SBWMA LEGISLATIVE COMMITTEE MEETING
MONDAY August 28, 2023 at 2:00 – 3:00p.m.

Place:
RethinkWaste Offices
610 Elm Street Suite 202
San Carlos, CA 94070

Teleconference Location*
Fran Dehn
1661 Stone Pine Lane,
Menlo Park, CA 94025

Al Royse
Hillsborough Town Hall
Administrative Conference Room
1600 Floribunda Ave.
Hillsborough, CA 94010

The public may observe/participate in Committee meetings using remote public comment options or attending in person. Committee members shall attend in person unless remote participation is permitted by law.

TO ADDRESS THE COMMITTEE IN PERSON
Masking is not required but according to the California Department of Public Health guidelines, people at higher risk for severe illness should consider masking. To help maintain public health and safety, we respectively request that people NOT attend in-person if they are experiencing symptoms associated with COVID-19 or are otherwise ill and likely contagious (e.g., respiratory illnesses).

To address the Committee on any item – whether on the posted agenda or not – please fill out a Request to Speak Form and submit it to the Board Clerk. Speakers are not required to submit their name or address.

REMOTE PARTICIPATION
Members of the public may participate in public Agency meetings by logging into the Zoom:
https://us02web.zoom.us/j/86337260032?pwd=aVRwMzNvODM3T2xOCnNPTX1MbGo1QT09
Dial in: 1 669 444 9171  Meeting ID: 863 3726 0032  Passcode: 938175

Written public comments for the record may be submitted in advance by 12:00 p.m. on the meeting date by email to: rethinker@rethinkwaste.org and will be made part of the written record but will not be read verbally at the meeting. Written public comments submitted by email should adhere to the following: 1) Clearly indicate the Agenda Item No. or specify “Public” in the Subject Line for items not on the agenda and 2) Include the submitter’s full name. You may also use the raise hand feature on Zoom to enter a verbal public comment.

*Pursuant to Ralph M. Brown Act, government code section 54953, all votes shall be by roll call if any members of the board of directors are participating by teleconference and/or video conference.

AGENDA

1. Call to Order/Roll Call
2. Public Comment
Persons wishing to address the Board on matters NOT on the posted agenda may do so. Each speaker is limited to three minutes. If there are more than five individuals wishing to speak during public comment, the Chairman will draw five speaker cards from those submitted to speak during this time. The balance of the Public Comment speakers will be called upon at the end of the Board Meeting. If the item you are speaking on is not listed on the agenda, please be advised that the Board may briefly respond to statements made or questions posed as allowed under The Brown Act (Government Code Section 54954.2). The Board's general policy is to refer items to staff for attention, or have a matter placed on a future Board agenda for a more comprehensive action or report and formal public discussion and input at that time. *Speakers may also submit comments via email prior to the meeting by sending those comments to rethink@rethinkwaste.org.*

3. **Executive Director's Report** *(Verbal Update)*  

4. **Approval of Consent Calendar**  
   Consent Calendar item(s) are considered to be routine and will be enacted by one motion. There will be no separate discussion on these items unless members of the Board, staff or public request specific items be removed for separate action. *Items removed from the Consent Calendar will be moved to the end of the agenda for separate discussion.*
   A. Approval of the Minutes from the June 5, 2023, Legislative Committee Meeting  
   
5. **Legislative and Regulatory Updates from EEC and Committee Discussion**  

6. **Committee Member Comments**

7. **Adjourn**
EXECUTIVE DIRECTOR’S UPDATE

Agenda Item 3 is a verbal report only at the 08/28/2023 RethinkWaste Legislative Committee Meeting

Agenda Item 3
CONSENT CALENDAR
DRAFT MINUTES  
SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY  
MEETING OF THE LEGISLATIVE COMMITTEE  
June 5, 2023 2:00PM  
RethinkWaste Offices 610 Elm Street Suite 202, San Carlos, CA 94070

Call To Order: 2:04PM

1. Roll Call

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Member Dehn and Member Rak participated by teleconference
SBWMA Staff Members Present: Joe La Mariana, Julia Au, Cyndi Urman, Jean Savaree
Others Present: Kayla Robinson, Environmental and Energy Consulting; Reed Addis, Environmental and Energy Consulting

2. Public Comment
Pursuant to Government Code Section 54954.3(a), members of the public wishing to address the Committee may do so, and the comments shall be limited to the Special Meeting notice topic(s). Speakers may join the Zoom meeting via the meeting link and using the “raise hand” feature and the Clerk of the Board will call on people.

None

3. Executive Director’s Welcome

None

4. Approval of Consent Calendar
Consent Calendar item(s) are considered to be routine and will be enacted by one motion. There will be no separate discussion on these items unless members of the Committee, staff or public request specific items be removed for separate action. Items removed from the Consent Calendar will be moved to the end of the agenda for separate discussion.

A. Approval of the Minutes from the April 3, 2023 Legislative Committee Meeting

Motion/Second: Dehn/Rak
Roll Call Vote: 2-0-0-2
5. Legislative and Regulatory Updates from EEC and Committee Discussion

Kayla Robinson went over the legislative timeline, noting that the house of origin deadline was last Friday. The policy committee deadline is July 14, so there is about a month and a half remaining to get bills through the second house before summer recess. She also noted that simultaneously the legislature is working toward a budget deadline of June 15. It’s unclear if this budget deadline will be an agreement between the Governor and the legislature or an initial budget package. She noted that the Governor is proposing a natural resources bond, that has opened up many discussions in the legislature with the Senate saying they are also interested in a bond, which has complicated discussions. The Governor has also put out an infrastructure package in the budget trailer language which a lot of environmental groups have voiced concern about. So, there is a lot to work between now and June 15, before a final budget. She also added that neither the Governor nor the legislature has indicated any pull back on 1383 funding which is a priority for RethinkWaste.

Member Rak commented that coming to a final budget without final tax information has been a challenge.

Reed Addis added that currently they think things are going to project out and any corrections needed could be made in January, but if that isn’t the case when the final tax numbers come in in October, they would have to call a special session of the legislature.

Kayla Robinson then discussed bills that are a priority for RethinkWaste:

**AB 1290 (Rivas)** – Has been held and will not be moving forward until next year at the earliest. It would have banned plastic additives, but had too much moderate opposition.

**SB 244 (Eggman)** – The consumer right to repair bill. Gives consumers information on how to repair their products. This bill has been run about 7 times and this is the first year it’s made it through the first house. It’s still a hard fight, but with a similar bill passing in New York this bill has some traction, but this bill is stronger than the New York bill.

Executive Director La Mariana asked if industry is working with this bill or being hard line against it.

Kayla Robinson answered that she didn’t know how well they were working together but thought that industry was still pretty opposed. She also noted that the New York bill passing has forced them to come to the table rather than saying this is impossible as they had been in the past.

**Little Hoover Commission Report on SB 1383** – Kayla Robinson noted that about a week ago the commission published a report pushing for a pause on 1383. Kayla summarized the discussions at the commission meeting where the report was released, and noted that a pause on 1383 would be detrimental to agencies like RethinkWaste that have invested a lot of resources towards complying with 1383. She did note that the report also pushes for some tweaks to 1383 that are a bit more palatable. She noted that the report is just a report. This doesn’t necessarily mean that the legislature goes out a pursue these recommendations, and if they were,
the bill deadline has already passed, so she thought it was pretty unlikely that the legislature would move forward with anything that would implement the recommendations in the report.

Executive Director La Mariana added that RethinkWaste has always been a supporter of 1383, and has been a leader on the compliance implementation, so RethinkWaste is not in support of a pause on 1383. There is an area of concern on the procurement side of the law that needs some practical considerations in the implementation, but in no way are we in favor of a pause.

Staff Au noted that she attended the meeting and CalRecycle is against the pause, so that is a good sign. But there is a great divide in the state of those that have been working towards implementation and those that have not prioritized it.

