

ASSEMBLY BILL

No. 2463

Introduced by Assembly Member Buchanan

February 24, 2012

An act to amend Section 25249.13 of the Health and Safety Code, relating to toxic chemicals.

LEGISLATIVE COUNSEL'S DIGEST

AB 2463, as introduced, Buchanan. Toxic chemicals: exposure.

The existing Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) prohibits any person, in the course of doing business, from knowingly and intentionally exposing any individual to a chemical known to the state to cause cancer or reproductive toxicity without giving a specified warning, or from discharging or releasing such a chemical into any source of drinking water, except as specified. The act provides that it does not alter or diminish any legal obligation otherwise required in common law or by statute or regulation, or create or enlarge any defense in any action to enforce a legal obligation.

This bill would make technical, nonsubstantive changes to this provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

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

- 1 SECTION 1. Section 25249.13 of the Health and Safety Code
- 2 is amended to read:
- 3 25249.13. ~~Preservation Of Existing Rights, Obligations, and~~
- 4 ~~Penalties.~~ (a) Nothing in this chapter shall alter or diminish alters

1 *or diminishes* any legal obligation otherwise required in common
2 law or by statute or regulation, and nothing in this chapter ~~shall~~
3 ~~create or enlarge~~ *creates or enlarges* any defense in any action to
4 enforce ~~such a~~ legal obligation. ~~Penalties~~

5 *(b) Penalties* and sanctions imposed under this chapter shall be
6 in addition to any penalties or sanctions otherwise prescribed by
7 law.