

LEGISLATIVE SUMMARY REPORT



Department of Toxic Substances Control

2020 Legislative Year

A compilation of legislation from the second half of the 2019-2020
Legislative Session tracked by the Department of Toxic Substances Control

State of California

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Introduction

This report summarizes bills considered by the California State Legislature during the 2019-2020 Legislative Session that directly or indirectly affect the Department of Toxic Substances Control (DTSC).

Bills noted as "Chaptered" were passed by the Legislature and signed by the Governor. Bills noted as "Vetoed" were passed by the Legislature but were rejected by the Governor (veto messages are included at the end of this report).

The report lists the bills in numerical order as well as indexed by subject area. All signed bills, except for urgency, tax levy, election, and appropriation measures, which take effect upon the date of signing, take effect on January 1, 2021. Occasionally, different legislation amends the same section of law. In most of these instances, the language from the bill that was chaptered last (the higher chapter number) takes precedent and becomes the law.

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Copies of the bills can be obtained from the Bill Room at the State Capitol. Bills, current law, and bill-related documents can also be viewed on the [California Legislative Counsel's Internet site](http://leginfo.ca.gov/):
<http://leginfo.legislature.ca.gov/>.

DTSC's 2020 Legislative Summary can also be viewed on the [Legislative Mandates Reports and Legislative Summary Reports](https://dtsc.ca.gov/legislative-reports/) page of DTSC's Internet website at <https://dtsc.ca.gov/legislative-reports/>.

Acronyms

Acronym	Full Name
AB	Assembly Bill
ACA	Assembly Constitutional Amendment
ARB	Air Resources Board
APA	Administrative Procedure Act
BDOs	Boards, Departments and Offices within Cal/EPA
BOE	Board of Equalization
CalEPA	California Environmental Protection Agency
CalRecycle	California Department of Resources Recycling and Recovery
CEQA	California Environmental Quality Act
Ch.	Chapter
CUPA	Certified Unified Program Agency
DOF	Department of Finance
DGS	Department of General Services
DPH	Department of Public Health
DPR	Department of Pesticide Regulation
DTSC	Department of Toxic Substances Control
ESTM	Assembly Environmental Safety & Toxic Materials Committee
EIR	Environmental Impact Report
OAL	Office of Administrative Law
OEHHA	Office of Environmental Health Hazard Assessment
OPR	Office of Planning and Research
PERS	Public Employees' Retirement System
RWQCB	Public Employees' Retirement System
SB	Senate Bill
SJR	Senate Joint Resolution
SPB	State Personnel Board
State	State of California
SWRCB	State Water Resources Control Board
US EPA	United States Environmental Protection Agency
UST	Underground Storage Tank

Assembly Bills

AB 9 (Reyes) Employment discrimination: limitation of actions.

Summary: Existing law authorizes a person claiming to be aggrieved by an alleged unlawful practice to file a verified complaint with the Department of Fair Employment and Housing within one year from the date upon which the unlawful practice occurred, unless otherwise specified. This bill extends the above-described period to three years for complaints alleging employment discrimination, as specified. The bill also specifies that the operative date of the verified complaint is the date that the intake form was filed with the Labor Commissioner.

Status: Chapter 709 (Statutes of 2019)

AB 51 (Gonzalez) Employment discrimination: enforcement.

Summary: This bill prohibits a person from requiring any applicant for employment or any employee to waive any right, forum, or procedure for a violation of any provision of the California Fair Employment and Housing Act or other specific statutes governing employment as a condition of employment, continued employment, or the receipt of any employment-related benefit. The bill also prohibits an employer from threatening, retaliating or discriminating against, or terminating any applicant for employment or any employee because of the refusal to consent to the waiver of any right, forum, or procedure for a violation of specific statutes governing employment.

Status: Chapter 711 (Statutes of 2019)

AB 63 (Fong) State government.

Summary: Current law requires state agencies to make available on the internet a plain-language form through which individuals can register complaints or comments relating to the performance of those agencies. This bill would have required, if the agency furnishes information or renders services to the public, or engages in any other state program or activity that involves public contact, that the plain-language form made available on the internet pursuant to these provisions utilize an A, B, C, D, and F grading system that individuals can use to rate their experience based upon the performance of the agency.

Status: Held in Assembly Appropriations Committee

AB 74 (Ting) Budget Act of 2019.

Summary: This bill made appropriations for the support of state government for the 2019–20 fiscal year.

Status: Chapter 23 (Statutes of 2019)

AB 92 (Assembly Budget Committee) Public resources: omnibus trailer bill.

Summary: Among other things, this bill explicitly requires moneys in the Lead-Acid Battery Cleanup Fund to be expended, upon appropriation by the Legislature, on specified activities to protect public health and the environment from hazardous substances and hazardous waste at or from the former Exide Technologies lead-acid battery recycling facility in the City of Vernon. The bill also requires that, notwithstanding any other law, any costs incurred by DTSC using moneys from the fund that are recovered be deposited into the fund.

Status: Chapter 18 (Statutes of 2020)

AB 129 (Bloom) Microfiber pollution.

