdivision (j) of that section.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative



on the same date that the act takes effect pursuant to the California Constitution.

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