Member Dehn asked if there was an obligation to respond to the report like there would be with a grand jury report.

Kayla Robinson answered no, it’s just a report, no action is required.

Member Rak asked if the group that comprised the report was all in agreement or was there a divide with the commissioners.

Kayla Robinson noted that there were several members who voiced concern over the word pause and at least one commissioner who voted against it.

Executive Director La Mariana added that RethinkWaste has been approached by Californians Against Waste to author an op-ed piece in support of 1383.

Member Dehn asked if this report would potentially change money in the budget to support 1383 implementation.

Kayla Robinson didn’t think so, and it might actually help.

**Concerns about the Brown Act** – There are some remaining bills that are still moving forward, but the Papan bill that RethinkWaste supported has been held.

Member Rak noted that the Papan bill didn’t feel like it had the votes to run it in committee, and the plan is to try again next year when there is some committee shuffling. He also noted that the Becker bill is still moving forward, but it’s watered down so much that another regional commission he sits on has decided to take a No position on it.

Kayla Robinson noted that there are some other bills on this topic that need more research before bringing to this committee.

Staff Au noted that RethinkWaste passed a legislative platform earlier this year, and Brown Act reform was not part of that platform. But given that RethinkWaste isn’t carrying a bill this year and this issue has come up at all of our Board and Committee meetings, it’s an issue that is important to all of you and impacts all of you. So, EEC is spending some time on it in addition to all of the environmental legislation in the platform.

Member Rak didn’t know if there was one bill to support, but suggested putting some principles in place that could be sent out. He noted that he would send the letter San Carlos sent on this topic which laid out a bunch of points, that was signed on by 18 of the 20 mayors in San Mateo County.
SB 54 Update – Kayla Robinson noted that CalRecycle has started their workshops and has just had one on viable end markets for plastic products, and EEC will keep the committee updated on those SB 54 monthly meetings.

Kayla Robinson concluded her report by noting that most of the bills that RethinkWaste is supporting are moving forward with only minor changes.

6. Legislative Committee Member Comments

7. Adjourn 2:40PM
LEGISLATIVE AND REGULATORY UPDATES
STAFF REPORT

To: RethinkWaste Legislative Committee Members
From: Julia Au, Sr. Outreach, Education and Compliance Manager
Date: August 28, 2023 Legislative Committee Meeting
Subject: Legislative and Regulatory Updates from Environmental and Energy Consulting (EEC) and Committee Discussion

Recommendation
This staff report is for discussion purposes only.

Summary
The agency’s lobbyist, Environmental and Energy Consulting (EEC) will provide an update on the 2023 California Legislative Session and current regulatory activities, including legislation the agency is tracking. September 1 is the last day for fiscal committees to pass bills, while September 14 is the last day for each house to pass bills.

Attachment A contains the full list of bills EEC is currently tracking for the agency, including which ones the agency is supporting. Reminder that bills may be amended between now and the date of the Legislative Committee meeting. To get the most current bill languages, check the California Legislative Information website: https://leginfo.legislature.ca.gov/

Attachments:
Attachment A – Bill Tracking for 2023 legislative session updated as of August 18, 2023
**Priority 2 (Medium)**

**AB 2**
(Ward D) **Recycling: solar photovoltaic modules.**

*Status:* 8/14/2023-In committee: Referred to APPR suspense file.

*Location:* 8/14/2023-S. APPR. SUSPENSE FILE

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*Summary:* The Electronic Waste Recycling Act of 2003 (act) requires a retailer selling a covered electronic device in this state to collect from a consumer at the time of retail sale a covered electronic waste recycling fee or a covered battery-embedded waste recycling fee, as specified. The act defines “covered electronic device” to include certain video display devices and battery-embedded products. The act requires all charges collected pursuant to the act to be deposited into specified subaccounts within the Electronic Waste Recovery and Recycling Account, and outlines certain other requirements related to the establishment, adjustment, and administration of the charge. Moneys in the subaccounts are continuously appropriated for specified purposes, including, but not limited to, paying covered electronic waste recycling fee refunds and making electronic waste recovery and recycling payments. Current law incorporates the requirements and other provisions of the act by reference as requirements and provisions of the hazardous waste control laws. The act also expressly authorizes the Department of Toxic Substances Control (DTSC) to enforce the act, and all regulations adopted pursuant to the act, through the hazardous waste control laws. A violation of the hazardous waste control laws is a crime. This bill would, among other things, expand the definition of “covered electronic device” to include a “customer-owned solar PV module,” as defined, thereby expanding the scope of the act to include covered solar photovoltaic (PV) module products, for limited purposes, as provided. The bill would also require, on or before October 1, 2026, and on or before October 1 each year thereafter, CalRecycle to establish a covered solar PV recycling fee based on the reasonable regulatory costs to administer covered electronic waste recycling. The bill would require the charge to be imposed upon a consumer or a service provider serving the consumer for the purchase of a new or refurbished covered solar PV module product. The bill would also require the charge to be adjusted annually based on the California Consumer Price Index. The bill would create the Covered Solar PV Module Recycling Fee Subaccount as a continuously appropriated fund in the Electronic Waste Recovery and Recycling Account. Because the funds deposited to the Covered Solar PV Module Recycling Fee Subaccount would be a new source of funds in the continuously appropriated subaccount within the continuously appropriated Electronic Waste Recovery and Recycling Account, the bill would make an appropriation.

*Position* | *Priority* | *Notes* |
--- | --- | --- |
Support in Priority 2 | Concept (Medium) | Sign-on support in concept letter.

**AB 408**
(Wilson D) **Climate-resilient Farms, Sustainable Healthy Food Access, and Farmworker Protection Bond Act of 2024.**

*Status:* 8/14/2023-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.

*Location:* 7/13/2023-S. APPR.

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*Calendar:* 8/21/2023 10 a.m. - 1021 O Street, Room 1200 SENATE APPROPRIATIONS, PORTANTINO, ANTHONY, Chair

*Summary:* Would enact the Climate-resilient Farms, Sustainable Healthy Food Access, and Farmworker Protection Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of $3,650,000,000 pursuant to the State General Obligation Bond Law, to finance programs related to, among other things, agricultural lands, food and fiber infrastructure, climate resilience, agricultural professionals, including farmers, ranchers, and farmworkers, workforce development and training, air quality, tribes, disadvantaged communities, nutrition, food aid, meat processing facilities, and fishing facilities.

*Position* | *Priority* | *Notes* |
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Watch Priority 2 | (Medium) | |

**AB 660**
(Irwin D) **Food and beverage products: labeling: quality dates, safety dates, and sell by dates: recycling.**

*Status:* 8/17/2023-From committee chair, with author's amendments: Amend, and re-refer to
committee. Read second time, amended, and re-referred to Com. on AGRI.

**Location:** 8/17/2023 - S. AGRI.

### AB 863

**Position**

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### AB 1238

**Position**

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**Summary:** Current law requires the Department of Toxic Substances Control to adopt regulations for the identification and management of hazardous wastes. Current law authorizes the department to adopt regulations designating end-of-life photovoltaic modules that are identified as hazardous waste as a universal waste and subject to regulations applicable to universal waste management. A violation of these regulations would be a misdemeanor. This bill would amend those penalties to $10,000 per day or $20,000 per day if the violation is intentional, knowing, or reckless.

### Notes:

- Sign-on support letter.
of the Hazardous Waste Control Law, including a regulation adopted pursuant to that law, is a crime. This bill would require the department to develop alternative management standards for managing photovoltaic modules. The bill would specify parameters for the standards, including, but not limited to, that they promote the safe collection, reuse, and recycling of photovoltaic modules.