Summary: This bill would have required the SWRCB to take specified actions relating to microfiber pollution on or before July 1, 2020, and would have required the state board to identify best practices for clothing manufacturers to reduce the amount of microfibers released into the environment. The bill would have required, on or before January 1, 2020, a public entity that uses a laundry system, and a private entity that contracts with a state agency for laundry services, to install a filtration system to capture microfibers that are shed during washing.

Status: Held in Assembly Environmental Safety and Toxic Materials Committee

AB 142 (Garcia, C.) Lead-acid batteries.

Summary: This bill extends the Manufacturer Battery Fee indefinitely, increasing it from \$1 to \$2 on April 1, 2022 and makes other changes to the Lead-Acid Battery Recycling Act of 2016, including establishing a number of prerequisite requirements for the use of the Lead Acid Battery Cleanup Fund for investigation or site evaluation work.

Status: Chapter 860 (Statutes of 2019)

AB 161 (Ting) Solid waste: paper waste: proofs of purchase.

Summary: Current law prohibits certain stores from providing a single-use carryout bag to a customer at the point of sale and prohibits full-service restaurants from providing single-use plastic straws to consumers unless requested by the consumer. This bill would have required a business, as defined, that accepts payment through cash, credit, or debit transactions, subject to certain exceptions, to provide a proof of purchase to a consumer only at the consumer's option and would have prohibited a business from printing a paper proof of purchase if the consumer opts to not receive a proof of purchase, unless otherwise required by state or federal law.

Status: Held in Senate Appropriations Committee

AB 170 (Gonzalez) Employment harassment: liability.

Summary: This bill would have excluded a contracted supervisor from the nonemployees for whose acts, with respect to harassment of an employee, applicant, unpaid intern or volunteer, or person providing services pursuant to a contract, an employer may be responsible if the employer, or its agents or supervisors, knows or should have known of the conduct and fails to take immediate and appropriate corrective action, and would have made an employer responsible for the acts of a contracted supervisor with respect to harassment of those persons in the workplace. The bill, for purposes of these provisions, would have defined "a contracted supervisor" to mean a person providing services pursuant to a contract who supervises one or more employees, applicants, unpaid interns or volunteers, or persons providing services pursuant to a contract.

Status: This bill was amended into legislation related to worker status: employees and independent contractors (Chapter 415, Statutes of 2019)

AB 171 (Gonzalez) Employment: sexual harassment.

Summary: Current law prohibits an employer from discharging or in any manner discriminating or retaliating against an employee who is a victim of domestic violence, sexual assault, or stalking for taking time off work to obtain specified relief or because of the employee's status as a victim of domestic violence, sexual assault, or stalking, if the victim provides notice to the employer of the status or the employer has actual knowledge of the status. Current law authorizes an employee to file a complaint with the Division of Labor Standards Enforcement for a violation of these prohibitions within one year from the date of occurrence of the violation. Current law makes it a misdemeanor for an employer to refuse to rehire, promote, or restore an employee who has been determined to be so eligible by a grievance procedure or legal hearing. This bill would have expanded the scope of these provisions by defining "employer" for purposes of these provisions to mean any person employing another under any appointment or contract of hire and to include the state, political subdivisions of the state, and municipalities.

Status: Vetoed

AB 178 (Dahle) Energy: building standards: photovoltaic requirements.

Summary: This bill specifies, until January 1, 2023, that residential construction intended to repair, restore, or replace a residential building damaged or destroyed as a result of a disaster in an area in which a state of emergency has been proclaimed by the Governor, before January 1, 2020, is required

to comply with the photovoltaic requirements, if any, that were in effect at the time the damaged or destroyed residential building was originally constructed and is not required to comply with any additional or conflicting photovoltaic requirements in effect at the time of repair, restoration, or replacement.

Status: Chapter 259 (Statutes of 2019)

AB 181 (Maienschein) Hazardous waste: cost reimbursement.

Summary: Current law requires a person who applies for, or requests, among other things, a hazardous waste facilities permit or a renewal of an current hazardous waste facilities permit, to enter into a written cost reimbursement agreement with DTSC to reimburse DTSC's costs. Current law requires that at least 25% of the reimbursement be made in advance. This bill exempts federally owned facilities from the 25% advance payment requirement for processing hazardous waste facility permit applications, permit modification requests, and variance requests reimbursement agreements with DTSC.

Status: Chapter 797 (Statutes of 2019)

AB 190 (Ting) Budget Act of 2019.

Summary: This bill would have made appropriations for the support of state government for the 2019–20 fiscal year.

Status: Held in Assembly Budget Committee

AB 196 (Gonzalez) Paid Family leave.

Summary: This bill would have defined “injury,” for certain employees who are employed in an occupation or industry deemed essential in the Governor’s Executive Order of March 19, 2020 (Executive Order N-33-20), except as specified, or who are subsequently deemed essential, to include coronavirus disease 2019 (COVID-19) that develops or manifests itself during a period of employment of those persons in the essential occupation or industry. The bill would have applied to injuries occurring on or after March 1, 2020, would have created a disputable presumption, as specified, that the injury arose out of and in the course of the employment, and would have extended that presumption following termination of service for a period of 90 days, commencing with the last date actually worked. The bill would have shortened the investigatory timeframe for denial or presumed acceptance of a claim to 30 days, rather than 90 days.