**Position** | **Priority**
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Watch | Priority 2
(Reserved)

**AB 1290**
**Status:** 6/2/2023-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 5/31/2023)(May be acted upon Jan 2024)
**Location:** 6/2/2023-A. 2 YEAR

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**Summary:** Would prohibit, beginning January 1, 2026, a person from manufacturing, selling, offering for sale, or distributing in the state, (1) opaque or pigmented polyethylene terephthalate bottles, and (2) plastic packaging that contains certain chemicals, pigments, or additives, as specified. The bill would exclude from that prohibition packaging used for certain medical, drug, and federally regulated products. The bill would authorize the imposition of a civil penalty for a violation of that prohibition, as specified.

**Position** | **Priority**
--- | ---
Support | Priority 2
(Reserved)

**Notes:** Support letter submitted to Asm. NR Committee.

**AB 1347**
**Status:** 8/9/2023-In committee: Set, first hearing. Hearing canceled at the request of author.
**Location:** 7/12/2023-S. APPR.

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**Calendar:** 8/21/2023 10 a.m. - 1021 O Street, Room 1200 SENATE APPROPRIATIONS, PORTANTINO, ANTHONY, Chair

**Summary:** Would, on and after January 1, 2026, require a business, as defined, that accepts payment through cash, credit, or debit transactions, subject to certain exceptions, to provide a consumer with the option to receive or not receive a proof of purchase. On and after January 1, 2026, the bill would prohibit a business from printing a paper proof of purchase if the consumer opts not to receive a proof of purchase, unless otherwise required by state or federal law. The bill would also exempt a business from the requirement to provide the consumer with an option to not receive a proof of purchase if a consumer voluntarily opts in to receive a proof of purchase through the rules of an association, warehouse, or other club to which the consumer belongs. The bill would prohibit, on and after January 1, 2024, a paper proof of purchase provided to a consumer by a business from containing bisphenol A, and, on and after January 1, 2025, from containing any bisphenols. The bill would specify that a violation would be punishable by a civil penalty of $100 for each day the business is in violation, not to exceed an annual total of $3,000. The bill would authorize the Attorney General, a county counsel, a district attorney, or a city attorney to enforce those provisions.

**Position** | **Priority**
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Support | Priority 2
(Reserved)

**Notes:** Sign-on support letter.

**AB 1489**
**Status:** 8/14/2023-In committee: Referred to APPR suspense file.
**Location:** 8/14/2023-S. APPR. SUSPENSE FILE

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**Summary:** Current law establishes the Plastic Pollution Prevention and Packaging Producer Responsibility Act, which covers certain single-use packaging and plastic single-use food serviceware, as provided. As part of its comprehensive statutory scheme, the act requires the producers, as defined, of these covered materials to source reduce plastic covered material by 25%, to ensure that covered material offered for sale, distributed, or imported in or into the state on or after January 1, 2032, is recyclable or compostable, and to ensure that plastic covered material offered for sale, distributed, or imported in or into the state meets specified recycling rates. Current law prohibits a person from selling or offering for sale a product, as defined, that is labeled with the term "compostable" unless the product satisfies an identified ASTM standard specification or, if applicable, another certification. This bill would exempt products that are eligible to be labeled with the term
Current law requires the Department of Conservation and the State Water Resources Control Board to provide to the fiscal and relevant policy committees of the Legislature an annual report regarding certain aspects of the implementation of the Underground Injection Control Program until October 1, 2024. This bill would make these provisions inoperative on October 1, 2029, and would repeal them as of January 1, 2030.

**Summary:**
Current law requires the Department of Resources Recycling and Recovery, with additional moneys from the Greenhouse Gas Reduction Fund that may be appropriated to the department, to administer a grant program to provide financial assistance to promote the in-state development of infrastructure, food waste prevention, or other projects to reduce organic waste or to process organic and other recyclable materials into new value-added products. Current law requires the program to provide eligible financial assistance for certain activities, including recyclable material manufacturing. Current law specifies eligible infrastructure projects for purposes of the program. Current law requires the department to consider if and how the project may benefit disadvantaged communities in awarding a grant for organics composting or organics in-vessel digestion. This bill would expand the scope of the grant program to include providing financial assistance to promote in-state development of projects to sort and aggregate organic and other recyclable materials, as provided, or to divert items from disposal through enhanced reuse opportunities. The bill would require the grant program to provide eligible financial assistance for increasing opportunities for reuse of materials diverted from landfill disposal and for recyclable material recovery, sorting, or baling of recyclable materials to get those materials into the marketplace, the purchase of equipment and construction of facilities to help develop, implement, or expand edible food waste recovery operations, and the establishment of reuse programs to divert items from landfill disposal for reuse by members of the public.

**Notes:** Sign-on support letter.

**AB 1567**
**Status:** 6/14/2023-Referred to Coms. on N.R. & W. and GOV. & F.
**Location:** 6/14/2023-S. N.R. & W.
**Summary:** Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of $15,995,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, clean energy, and workforce development programs.

**Notes:** Sign-on letter submitted to Asm. NRW & Gov.
**SB 244 (Eggman D) Right to Repair Act.**

**Status:** 8/16/2023-August 16 set for first hearing. Placed on suspense file.

**Location:** 8/16/2023-A. APPR. SUSPENSE FILE

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**Summary:** Under current law, every manufacturer making an express warranty with respect to an electronic or appliance product, including televisions, radios, audio or video recording equipment, major home appliances, antennas, and rotors, with a wholesale price to the retailer of not less than $50 nor more than $99.99 is required to make available to service and repair facilities sufficient service literature and functional parts to effect the repair of the product for at least 3 years after the date a product model or type was manufactured, regardless of whether the 3-year period exceeds the warranty period for the product. Current law also requires every manufacturer making an express warranty with respect to an electronic or appliance product, as described above, with a wholesale price to the retailer of $100 or more, to make available to service and repair facilities sufficient service literature and functional parts to effect the repair of the product for at least 7 years after the date a product model or type was manufactured, regardless of whether the 7-year period exceeds the warranty period for the product. This bill would enact the Right to Repair Act. The bill would require, except as specified and regardless of whether any express warranty is made, the manufacturer of an above-described electronic or appliance product, in the above-described circumstances, and in those same circumstances but sold to others outside of direct retail sales, to make available, on fair and reasonable terms, to product owners, service and repair facilities, and service dealers, the means, as described, to effect the diagnosis, maintenance, or repair of the product, as provided.

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**Notes:** Support letter submitted to Author's office, Sen. Judiciary Committee, Asm PCP, Asm Jud, Asm. Approps.

**SB 271 (Dodd D) Powered wheelchairs: repair.**

**Status:** 8/16/2023-August 16 set for first hearing. Placed on suspense file.

**Location:** 8/16/2023-A. APPR. SUSPENSE FILE

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**Summary:** Would, except as specified, require an original manufacturer of a powered wheelchair, as those terms are defined, to provide documentation, parts, embedded software, firmware, and tools used to inspect, diagnose, maintain, and repair the wheelchair to an owner or an independent repair provider for the purposes of providing service on the equipment in the state, on fair and reasonable terms and costs, as defined. The bill would also require an original manufacturer, for a powered wheelchair that contains an electronic security lock or other security-related function, to provide any documentation, parts, embedded software, firmware, or tools needed to reset the lock or function when disabled in the course of providing services, as specified. The bill would require an independent repair provider to provide a written notice to a customer before providing repair services, as specified.
**Position** Support  
**Priority** Priority 2  

**Notes:** Support letter submitted to Sen. BP&E, Jud Committee, Asm PCP, Asm Jud, Asm. Approps.

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**SB 303**  
**Dodd**  
**Solid waste: Plastic Pollution Prevention and Packaging Producer Responsibility Act.**  
**Status:** 8/16/2023-August 16 set for first hearing. Placed on suspense file.  
**Location:** 8/16/2023-A. APPR. SUSPENSE FILE  

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**Summary:** Current law establishes the Plastic Pollution Prevention and Packaging Producer Responsibility Act, which covers certain single-use packaging and plastic single-use food serviceware, as provided. As part of its comprehensive statutory scheme, existing law requires producers, as defined, of these covered materials to source reduce plastic covered material, to ensure that all covered material offered for sale, distributed, or imported in or into the state on or after January 1, 2032, is recyclable or compostable, and to ensure that plastic covered material offered for sale, distributed, or imported in or into the state achieves specified recycling rates, as provided. The act prohibits a producer from selling, offering for sale, importing, or distributing covered materials in the state unless the producer is approved to participate in the producer responsibility plan of a producer responsibility organization (PRO), as prescribed, for the source reduction, collection, processing, and recycling of covered material, except as provided. The act requires the department to establish a producer responsibility advisory board for specified purposes. The act authorizes an affected entity that asserts that specific actions taken to meet the requirements of the act are disrupting or otherwise adversely affecting the sustained operation or commercial viability of solid waste collection programs, solid waste recycling facilities, or composting facilities providing services in accordance with local solid waste handling requirements, to bring the concern and evidence supporting that assertion to the advisory board for discussion and to ask the advisory board to conduct a preliminary evaluation of the information. If the evaluation demonstrates that specific actions are disrupting or otherwise adversely affecting existing operations, the act requires the advisory board to submit the concern to the department for further analysis. The act requires the department to analyze the information provided by the advisory board and authorizes the department to offer a recommendation for resolution. This bill would instead authorize an affected entity that asserts that specific actions taken by the PRO, a producer, or an entity under contract with the PRO are not consistent with specified prohibitions and requirements of the act and are disrupting or otherwise adversely affecting the sustained operation or commercial viability of solid waste collection programs, solid waste recycling facilities, or composting facilities providing services in accordance with local solid waste handling requirements, to bring the concern and supporting evidence to the advisory board. The bill would delete the requirement that the board submit the concern to the department for further analysis and would instead require that the advisory board, rather than the department, offer a recommendation for resolution within 90 days of submission of the request for a preliminary evaluation. The bill would thereafter authorize either party to initiate nonbinding arbitration, as specified. The bill would specify the duties and the authority of the arbitrator, as described, including requiring the arbitrator to transmit the proposed decision to the department and the advisory board. The bill would require the department to review the arbitrator’s proposed decision within 60 days of receipt and to make a specified determination.

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**SB 353**  
**Allen**  
**Beverage containers: recycling.**  
**Status:** 8/16/2023-August 16 set for first hearing. Placed on suspense file.  
**Location:** 8/16/2023-A. APPR. SUSPENSE FILE  

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**Summary:** The California Beverage Container Recycling and Litter Reduction Act, of which a violation is a crime, requires a distributor to pay a redemption payment for every beverage container sold or offered for sale in the state. The act defines the term "beverage container" to mean the individual, separate bottle, can, jar, carton, or other receptacle, however denominated, in which a beverage is sold, and which is constructed of metal, glass, or plastic, or other material, or any combination of these materials, but does not include caps or other similar open or loosely sealed receptacles. The act defines "beverage" to include certain types of products in liquid, ready-to-drink form, including carbonated fruit drinks and noncarbonated fruit drinks that contain any percentage of fruit juice, but not 100% fruit juice in 46-ounce containers or larger or vegetable juice in 16-ounce containers or larger. This bill would expand the application of the act to any size container of 100% fruit and any size container of vegetable juice, beginning January 1, 2024.

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**Position** Support  
**Priority** Priority 2  

(Medium)
**Notes:** Sign-on support letter.

**SB 560**

**Laird (D) Solid waste: gas cylinders: stewardship program.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/8/2023)(May be acted upon Jan 2024)

**Location:** 5/19/2023-S. 2 YEAR

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**Summary:** The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. The act establishes stewardship programs for various products, including, among others, carpet, mattresses, and pharmaceutical and sharps waste. This bill would establish a stewardship program for gas cylinder products, as defined, and would authorize producers of those products to establish one more producer stewardship organizations for that purpose. The bill would require each producer or producer stewardship organization to submit a gas cylinder stewardship plan to the department that details, among other things, convenient and accessible opportunities for the recovery of gas cylinders used by consumers. The bill would prohibit gas cylinder producers that are not participating in a department-approved stewardship plan from supplying, selling, or offering for sale gas cylinders in the state.

**Position**

| Support in |
| Priority |
| Concept |
| (Medium) |

**Notes:** Sign-on support letter.

**SB 615**

**Allen (D) Vehicle traction batteries.**

**Status:** 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was E.S. & T.M. on 6/8/2023)(May be acted upon Jan 2024)

**Location:** 7/14/2023-A. 2 YEAR

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**Summary:** Current law requires the Secretary for Environmental Protection to convene the Lithium-Ion Car Battery Recycling Advisory Group to review, and advise the Legislature on, policies pertaining to the recovery and recycling of lithium-ion vehicle batteries sold with motor vehicles in the state. Current law also requires the advisory group to submit policy recommendations to the Legislature aimed at ensuring that as close to 100% as possible of lithium-ion vehicle batteries in the state are reused or recycled at end-of-life in a safe and cost-effective manner. This bill would repeal those requirements. The bill would instead require vehicle traction battery, as defined, in the state to be recovered and repurposed, if possible, or remanufactured and eventually recycled at the end of their useful life in a motor vehicle or any other application. The bill would also require a vehicle manufacturer, dealer, automobile dismantler, automotive repair dealer, and nonvehicle secondary user to be responsible for ensuring the responsible end-of-life management of a vehicle traction battery once it is removed from a vehicle or other application to which the vehicle traction battery has been used. The bill would make a vehicle or battery manufacturer responsible for collecting a stranded battery, as defined, and repurposing the battery, if possible, but would require the manufacturer to ensure the battery is recycled if it cannot be reused. The bill would require, by January 1, 2025, a battery supplier, as described, to be responsible for the development of a core exchange program for replacing a battery, module, or cell removed from a vehicle, as specified.

**Position**

| Support in |
| Priority |
| Concept |
| (Medium) |

**Notes:** Support in concept letter submitted to Asm ESTM, Sen. EQ, and Sen. Transpo Committee.

**SB 665**

**Allen (D) Plastic waste: single-use plastics alternatives: working group.**

**Status:** 8/16/2023-August 16 set for first hearing. Placed on suspense file.

**Location:** 8/16/2023-A. APPR. SUSPENSE FILE

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**Summary:** Current law vests the California Environmental Protection Agency with authority over various environmental matters and various state agencies, including the Department of Resources Recycling and Recovery (CalRecycle), the State Water Resources Control Board, the Department of Toxic Substances Control, and the Office of Environmental Health Hazard Assessment. Current law establishes the Ocean Protection Council to coordinate activities of state agencies that are related to, among other things, assisting CalRecycle’s adoption of regulations to establish a process, and develop criteria, for determining the types of food service packaging that are reusable, recyclable, or compostable. This bill would require the California Environmental Protection Agency, by January 1, 2025, to establish a working group of the above-referenced state agencies that would establish a
framework for evaluating novel plastic and plastic-alternative material types used to produce single-use products as they are developed, in order to inform state policy decisions designed to create a more sustainable and circular economy, as provided. The bill would require the working group to, among other things, develop recommendations related to novel material types, including the appropriate marketing and labeling of the material, the handling of the material at the end of its useful life, and how the material needs to be treated in relation to existing state policies, rules, and regulations.

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Notes: Sign-on support (with suggestions) letter.

**SB 707**  
Status: 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was NAT. RES. on 6/15/2023)(May be acted upon Jan 2024)  
Location: 7/14/2023-A. 2 YEAR

Summary: The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. The act establishes stewardship programs for various products, including, among others, carpet, mattresses, and pharmaceutical and sharps waste. This bill would enact the Responsible Textile Recovery Act of 2023, which would require producers, as defined, either independently or through the creation of one or more stewardship organizations, to establish a stewardship program for the collection and recycling of a covered product. The bill would define a “covered product” to include any postconsumer apparel or postconsumer textile article that is unwanted by a consumer, except as specified. The bill would require a program operator, as defined, to submit a complete stewardship plan to the department for review and approval, disapproval, or conditional approval. The bill would require the program operator to review the plan at least every 5 years after approval. The bill would also require a program operator to submit an annual report to the department. The bill would require all reports and records provided to the department to be provided under penalty of perjury.