Status: Held on Senate Inactive File

AB 206 (Chiu) Public nuisance: abatement: lead-based paint.

Summary: This bill makes a property owner, or agent thereof, who participates in a program to abate lead-based paint created as a result of a judgment or settlement in any public nuisance or similar litigation, and all public entities, immune from liability in any lawsuit seeking to recover any cost associated with that abatement program. The bill prohibits participation in a lead paint abatement program from being considered as evidence that a property constitutes a nuisance, or is substandard or untenable, as provided.

Status: Chapter 171 (Statutes of 2019)

AB 212 (Bonta) Counties: recording fees.

Summary: Current law establishes a fee for recording documents with the county recorder at \$10 for the first page and \$3 for each additional page and authorizes a county recorder to assess additional specified fees, including a fee of \$1 for each document filed in order to defray the cost of converting the county recorder’s document storage system to micrographics. This bill, until January 1, 2026, authorizes the \$1 fee to additionally be used for restoration and preservation of the county recorder’s permanent archival microfilm, to implement and fund a county recorder archive program as determined

by the county recorder, or to implement and maintain or utilize a trusted system for the permanent preservation of recorded document images.

Status: Chapter 41 (Statutes of 2019)

AB 238 (Santiago) Unlicensed automobile dismantlers: enforcement and compliance activities.

Summary: Under current law, it is unlawful for any person to act as an automobile dismantler without having an established place of business, meeting specified requirements, and having a current, valid license or temporary permit issued by the Department of Motor Vehicles. Current law, which was repealed on January 1, 2020, required DTSC to collaborate with specified state agencies to review and coordinate enforcement and compliance activity related to unlicensed and unregulated automobile dismantling, including resulting tax evasion, environmental impacts, and public health impacts. This bill would have reenacted and extended those provisions relating to the review and coordination requirement to January 1, 2024.

Status: Held in Senate Appropriations Committee

AB 271 (Cooper) Civil service: Personnel Classification Plan: salary equalization.

Summary: This bill would have required the Department of Human Resources to, by December 31, 2020, and every 2 years thereafter, evaluate all civil service classifications and prepare a detailed report on gender and ethnicity pay equity in each classification where there is an underrepresentation of women and minorities. The bill would have required each state agency to submit specified information to the Department of Human Resources about each state civil service classification within the agency.

Status: Held at Senate Desk

AB 280 (Burke) Hazardous materials: fees.

Summary: This bill would have provided that the various hazardous waste facility fees, hazardous waste generator fees, and fees imposed on certain organizations that use, generate, store, or conduct activities in the state related to hazardous materials are due and payable, and shall be paid to the California Department of Tax and Fee Administration, within 45 days after the date of assessment.

Status: Held in Assembly Revenue and Taxation Committee

AB 289 (Fong) California Public Records Act Ombudsperson.

Summary: This bill would have established, within the California State Auditor's Office, the California Public Records Act Ombudsperson. The bill would have required the California State Auditor to appoint the ombudsperson subject to certain requirements. The bill would have required the ombudsperson to receive and investigate requests for review, as defined, determine whether the denials of original requests, as defined, complied with the California Public Records Act, and issue written opinions of its determination, as provided.

Status: Held in Senate Judiciary Committee

AB 312 (Cooley) State government: administrative regulations: review.

Summary: This bill would have required each state agency to, on or before January 1, 2022, review its regulations, identify any regulations that are duplicative, overlapping, inconsistent, or out of date, revise those identified regulations, and report its findings and actions taken to the Legislature and Governor. The bill also would have repealed these provisions on January 1, 2023.

Status: Held in Assembly Appropriations Committee

AB 345 (Muratsuchi) Natural resources: environmental justice: oil and gas: regulation of operations.

Summary: This bill would have required the Secretary of the Natural Resources Agency to create an

environmental justice program within the agency to identify and address any gaps in existing programs, policies, or activities that may have impeded the achievement of environmental justice. The bill, contingent upon funding for this purpose, would have required the secretary to establish a grant-based reimbursement program to enable environmental justice and community groups to meaningfully participate in rulemaking and other regulatory processes at departments and entities within the agency.
Status: Held in Senate Natural Resources and Water Committee

AB 372 (Voepel) State employees: Infant at Work programs.

Summary: This bill would have, from January 1, 2020 to January 1, 2022, established the Infant at Work Pilot Program; authorized a state agency to participate in the pilot program to allow an employee who is a new parent or caregiver to an infant to bring the infant to the workplace; establish certain required elements for the pilot program; and authorized a state agency to adopt regulations that it determines necessary to participate in the pilot program.

Status: Vetoes

AB 399 (Brough) Taxation: Hazardous Substances Tax Law.

Summary: Existing law requires that certain fees, including, among others, the hazardous waste disposal fees and hazardous waste facility and generator fees, be administered and collected by the California Department of Tax and Fee Administration in accordance with the Hazardous Substances Tax Law. Existing law requires a feepayer, within 30 days of the date of assessment, to deliver a remittance of the amount of those assessed fees to the office of the California Department of Tax and Fee Administration. This bill would have required a feepayer to deliver that remittance to the office of the California Department of Tax and Fee Administration within 45 days, instead of 30 days, of the date of assessment.

Status: This bill was amended into legislation related to taxation: renters' credit (held in Assembly Revenue and Taxation Committee).

AB 432 (Quirk) Released waste: certification of local officers.

Summary: This bill would have required SWRCB, in cooperation with DTSC, to develop and implement a certification program for local officers who enter into remedial action agreements.

Status: Held in Assembly Appropriations Committee

AB 470 (Limón) California Green Business Program.

Summary: This bill would have established the California Green Business Program within CalEPA. The bill also would have required the California Green Business Program to, among other things, develop baseline, beyond compliance, sector-specific environmental standards, as defined, for green business certification programs operated by local governments or their designees.

Status: Held in Assembly Appropriations Committee

AB 495 (Muratsuchi) Cosmetics: safety.

Summary: This bill would have additionally prescribe that, under the Sherman Food, Drug, and Cosmetic Law, a cosmetic is adulterated if it contains asbestos, lead, any of several specified intentionally added ingredients, or another chemical or contaminant identified by the State DPH, except under specified circumstances.

Status: Failed passage in Assembly Health Committee

AB 586 (Diep) Taxation: renters' credit.

Summary: CEQA exempts certain housing projects from its requirements if the project meets certain criteria, including that the project site is not located within the boundaries of a state conservancy. This bill would have deleted that specific criteria.

Status: Held in Assembly Natural Resources Committee

AB 647 (Kalra) Hazardous substances: cosmetics: disinfectants: safety documents.

Summary: This bill, beginning July 1, 2020, requires an entity that manufactures or imports a hazardous substance or mixture of substances that constitutes a cosmetic, or is used as a disinfectant that is required to create a safety data sheet (SDS) for that product, to post and maintain the SDS on its internet website by its brand name or other commonly known name in a manner generally accessible to the public. If a separate SDS based on color or tint exists, the entity is also required to post and translate each SDS into Spanish, Vietnamese, Chinese, and Korean, and other languages that the director of the Department of Industrial Relations may determine are common to the beauty care industry, and to make these translations also publicly available on its website.

Status: Chapter 305 (Statutes of 2019)

AB 655 (Fong) Hazardous waste: facilities: permits: renewals.

Summary: This bill would have required DTSC to process a hazardous waste facilities permit renewal application in an expedited manner if DTSC determines that certain conditions are met, including that operations at the hazardous waste facility have not changed since the approval of the permit in effect at the time the renewal application is submitted. The bill also would have required DTSC to cease processing a hazardous waste facilities application in an expedited manner if the hazardous waste facility no longer meets one or more of the specified conditions.

Status: Held at Assembly Desk

AB 733 (Quirk) Hazardous waste: identification: testing.

Summary: This bill would have required DTSC, subject to an appropriation by the Legislature, to, within 5 years of the appropriation, review its acute aquatic toxicity criteria and guidelines for the identification of hazardous wastes and extremely hazardous wastes and evaluate whether or not there are any alternative test methods that avoid the use of live vertebrate fish and that meet the requirements of the hazardous waste control laws. If DTSC identified an alternative test method, it would be also have been required to update its regulations to authorize the alternative test method as an optional test method for the identification of hazardous wastes and extremely hazardous wastes.

Status: Vetoes

AB 756 (Garcia, C.) Public water systems: perfluoroalkyl substances and polyfluoroalkyl substances.

Summary: This bill authorizes SWRCB to order one or more public water systems to monitor for perfluoroalkyl and polyfluoroalkyl substances and establishes a separate public notification process as a result of any confirmed detection(s).

Status: Chapter 162 (Statutes of 2019)

AB 802 (Stone, M.) Reports to the Legislature: Statewide Open Data Portal.

Summary: This bill would have required state and local agencies to submit all reports to the Secretary of the Senate, the Chief Clerk of the Assembly, and the Legislative Counsel electronically, rather than submitting a printed copy, and would have eliminated the requirement that state agencies separately submit the summary of the report directly to Members of the Legislature.

Status: Held in Senate Appropriations Committee

AB 804 (Ting) Medical waste: sharps waste.

Summary: This bill would have provided that a pharmaceutical manufacturer is not required to submit to CalRecycle or post an annual disposal plan if the devices it uses for the injection of that medication are covered products, including home-generated sharps waste, pursuant to the provisions establishing the stewardship program for covered products.

Status: Held in Assembly Environmental Safety and Toxic Materials Committee

AB 805 (Obernolte) Reports submitted to legislative committees.

Summary: This bill would have required a state agency to post on its internet website any report, requested or not, that the state agency submits to a committee of the Legislature.

Status: This bill was amended into legislation related to unemployment insurance (held in Senate Labor, Public Employment, and Retirement Committee).

AB 841 (Ting) Drinking water: contaminants: perfluoroalkyl and polyfluoroalkyl substances.

Summary: This bill would have required OEHHA to adopt and complete a work plan within prescribed timeframes to assess which substances in the class of perfluoroalkyl and polyfluoroalkyl substances should be identified as a potential risk to human health and which of the substances are appropriate candidates for notification levels to be adopted by SWRCB. The bill would have required OEHHA to provide the Legislature with an update on the assessment by January 1, 2022.