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Notes: Sign-on support letter.

**SB 867**  
Status: 7/6/2023-July 10 hearing postponed by committee.  
Location: 6/20/2023-A. NAT. RES.

Summary: Would enact the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of $15,500,000,000 pursuant to the State General Obligation Bond Law to finance projects for drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean energy programs.

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Priority 3 (Monitor)

**AB 9**  
(Muratsuchi D) Greenhouse gases: market-based compliance mechanism.  
Status: 6/2/2023-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 6/1/2023)(May be acted upon Jan 2024)  
Location: 6/2/2023-A. 2 YEAR
Summary: The California Global Warming Solutions Act of 2006 authorizes the State Air Resources Board to include the use of market-based compliance mechanisms in regulating greenhouse gas emissions. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. This bill would require the state board to initiate a regulatory process to evaluate potential updates to the market-based compliance mechanism, and would require regulatory changes to take effect no later than January 1, 2025. The bill would require the evaluation to focus on specified items, including whether the supply of emission allowances and carbon offsets are consistent with a linear trajectory toward the statewide greenhouse gas emissions reduction goal established in the state board’s most recent scoping plan, rules for banking allowances to use for future compliance, and recommendations made by the Independent Emissions Market Advisory Committee and the state board’s environmental justice advisory committee. The bill would require the state board, beginning January 1, 2028, and subsequently on a triennial basis, as specified, and in consultation with the Independent Emissions Market Advisory Committee and the environmental justice advisory committee, to conduct an evaluation of the market-based compliance mechanism, as provided.

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**AB 348**

(Ting D) Beverage containers: producer responsibility score.

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 2/9/2023)(May be acted upon Jan 2024)

**Location:** 4/28/2023-A. 2 YEAR

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Summary: The California Beverage Container Recycling and Litter Reduction Act annually requires, on or before March 1, a manufacturer of a beverage sold in a plastic beverage container subject to the California Redemption Value to report to the Department of Resources Recycling and Recovery the amount of virgin plastic and postconsumer recycled plastic used by the manufacturer for plastic beverage containers subject to the California Redemption Value for sale in the state in the previous calendar year. Current law requires the department to post this information on its internet website within 45 days. This bill would instead require the department to post this information on its internet website within 30 days.

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**AB 495**

(Hoover R) Battery recycling: records retention.

**Status:** 3/16/2023-Referral to Com. on E.S. & T.M.

**Location:** 3/16/2023-A. E.S. & T.M.

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Summary: The Rechargeable Battery Recycling Act of 2006 requires each July 1, the Department of Toxic Substances Control to survey battery handling or battery recycling facilities, or both, and to post on its internet website the estimated amount, by weight, of each type of rechargeable battery returned for recycling in California during the previous calendar year. Current law makes the act inoperative on September 30, 2026, and repeals the act on January 1, 2027. This bill would require the department to continue to post this information on its internet website on and after October 1, 2026.

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**AB 557**

(Hart D) Open meetings: local agencies: teleconferences.

**Status:** 6/29/2023-Read second time. Ordered to third reading.

**Location:** 6/29/2023-S. THIRD READING

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**Calendar:** 8/21/2023 #125 SENATE ASSEMBLY BILLS - THIRD READING FILE

Summary: The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each
teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would revise the authority of a legislative body to hold a teleconference meeting under those abbreviated teleconferencing procedures when a declared state of emergency is in effect. Specifically, the bill would extend indefinitely that authority in the circumstances under which the legislative body either (1) meets for the purpose of determining whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, or (2) has previously made that determination.

**Position** | **Priority**
---|---
Watch | Priority 3

**AB 573**  
**Garcia D**  
**Organic waste: meeting recovered organic waste product procurement targets.**  
**Status:** 8/14/2023-In committee: Referred to APPR suspense file.  
**Location:** 8/14/2023-S. APPR. SUSPENSE FILE

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**Summary:** Current law requires the State Air Resources Board to approve and begin implementing a comprehensive short-lived climate pollutant strategy to achieve a certain reduction in statewide emissions of methane, including a goal of a 75% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025. Current law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve these organic waste reduction goals, that provide for, among other things, the calculation by the department of recovered organic waste product procurement targets for each local jurisdiction, and that may include penalties to be imposed by the department for noncompliance. This bill would require the department, for purposes of those regulations, to allow a local jurisdiction, until December 1, 2031, in procuring recovered organic waste products to meet the target procurement requirements, to use California-derived recovered organic waste that the local jurisdiction sends for processing at a facility or operation outside of the state that meets certain conditions, as provided.

**Position** | **Priority**
---|---
Watch | Priority 3

**AB 592**  
**Wilson D**  
**Vehicles: commercial nonfranchise solid waste haulers: pilot program.**  
**Status:** 6/22/2023-Read second time. Ordered to third reading.  
**Location:** 6/22/2023-S. THIRD READING

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**Calendar:** 8/21/2023 #94 SENATE ASSEMBLY BILLS - THIRD READING FILE

**Summary:** Would, until January 1, 2028, authorize the Counties of Alameda, Contra Costa, and Solano to create a 3-year pilot program to regulate the transport of solid waste by commercial nonfranchise solid waste haulers, as defined, on public roads in unincorporated areas of the county, as provided.

**Position** | **Priority**
---|---
Watch | Priority 3

**AB 648**  
**Valencia D**  
**Common interest developments: procedures: meetings by teleconference.**  
**Status:** 6/22/2023-Read second time. Ordered to third reading.  
**Location:** 6/22/2023-S. THIRD READING

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**Calendar:** 8/21/2023 #89 SENATE ASSEMBLY BILLS - THIRD READING FILE

**Summary:** Current law, the Davis-Stirling Common Interest Development Act, governs the management and operation of common interest developments. Current law defines a board meeting as a congregated or a teleconference, as provided. Current law requires, among other things, a board meeting held by teleconference to identify at least one physical location so that members of the association may attend, except as provided. Current law also establishes alternative teleconferencing procedures for a board meeting or a meeting of the members if gathering in person is unsafe or impossible because the common interest development is in an area affected by a federal, state, or local emergency. This bill would authorize a board meeting or a meeting of the members to be conducted entirely by teleconference if specified conditions are satisfied.

**Position** | **Priority**
---|---
Watch | Priority 3
**AB 817 (Pacheco D) Open meetings: teleconferencing: subsidiary body.**

**Status:** 5/5/2023-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/16/2023) (May be acted upon Jan 2024)

**Location:** 5/5/2023-A. 2 YEAR

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**Summary:** Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. This bill would authorize a subsidiary body, as defined, to use alternative teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. In order to use teleconferencing pursuant to the Ralph M. Brown Act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter.

**Position Priority**

**Watch** Priority 3

(Monitor)

**AB 861 (Santiago D) Hazardous waste: Exide Technologies facility.**

**Status:** 7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was E.Q. on 6/14/2023) (May be acted upon Jan 2024)

**Location:** 7/14/2023-S. 2 YEAR

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**Summary:** Would require the Board of Environmental Safety to contract with an entity that has expertise in remediating contaminated sites for the purpose of reviewing the Department of Toxic Substances Control's residential cleanup near the former Exide Technologies lead-acid battery recycling facility in the City of Vernon. The bill would require the contractor to use only existing data in its review, but, if necessary, the bill would authorize the contractor to take, review, and analyze limited samples. The bill would require the contractor to meet with members of the community to hear comments or concerns about the cleanup and provide its findings to the board, as specified. The bill would require the board to post the contractor's findings on the board's internet website.