Status: This bill was amended into legislation related to energy efficiency programs (Chapter 372, Statutes of 2020)

AB 866 (Petrie-Norris) State employment: reduced worktime.

Summary: This bill would have required an appointing power for a full-time position to allow for reduced worktime, including, but not limited to, job sharing by two or more employees for a position, in accordance with the Reduced Worktime Act within the State Civil Service Act.

Status: Held in Assembly Public Employment and Retirement Committee

AB 939 (Frazier) Administrative Procedure Act: major regulations.

Summary: This bill would have defined "major regulation" to be a regulation that the state agency estimates will have an economic impact on California business enterprises and individuals in an amount exceeding \$30,000,000, rather than \$50,000,000.

Status: Held in Assembly Accountability and Administrative Review Committee

AB 995 (Garcia, C.) Hazardous waste.

Summary: This bill would have created the Board of Environmental Safety within CalEPA, including requirements for the membership of the board and the prescribed duties of the board. The bill would have established an office of ombudsperson within the board. This bill would have required DTSC to prepare a detailed report on hazardous waste management every three years, and based on that report, a prescribed hazardous waste management plan to present to the board. The bill would have made a number of modifications to DTSC's hazardous waste facility permitting requirements and would have established financial assurance requirements for all hazardous waste corrective action sites as well as response action sites. Finally, the bill would have made a number of changes to the fees that are deposited into the Hazardous Waste Control Account that fund DTSC's hazardous waste management efforts.

Status: Vetoed

AB 1002 (Quirk-Silva) California Global Warming Solutions Act of 2006: Low-Carbon Fuel Standard regulations: Greenhouse Gas Reduction Fund.

Summary: This bill would have required the State Air Resources Board to ensure alternative fuels are treated equally with regard to the requirements for generating credits under the Low-Carbon Fuel Standard regulations. The bill would have, commencing January 1, 2021, required the Legislative Analyst's Office to also annually prepare an analysis of moneys allocated from the Greenhouse Gas Reduction Fund, as specified.

Status: Held in Senate Environmental Quality Committee

AB 1013 (Obernolte) State agencies: grant applications.

Summary: This bill prohibits a state agency from permitting an evaluator to review a discretionary grant application submitted by an organization or a person for which the evaluator was a representative, voting member, or staff member within the two-year period preceding receipt of that application.

Status: Chapter 498 (Statutes of 2019)

AB 1033 (Cooper) State employment: new employees: information.

Summary: This bill requires an appointing power, prior to offering employment to an applicant, to provide the applicant with an explanation of the benefits of state service, both general and particular to the applicable position, in the form of specified materials. The bill also requires that a formal offer of employment contain a written memorialization document acknowledging that the applicant received these materials before accepting employment.

Status: Chapter 447 (Statutes of 2019)

AB 1080 (Gonzalez) Solid waste: packaging and products.

Summary: Would have enacted the California Circular Economy and Plastic Pollution Reduction Act, which would have imposed a comprehensive regulatory scheme on producers, retailers, and wholesalers of single-use packaging, as defined, and priority single-use products, as defined, made partially or entirely of plastic, to be administered by CalRecycle. As part of that regulatory scheme, the bill would have required producers to source reduce single-use packaging and priority single-use products and ensure that all single-use packaging and priority single-use products manufactured after January 1, 2032, were recyclable or compostable.

Status: Held at Assembly Desk

AB 1163 (Eggman) Electronic waste.

Summary: Existing law, the Electronic Waste Recycling Act of 2003, requires a retailer selling a covered electronic device in the state to collect a covered electronic waste recycling fee from the consumer. The act defines "covered electronic device" for its purposes to mean a video display device containing a screen greater than 4 inches, measured diagonally, that is identified in regulations adopted by CalRecycle, subject to certain exclusions. The act requires a manufacturer of a covered electronic device to send a specified notice to any retailer that sells an electronic device manufactured by the manufacturer and to the California Department of Tax and Fee Administration. This bill would have made nonsubstantive changes to the provision requiring a manufacturer to send that notice.

Status: This bill was amended into legislation related to consumer warranty protection (held in Assembly Privacy and Consumer Protection Committee)

AB 1171 (Chen) Solid waste: food packaging material: local regulation.

Summary: This bill would have prohibited a city, county, city and county, or other local public agency from requiring a grocery store to use a certain type of food packaging for any food sold in the grocery store unless the majority of residential households within the jurisdiction of the local agency have access to a curbside program that accepts the material from which that food packaging is made. The bill also would have prohibited those local agencies from prohibiting a grocery store from using a certain type of food packaging for any food sold in the grocery store if a majority of residential households within the jurisdiction of the local agency have access to a curbside program that accepts the material from which that food packaging is made.

Status: Held in Assembly Natural Resources Committee

AB 1184 (Gloria) Public records: writing transmitted by electronic mail: retention.

Summary: This bill would have required a public agency to retain and preserve for at least two years all information relating to the public business that is prepared, owned, or used by the public agency and

transmitted by electronic mail, unless a statute or regulation requires a longer retention period.