**Position Priority**

**Watch** Priority 3

(Monitor)

**AB 891 (Irwin D) Beverage container recycling: nonpetroleum materials.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/3/2023)(May be acted upon Jan 2024)

**Location:** 5/19/2023-A. 2 YEAR

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**Summary:** The California Beverage Container Recycling and Litter Reduction Act requires a beverage manufacturer to pay to the Department of Resource Recovery and Recycling a processing fee for each beverage container sold or transferred and requires the department to distribute those fees, with other moneys, as processing payments to processors and recycling centers. Beginning January 1, 2025, this bill would require the department to provide a 10% reduction in the processing fee applicable to the percentage of a beverage container, by weight, that derives from nonpetroleum biomaterials, not to exceed 50% of the total beverage container weight sold. The bill would require an independent third party to certify the recyclability and percentage of nonpetroleum biomaterials used in beverage containers, as specified. The bill would require the department to charge a fee to cover its reasonable costs of implementing these provisions.

**Position Priority**

**Watch** Priority 3

(Monitor)

**AB 895 (Chen R) Solid waste: management.**

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 3/23/2023)(May be acted upon Jan 2024)

**Location:** 4/28/2023-A. 2 YEAR

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**Summary:** Current law requires the State Air Resources Board to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants in the state and to approve and begin implementing the strategy to achieve a reduction in the statewide emissions of methane by 40% below 2013 levels by 2030, among other goals. Current law requires the department to analyze the progress that the waste sector, state government, and local governments have made in achieving the specified targets for reducing organic waste in landfills. Current law also requires, no later than July 1, 2024, the department, in consultation with the state board, to analyze the progress that the waste sector, state government, and local governments have made in achieving the specified targets for reducing organic waste in landfills. Current law authorizes the department to annually seek up to $500,000 from the Department of Toxic Substances Control in reimbursement for grants awarded and program costs incurred. The bill would also prohibit the department from expending funds from the Integrated Waste Management Fund for purposes of this program in excess of the amount reimbursed by the Department of Toxic Substances Control.

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### Position: Watch Priority

**AB 909**

**Solid Waste Disposal and Codisposal Site Cleanup Program.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/19/2023)(May be acted upon Jan 2024)

**Location:** 5/19/2023-A. 2 YEAR

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**Summary:** Would authorize the Department of Resources Recycling and Recovery, beginning July 1, 2024, and upon appropriation by the Legislature, to collect and properly manage illegally disposed hazardous waste and household hazardous waste, as defined, regardless of whether they were codisposed with nonhazardous solid waste. The bill would require the department to annually seek up to $500,000 from the Department of Toxic Substances Control in reimbursement for grants awarded and program costs incurred. The bill would also prohibit the department from expending funds from the Integrated Waste Management Fund for purposes of this program in excess of the amount reimbursed by the Department of Toxic Substances Control.

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### Position: Watch Priority

**AB 998**

**Biomass energy facilities: State Energy Resources Conservation and Development Commission: report.**

**Status:** 7/10/2023-In committee: Referred to APPR. suspense file.

**Location:** 7/10/2023-S. APPR. SUSPENSE FILE

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**Summary:** Would require the State Energy Resources Conservation and Development Commission, on or before December 31, 2025, to issue a report on the utility-scale biomass combustion facilities still in operation as of January 1, 2024. The bill would require the report to include various assessments of biomass combustion facilities still in operation as of January 1, 2024, and options to maximize the environmental benefits of these facilities. The bill would also require the report to include a recommended strategy to upgrade biomass combustion facilities, where appropriate, that considers impacts on disadvantaged, rural, forested, and agricultural communities, impacts on the ability to maintain existing capacity for managing forest or other excess biomass, the cost of upgrading facilities and financing opportunities, impacts of upgrading biomass combustion facilities on the procurement costs of the energy produced, and the associate impacts to ratepayer costs, and job creation or job loss that may result from the strategy. The bill would require the report to include recommendations related to baseload energy generation and managing excess biomass if biomass combustion facilities cease operation and strategies related to processing waste and job training in areas where biomass combustion facilities cease operation. The bill would require the commission to include in the report an evaluation of the practicality and cost-effectiveness of upgrading utility-scale biomass combustion facilities that ceased operation before January 1, 2024, to determine whether such facilities could help California increase its capacity to manage forest and other excess biomass.

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**Position:** Watch Priority

**AB 909** (Hoover R)

**Solid Waste Disposal and Codisposal Site Cleanup Program.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/19/2023)(May be acted upon Jan 2024)

**Location:** 5/19/2023-A. 2 YEAR

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**Position:** Watch Priority

**AB 998** (Connolly D)

**Biomass energy facilities: State Energy Resources Conservation and Development Commission: report.**

**Status:** 7/10/2023-In committee: Referred to APPR. suspense file.

**Location:** 7/10/2023-S. APPR. SUSPENSE FILE

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### AB 1216

**Muratsuchi D**  
**Wastewater treatment plants: monitoring of air pollutants.**

**Status:** 8/17/2023-In committee: Hearing postponed by committee.  
**Location:** 6/21/2023-S. APPR.

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**Calendar:** 8/28/2023 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, ANTHONY, Chair

**Summary:** Would require, on or before January 1, 2027, the owner or operator of a wastewater treatment facility that is located within 1,500 feet of a residential area and has an original design capacity of 425,000,000 gallons or more per day to develop, install, operate, and maintain a wastewater treatment-related fence-line monitoring system approved by the appropriate air quality management district. The bill would require the wastewater treatment-related fence-line monitoring system to include equipment capable of measuring pollutants of concern, as provided, emitted into the atmosphere that the appropriate air quality management district deems appropriate for monitoring. The bill would provide that it does not alter the responsibility of an owner or operator of a wastewater treatment facility to not exceed limits for nitrogen oxides and volatile organic compounds emitted into the atmosphere established in existing air quality regulations, as provided, and would require source testing for these pollutants to be conducted pursuant to a protocol approved by the appropriate air quality management district.

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**Notes:** Support letter submitted to Asm. Local Gov Committee.

### AB 1379

**Papan D**  
**Open meetings: local agencies: teleconferences.**

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. GOV. on 3/23/2023) (May be acted upon Jan 2024)  
**Location:** 4/28/2023-A. 2 YEAR

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**Summary:** The Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. This bill, with respect to those general provisions on teleconferencing, would require a legislative body electing to use teleconferencing to instead post agendas at a singular designated physical meeting location, as defined, rather than at all teleconference locations. The bill would remove the requirements for the legislative body of the local agency to identify each teleconference location in the notice and agenda, that each teleconference location be accessible to the public, and that at least a quorum of the members participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction.

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**Notes:** Support letter submitted to Asm. Local Gov Committee.

### AB 1534

**Irwin D**  
**Methane emissions: municipal solid waste landfills: remote sensing data.**

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/26/2023)(May be acted upon Jan 2024)  
**Location:** 5/19/2023-A. 2 YEAR

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**Summary:** Current law requires the State Air Resources Board to approve and begin implementing a comprehensive short-lived climate pollutant strategy, as specified, to achieve a reduction in the statewide emissions of methane by 40 percent below 2013 levels by 2030, and requires methane emissions reduction goals to include specified targets to reduce the landfill disposal of organics. The state board has implemented regulations pursuant to the California Global Warming Solutions Act of 2006 for the purpose of reducing methane emissions from municipal solid waste landfills. This bill would require the state board, no later than June 30, 2026, to evaluate and, if feasible and to the extent data is available, revise those regulations to incorporate the use of methane remote sensing data.
**AB 1590**  
(Friedman D)  
**Major coastal resorts: coastal development permits: audits: waste.**

**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 4/11/2023)(May be acted upon Jan 2024)

**Location:** 4/28/2023-A. 2 YEAR

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**Summary:** The California Coastal Act of 1976, among other things, requires anyone wishing to perform or undertake any development in the coastal zone, except as specified, in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, to obtain a coastal development permit from the California Coastal Commission or a local government, as provided. This bill would establish the Major Coastal Resorts Environmental Accountability Act, and would define "major coastal resort" for these purposes. The bill would require the commission, with the assistance of a qualified consultant, to every 2 years prepare an audit of a major coastal resort's compliance with specified provisions, including the coastal development permit, as provided. The bill would require the major coastal resort to provide for the qualified consultant's compensation for the audit, as provided.