Status: Vetoes

AB 1191 (Bonta) State Lands Commission: exchange of trust lands: City of Oakland: Howard Terminal property: Oakland Waterfront Sports and Mixed-Use Project, Waterfront Access, Environmental Justice, and Revitalization Act.

Summary: This bill enacts the Oakland Waterfront Sports and Mixed-Use Project, Waterfront Access, Environmental Justice, and Revitalization Act and authorizes the State Lands Commission and the San Francisco Bay Conservation and Development Commission to take certain actions related to the development of the Howard Terminal property located in the City of Oakland for the Oakland Sports and Mixed-Used Project. The bill also requires the San Francisco Bay Conservation and Development Commission and the Metropolitan Transportation Commission to take certain actions related to the San Francisco Bay Seaport Plan and San Francisco Bay Plan.

Status: Chapter 752 (Statutes of 2019)

AB 1224 (Gray) Disability insurance: paid family leave program.

Summary: This bill would have authorized up to 12 weeks of temporary disability benefits in a 12-month period, but would have limited each disability benefit period to six weeks of temporary disability benefits.

Status: Held in Assembly Appropriations Committee

AB 1252 (Rivas, R.) Environmental Justice Small Grant Program: advance payments.

Summary: This bill would have authorized CalEPA to award grants to a non-federally recognized California Native American tribe with nonprofit status or in partnership with a nonprofit organization and is located in an area adversely affected by environmental pollution and hazards that works to address environmental justice issues.

Status: Vetoes

AB 1357 (Quirk) Department of Toxic Substances Control: public meetings.

Summary: This bill would have required DTSC to hold at least 4 public meetings each calendar year to present on recent and upcoming decisions or actions relating to permitted hazardous waste facilities, hazardous waste cleanup sites, and the enforcement of the hazardous waste control laws. The bill would have required the Director of DTSC or his or her designee to be present and to run the meetings, and would have required DTSC to provide time at each meeting for public testimony.

Status: Held on Senate Inactive File

AB 1419 (Kamlager-Dove) Medical waste: pharmaceuticals.

Summary: This bill would have exempted from the definition of "pharmaceutical" herbal-based remedies, homeopathic drugs, remedies, and any other product with a National Drug Code identifying the product as "homeopathic," as well as cosmetics, soap, shampoo, sunscreen, toothpaste, lip balm, antiperspirant, and saline products.

Status: Held in Assembly Environmental Safety and Toxic Materials Committee

AB 1429 (Chen) Hazardous materials: business plans.

Summary: This bill requires a business with a facility that is not required to submit tier II information pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986 and is not subject to the provisions governing those aboveground storage tanks to submit its business plan once every three years, instead of annually.

Status: Chapter 66 (Statutes of 2019)

AB 1438 (Melendez) Hazardous materials: Green Ribbon Science Panel: meetings.

Summary: This bill would have increased the number of times the Green Ribbon Science Panel is required to meet to not less than three times each year.

Status: Held in Assembly Environmental Safety and Toxic Materials Committee

AB 1462 (Santiago) Hazardous substances: lead: cleanup: Exide Technologies facility.

Summary: This bill would have transferred a loan of \$100,000,000 from the General Fund to the Toxic Substances Control Account and would appropriate these funds to DTSC for activities related to accelerating the investigation and cleanup of homes and communities in a specified area that have lead contamination levels that exceed 80 parts per million. The bill also would have required the appropriated amount to be available for expenditure until July 1, 2021.

Status: Held in the Assembly Appropriations Committee

AB 1500 (Carrillo) Hazardous substances.

Summary: This bill would have repealed the provision authorizing a CUPA to suspend or revoke a unified program facility permit, or an element of a unified program facility permit, for not paying the permit fee or a fine or penalty associated with the permit. The bill also would have authorized the CUPA, if a permittee does not comply with a written notice from the CUPA to make those payments by the specified date, in addition to suspending or revoking the permit or permit element, to withhold issuance of the permit or permit element.

Status: Held in the Senate Appropriations Committee

AB 1509 (Mullin) Solid waste: lithium-ion batteries.

Summary: This bill would have established the Lithium-Ion Battery Recycling Program in CalRecycle. The bill would have required a covered entity, as defined, on or before March 1, 2021, to provide a list of covered products that it sells or offers for sale in the state to CalRecycle and the total number of each covered product it sold in the state during the prior year, and to update those lists annually. The bill would have defined "covered product" to mean a lithium-ion battery sold separately or sold with a product, or a product containing a lithium-ion battery or battery pack that is not designed to be removed from the product by a consumer.

Status: Held in Senate Environmental Quality Committee

AB 1531 (Salas) State agencies: bilingual services.

Summary: This bill would have reduced, from 5% to 3%, the threshold by which state agencies are required to provide language access services to a substantial number of non-English speakers.

Status: Held in the Assembly Appropriations Committee

AB 1596 (ESTM) Hazardous substances: contaminated property: fentanyl cleanup.

Summary: This bill renames the Methamphetamine Contaminated Property Cleanup Act of 2005 the Methamphetamine or Fentanyl Contaminated Property Cleanup Act and would additionally apply all of its provisions to fentanyl contaminated property, including property owner site assessment, remediation, cleanup, and financial liability, civil penalties, and local health officer responsibilities.

Status: Chapter 691 (Statutes of 2019)

AB 1597 (ESTM) Hazardous waste: transportation: electronic manifests.

Summary: This bill aligns the hazardous waste control law to US EPA regulations implementing the electronic manifest system for the transportation of hazardous waste and deletes obsolete provisions.

Status: Chapter 133 (Statutes of 2019)

AB 1628 (Rivas, R.) Environmental justice.

Summary: This bill revises the definition of “environmental justice” to include the meaningful involvement of people of all races, cultures, incomes, and national origins with respect to those same actions, and provides that “environmental justice” includes, among other things, the availability of a healthy environment for all people.

Status: Chapter 360 (Statutes of 2019)

AB 1673 (Salas) California Environmental Quality Act: judicial challenge: litigation transparency: identification of contributors.

Summary: Would have required a plaintiff or petitioner, in an action or proceeding brought pursuant to the act, to disclose the identity of any person or entity that contributes \$1,000 or more, as specified, toward the plaintiff’s or petitioner’s costs of the action or proceeding. The bill also would have required the plaintiff or petitioner to identify any pecuniary or business interest related to the project or issues involved in the action or proceeding of those persons or entities. The bill would have authorized a court to withhold publicly those disclosures if the court finds that the public interest in keeping that information confidential clearly outweighs the public interest in disclosure.

Status: Held in Assembly Natural Resources Committee

AB 1756 (Flora) California Environmental Quality Act: judicial challenge: litigation transparency: identification of contributors.

Summary: Current law subjects an employer who is, or wishes to become, a contractor with the state for public works, or for goods or services, to various nondiscrimination requirements. This bill would have made a nonsubstantive change to this provision.

Status: Held at Assembly Desk

AB 1794 (Jones-Sawyer) Unsafe handguns: exemptions.

Summary: This bill would have made the prohibitions on unsafe handguns inapplicable to the sale or purchase of a handgun if the handgun is sold to, or purchased by, additional specified entities for use by sworn members of those entities, including DTSC.

Status: Held in Senate Appropriations Committee

AB 1805 (Labor and Employment Committee) Occupational safety and health.

Summary: Current law defines “serious injury or illness” and “serious exposure” for purposes of reporting serious occupational injury or illness to the Division of Occupational Safety and Health and for purposes of establishing the division’s duty to investigate employment accidents and exposures. This bill recasted the definition of “serious injury or illness” by removing the 24-hour minimum time requirement for qualifying hospitalizations, excluding those for medical observation or diagnostic testing, and explicitly including the loss of an eye as a qualifying injury. The bill deleted loss of a body member from the definition of serious injury and, instead, include amputation.

Status: Chapter 200 (Statutes of 2019)

AB 1860 (Santiago) Hazardous waste: facilities: permits.

Summary: Existing law requires an application for a hazardous waste facilities permit or other grant of authorization to use and operate a hazardous waste facility to include a disclosure statement, as specified. This bill would have made a nonsubstantive change to the provision requiring the application to include a disclosure statement.

Status: This bill was amended into legislation related to local government finance: special taxes: homeless housing and services (held in Assembly Revenue and Taxation Committee)

AB 2028 (Aguiar-Curry) State agencies: meetings.

Summary: The Bagley-Keene Open Meeting Act requires that a state body provide an opportunity for members of the public to directly address the body on each agenda item. Current law exempts from this requirement, among other things, an agenda item that has already been considered by a committee composed exclusively of members of the state body at a public meeting where members of the public were afforded an opportunity to address the committee on the item. This bill would have deleted this exception, thereby making the requirement to provide an opportunity to address the state body applicable to an agenda item for which the public had an opportunity to address it at a public meeting of a committee of the state body.

Status: Held on Senate Inactive File

AB 2060 (Holden) Drinking water: pipes and fittings: lead content.

Summary: This bill would have, commencing January 1, 2024, additionally defined “lead free,” for purposes of conveying or dispensing water for human consumption, to mean does not leach more than one microgram of lead under certain tests and meeting a specified certification when used with respect to certain endpoint devices, as defined. The bill would have, notwithstanding that commencement date, imposed a progressively increasing minimum percentage for a manufacturer that sells or offers for sale in the state products subject to that definition of “lead free” to comply with that definition, commencing January 1, 2021, with 100% compliance on January 1, 2024, as compared to the total number of those product models sold or offered for sale in the state by that manufacturer on July 1, 2019.

Status: Held in Senate Appropriations Committee

AB 2089 (Rivas, L.) Resilient Economies and Community Health Pilot Program.

Summary: This bill would have established the Resilient Economies and Community Health Pilot Program from January 1, 2021, through December 31, 2025, and would have had the program be administered by the Strategic Growth Council as a grant pilot program for eligible community-based organizations, as defined, to provide a comprehensive suite of coordinated incentives and services to disadvantaged communities, as defined, at the resident household level to provide economic savings, reduce greenhouse gas emissions and air pollution, and improve resiliency to the impacts of climate change. The bill would have required the council to submit specified reports to the Legislature on the program no later than January 1, 2025.