**Position Priority**  
Watch Priority 3  
(Monitor)

**AB 1628**  
(McKinnor D)  
**Microfiber filtration.**

**Status:** 8/2/2023-In committee: Hearing postponed by committee.

**Location:** 7/12/2023-S. APPR.

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**Calendar:** 8/28/2023 10 a.m. - 1021 O Street, Room 2200  
SENATE APPROPRIATIONS, PORTANTINO, ANTHONY, Chair

**Summary:** Would require, on and after January 1, 2029, that all new washing machines sold or offered for sale in California for residential, commercial, or state use contain a microfiber filtration system, as defined, with a mesh size not greater than 100 micrometers, and bear a label with a specified consumer notice, as provided. The bill would require the washing machine manufacturer to provide a certificate of compliance with these provisions to persons that sell or distribute the washing machines in the state, as specified. The bill would prohibit a distributor or retailer that relies in good faith on that certificate from being held in violation of these requirements.

**Position Priority**  
Watch Priority 3  
(Monitor)

**AB 1716**  
(Committee on Environmental Safety and Toxic Materials)  
**Hazardous wastes and materials: certified unified program agencies.**

**Status:** 7/5/2023-Read second time. Ordered to third reading.

**Location:** 7/5/2023-S. THIRD READING

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**Calendar:** 8/21/2023 #139  
SENATE ASSEMBLY BILLS - THIRD READING FILE

**Summary:** Current law authorizes the Department of Toxic Substances Control to grant a variance from requirements for certain wastes, including recyclable materials, as defined, under specified conditions. Current law provides that a recyclable material shall be excluded from classification by the department as a waste only if the recyclable material is located has a business plan, as specified, and the recyclable material is stored and handled in accordance with all local ordinances and codes. This bill would require the material to be held in a container, tank, containment building, or waste pile that meets the requirements of the department's interim status regulations applicable to containers, tanks, containment buildings, or waste piles that store hazardous waste. The bill would require the labeling, marking, and placarding of the material to be consistent with the department's hazardous waste labeling, marking, and placarding requirements applicable to generators, as provided, and (C) the required labeling or marking be posted on signage at the location where the material is stored.

**Position Priority**  
Watch Priority 3  
(Monitor)
### SB 12

**Stern D** California Global Warming Solutions Act of 2006: emissions limit.

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/15/2023)(May be acted upon Jan 2024)

**Location:** 5/19/2023-S. 2 YEAR

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**Summary:** Under the California Global Warming Solutions Act of 2006, the State Air Resources Board is required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by no later than December 31, 2030. Under the act, a violation of a rule, regulation, order, emission limitation, emission reduction measure, or other measure adopted by the state board under the act is a crime. This bill instead would require the state board to ensure that statewide greenhouse gas emissions are reduced to at least 55% below the 1990 level by no later than December 31, 2030.

**Position Priority**

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### SB 272

**Laird D** Sea level rise: planning and adaptation.

**Status:** 8/16/2023-August 16 set for first hearing. Placed on suspense file.

**Location:** 8/16/2023-A. APPR. SUSPENSE FILE

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**Summary:** Current law creates within the Ocean Protection Council the California Sea Level Rise State and Regional Support Collaborative to provide state and regional information to the public and support to local, regional, and other state agencies for the identification, assessment, planning, and, where feasible, the mitigation of the adverse environmental, social, and economic effects of sea level rise within the coastal zone, as provided. This bill would require a local government, as defined, lying, in whole or in part, within the coastal zone, as defined, or within the jurisdiction of the San Francisco Bay Conservation and Development Commission, as defined, to implement sea level rise planning and adaptation through either submitting, and receiving approval for, a local coastal program, as defined, to the California Coastal Commission or submitting, and receiving approval for, a subregional San Francisco Bay shoreline resiliency plan to the San Francisco Bay Conservation and Development Commission, as applicable, on or before January 1, 2034, as provided. By imposing additional requirements on local governments, the bill would impose a state-mandated local program. The bill would require local governments that receive approval for sea level rise planning and adaptation on or before January 1, 2029, to be prioritized for sea level rise funding, upon appropriation by the Legislature, for the implementation of projects in the local government’s approved sea level rise adaptation plan.

**Position Priority**

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### SB 367

**Seyarto R** Farm, ranch, and public lands cleanup and abatement: grant program.

**Status:** 8/16/2023-August 16 set for first hearing. Placed on suspense file.

**Location:** 8/16/2023-A. APPR. SUSPENSE FILE

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**Summary:** Current law creates the Farm and Ranch Solid Waste Cleanup and Abatement Account in the General Fund to include money appropriated from specified revenue sources, including tire recycling and used oil recycling fees, and authorizes the department to expend the money in the account for the grant program upon appropriation by the Legislature in the annual Budget Act. This bill would rename the grant program the Farm, Ranch, and Public Lands Solid Waste Cleanup and Abatement Grant Program and extend its purposes to cleaning up and abating the effects of solid waste that is illegally disposed of on public lands owned by the state or federal government. The bill would create the Public Lands Solid Waste Cleanup and Abatement Account in the General Fund and would authorize the department to expend the moneys in the account for these extended grant program purposes upon appropriation by the Legislature in the annual Budget Act.

**Position Priority**

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### SB 378

**Gonzalez D** State parks: state beaches: expanded polystyrene food container and cooler ban.
**Status:** 4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was N.R. & W. on 2/22/2023)(May be acted upon Jan 2024)

**Location:** 4/28/2023-S. 2 YEAR

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**Summary:** Would make it an infraction punishable by a fine of up to $25 for a person to bring an expanded polystyrene, as defined, food container or cooler on a state beach, as defined, or in a unit of a state park system, as defined, and for improper disposal, as provided. The bill would establish a state-mandated local program by creating a new crime. The bill would provide that a person who violates this provision for the first time shall be subject to a warning by an officer of the state parks.

**Position** | **Priority**
--- | ---
Watch | Priority 3 (Monitor)

### SB 443  
**Gonzalez D**  
**Drinking water: schools.**

**Status:** 2/22/2023-Referred to Com. on RLS.

**Location:** 2/13/2023-S. RLS.

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**Summary:** Current law requires school districts and charter schools to allow pupils, teachers, and staff to bring and carry water bottles, except as provided. This bill would make nonsubstantive changes to that provision.

**Position** | **Priority**
--- | ---
Watch | Priority 3 (Monitor)

### SB 511  
**Blakespear D**  
**Greenhouse gas emissions inventories.**

**Status:** 6/20/2023-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 11. Noes 0.) (June 19). Re-referred to Com. on APPR.

**Location:** 6/19/2023-A. APPR.

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**Calendar:** 8/23/2023 9 a.m. - 1021 O Street, Room 1100 ASSEMBLY APPROPRIATIONS, HOLDEN, CHRIS, Chair

**Summary:** The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. This bill would require the state board, before January 1, 2028, to develop, and publish on its internet website, a report on greenhouse gas emissions inventories for the calendar year 2025 for each city, county, or city and county that requests inclusion in the report, as provided. The bill would require the state board, consistent with the preparation of the updates to the scoping plan and before January 1, 2033, and every 5 years thereafter, to update the inventories, for each city, county, or city and county that requests inclusion in the respective update, for the calendar year 2030 and every 5th year thereafter. The bill would authorize the state board to solicit bids and enter into contracts for the development of the inventories. The bill would require the state board, before January 1, 2026, to establish a local government advisory committee to inform its development of the greenhouse gas emissions inventories.

**Position** | **Priority**
--- | ---
Watch | Priority 3 (Monitor)

### SB 537  
**Becker D**  
**Open meetings: multijurisdictional, cross-county agencies: teleconferences.**

**Status:** 8/15/2023-Read second time. Ordered to third reading.

**Location:** 8/15/2023-A. THIRD READING

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**Calendar:** 8/21/2023 #87 ASSEMBLY THIRD READING FILE - SENATE BILLS

**Summary:** The Ralph M. Brown Act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Current law, until January 1, 2024, authorizes the legislative body of a local agency to use alternate
teleconferencing provisions during a proclaimed state of emergency or in other situations related to public health that exempt a legislative body from the general requirements (emergency provisions) and impose different requirements for notice, agenda, and public participation, as prescribed. The emergency provisions specify that they do not require a legislative body to provide a physical location from which the public may attend or comment. Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency’s jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. These circumstances include if a member shows “just cause,” including for a childcare or caregiving need of a relative that requires the member to participate remotely. This bill would expand the circumstances of “just cause” to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely.

### Position

- **Priority**: Priority 3
- **Watch**: (Monitor)

### SB 552

**Newman D**

**Solid waste: single-use foodware accessory and single-use food packaging.**

**Status**: 2/22/2023-Referral to Com. on RLS.

**Location**: 2/15/2023-S. RLS.

**Summary**: Would state the intent of the Legislature to enact future legislation that would prohibit a restaurant from providing a dine-in customer with any single-use foodware accessory or single-use food packaging.

### SB 568

**Newman D**

**Electronic waste: export.**

**Status**: 8/17/2023-Read second time. Ordered to third reading.

**Location**: 8/17/2023-A. THIRD READING

**Calendar**: 8/21/2023 #97 ASSEMBLY THIRD READING FILE - SENATE BILLS

**Summary**: The Electronic Waste Recycling Act of 2003 requires a person who exports covered electronic waste, or covered electronic devices, except as specified, intended for recycling or disposal, to a foreign country, or to another state for ultimate export to a foreign country, to notify the Department of Toxic Substances Control of certain matters concerning the waste or device to be exported. Current law requires the exporter to include with those notifications specified demonstrations, including a demonstration that the waste or device will be managed within the country of destination only at facilities whose operations meet or exceed specified requirements and guidelines of the Organization for Economic Cooperation and Development. The act defines a “covered electronic waste recycler” as a person or manufacturer that engages in recycling activities for purposes of the reuse or recycling of covered electronic devices. The act becomes inoperative if certain conditions are met. A violation of the act is a crime. This bill would add the requirements for export of covered electronic waste or a covered electronic device a requirement for the person to demonstrate that they attempted to locate an in-state covered electronic waste recycler and that the waste or device could not be managed by an in-state covered electronic waste recycler.

### SB 613

**Seyarto R**

**Organic waste: reduction goals: local jurisdictions: low-population waiver.**

**Status**: 8/16/2023-August 16 set for first hearing. Placed on suspense file.

**Location**: 8/16/2023-A. APPR. SUSPENSE FILE

**Summary**: Current law requires the State Air Resources Board to approve and begin implementing a comprehensive short-lived climate pollutant strategy to achieve a certain reduction in statewide emissions of methane, including a goal of a 75% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025. Current law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations that achieve those targets for reducing organic waste in landfills that may include, among other things, different levels of requirements for local jurisdictions and phased timelines based upon their progress in meeting the organic waste reduction goals, and penalties to be imposed by the department for noncompliance. This
bill would, for a local jurisdiction, as defined, waive those requirements and regulations until December 31, 2028, if the local jurisdiction does not qualify for other specified waivers, disposed of fewer than 5,000 tons of solid waste in 2014, and has fewer than 7,500 people, as provided.

**SB 638**  
**Eggman D**  
**Climate Resiliency and Flood Protection Bond Act of 2024.**  
**Status:** 7/6/2023-July 11 hearing postponed by committee.  
**Location:** 6/15/2023-A. W., P. & W.  

**Summary:** Would enact the Climate Resiliency and Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of $6,000,000,000 pursuant to the State General Obligation Bond Law, for flood protection and climate resiliency projects.

**SB 642**  
**Cortese D**  
**Hazardous materials: enforcement: county counsel.**  
**Status:** 8/17/2023-Assembly amendments concurred in. (Ayes 32. Noes 5.) Ordered to engrossing and enrolling.  
**Location:** 8/17/2023-S. ENROLLMENT  

**Summary:** Current law regulates the generation, transportation, and disposal of hazardous materials. Current law authorizes the city attorney, district attorney, and the Attorney General, at the request of the Department of Toxic Substances Control or a unified program agency, to bring an action seeking to enjoin a violation of laws and regulations governing the generation, transportation, and disposal of hazardous materials. Current law specifies that every civil action brought at the request of the department or a unified program agency is to be brought by the city attorney, the county attorney, the district attorney, or the Attorney General in the name of the people of the State of California and that those actions relating to the same processing or disposal of hazardous waste may be joined or consolidated. This bill would authorize the county counsel to bring an action seeking to enjoin a violation of laws and regulations governing the generation, transportation, and disposal of hazardous materials.

**SB 728**  
**Limón D**  
**Plastic gift cards: prohibition.**  
**Status:** 7/13/2023-Read second time. Ordered to third reading.  
**Location:** 7/13/2023-A. THIRD READING  

**Calendar:** 8/21/2023 #76 ASSEMBLY THIRD READING FILE - SENATE BILLS  
**Summary:** Would prohibit, beginning January 1, 2027, a retailer from selling, offering for sale, or distributing plastic gift cards, except those that are both usable with multiple unaffiliated sellers of goods and that have the expiration date, if any, printed on the card. The bill would authorize a retailer to continue to sell, offer for sale, or distribute an existing stock of plastic gift cards until January 1, 2028, as specified. The bill would authorize various entities to enforce these provisions, and would impose specified civil penalties for violations of these provisions.

**SB 777**  
**Allen D**  
**Solid waste: reusable grocery bags and recycled paper bags.**  
**Status:** 8/16/2023-August 16 set for first hearing. Placed on suspense file.  
**Location:** 8/16/2023-A. APPR. SUSPENSE FILE  

**Summary:** The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. Current law prohibits certain stores from providing a single-use carryout bag to a
customer and prohibits those stores from selling or distributing a reusable grocery bag or a recycled paper bag at the point of sale unless the store makes that bag available for purchase for not less than $0.10. Current law requires a store to retain those collected moneys to be used only for costs associated with complying with those provisions, actual costs of providing recycled paper bags or reusable grocery bags, and costs associated with a store’s educational materials or educational campaign encouraging the use of reusable grocery bags. Current law requires a reusable grocery bag sold by certain stores to a customer at the point of sale to be made by a certified reusable grocery bag producer and to meet specified requirements with regard to the bag’s labeling relating to its reusability and recyclability. Current law authorizes a city, county, city and county, or the state to impose civil penalties on a person or entity that knows or reasonably should have known it is in violation of those requirements. This bill would require a store to retain the collected moneys to also be used for costs associated with providing consumers with an opportunity for returning reusable grocery bags to the store for recycling, and any other costs associated with ensuring that collected bags are recycled. The bill would add specificity to the above-referenced labeling requirements for reusable grocery bags.

**SB 806**

(Archuleta D) Trash receptacles and storage containers: reflective markings: enforcement.

**Status:** 7/10/2023-Read second time and amended. Re-referred to Com. on APPR.

**Position** | **Priority**
---|---
Watch | Priority 3

**SB 854**

(Smallwood-Cuevas D) Carpet recycling: carpet stewardship.

**Status:** 5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 3/29/2023) (May be acted upon Jan 2024)

**Position** | **Priority**
---|---
Watch | Priority 3

**Summary:** Would, commencing with the July 1, 2024, fiscal year require a carpet stewardship organization to make available up to 10% percent of the assessments collected for the sale of carpet for use in California for grants to apprenticeship programs for training apprentice and journey-level carpet installers in proper carpet recycling practices, as provided.