Status: Held in Assembly Natural Resources Committee

AB 2104 (Garcia, C.) Lead-Acid Battery Recycling Act of 2016.

Summary: The Lead-Acid Battery Recycling Act of 2016 creates in the State Treasury the Lead-Acid Battery Cleanup Fund and requires that the fees collected pursuant to the act, except for specified administrative expenses, be deposited into the fund. The act provides that moneys in the fund are available upon appropriation by the Legislature to DTSC for specified activities relating to lead-acid battery recycling facilities, including for specified activities relating to the former Exide Technologies lead-acid battery recycling facility in the City of Vernon, as provided, for repayment of a loan made for one of those activities, and for repayment of another loan made before September 26, 2016. Current law authorizes moneys to be expended for the repayment of those loans only after certain other activities for which expenditure from the fund is authorized have been fully funded in a given fiscal year. The act defines “lead-acid battery recycling facility” for purposes of the act. This bill excludes from the definition of “lead-acid battery recycling facility” a facility that incidentally processes lead-acid batteries.

Status: Chapter 276 (Statutes of 2020)

AB 2123 (Chau) Accessibility: internet website.

Summary: Current law establishes in state government the California Commission on Disability Access which is required to provide information regarding preventing or minimizing problems of compliance by

California businesses by providing educational services, including outreach efforts, and by preparing and hosting on its internet website a Guide to Compliance with State Laws and Regulations Regarding Disability Access Requirements. This bill would have specified that statutory damages based upon the inaccessibility of internet website under these provisions shall only be recovered against an entity, as defined, if the internet website fails to provide equally effective communication or facilitate full and equal enjoyment of the entity's goods and services to the public.

Status: Held in Assembly Judiciary Committee

AB 2138 (Chau) California Public Records Act.

Summary: The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. This bill would have recodified and reorganized the provisions of the act. The bill would have included provisions to govern the effect of recodification and stated that the bill is intended to be entirely nonsubstantive in effect. The bill would have contained related legislative findings and declarations. The bill would have become operative on January 1, 2022.

Status: Held in Assembly Judiciary Committee

AB 2214 (Carrillo) Administrative Procedure Act: notice of proposed action.

Summary: Current law, under the Administrative Procedure Act, requires a state agency proposing to adopt, amend, or repeal specific administrative regulations to prepare, submit as specified, and make available to the public upon request, certain documents relating to the proposed regulation, including, among other things, a copy of the express terms of the proposed regulation. This bill would have required the state agency to conspicuously post those documents on the state agency's website within 24 hours of submitting those documents to the office, instead of making those documents available to the public upon request. The bill also would have removed an obsolete provision.

Status: Held in Assembly Accountability and Administrative Review Committee

AB 2298 (Carrillo) Hazardous waste.

Summary: Current law requires every county to apply to the Secretary for Environmental Protection to be certified to implement the unified program, and authorizes a city or local agency that meets specified requirements to apply to the secretary to be certified to implement the unified program, as a CUPA. Current law authorizes the CUPA, if the CUPA determines that a person has committed, or is committing, a violation of any law, regulation, permit, information request, order, variance, or other requirement that the CUPA is authorized to enforce or implement, to issue an administrative enforcement order requiring that the violation be corrected and imposing an administrative penalty. Current law authorizes a CUPA to suspend or revoke any unified program facility permit, or an element of a unified program facility permit, for not paying the permit fee or a fine or penalty associated with the permit in accordance with specified procedures. This bill would have revised specified requirements to explicitly require noncompliance with a written notice before a permit or permit element may be suspended or revoked and would additionally have authorized the CUPA to withhold issuance of the permit or permit element if a unified program facility does not comply with a written notice.

Status: Held in Assembly Environmental Safety and Toxic Materials Committee

AB 2323 (Friedman) California Environmental Quality Act: exemptions.

Summary: CEQA exempts from its requirements certain residential, employment center, and mixed-use development projects meeting specified criteria, including that the project is undertaken and is consistent with a specific plan for which an environmental impact report has been certified. This bill would have additionally exempted those projects located in a very low vehicle travel area, as defined. The bill would have required that the project is undertaken and is consistent with either a specific plan prepared pursuant to specific provisions of law or a community plan, as defined, for which an EIR has

been certified within the preceding 15 years in order to be exempt. The bill additionally would have required the project site to have been previously developed or to be a vacant site meeting certain requirements.

Status: Held in Senate Appropriations Committee

AB 2333 (Quirk) Waste: releases: remedial action: local oversight

Summary: Whenever a release of waste occurs and remedial action is required, current law authorizes a responsible party for the release to request that a local officer supervise the remedial action. Current law requires a local officer to provide written notification, that includes specified information, to DTSC and the appropriate RWQCB at least 10 working days before entering into a remedial action agreement with a responsible party. Current law authorizes a local officer to provide a responsible party with a letter or other document that describes the release of waste that occurred and the remedial action taken and certifies that the cleanup goals embodied in the remedial action agreement were accomplished. This bill would have authorized a responsible party to request the local officer to oversee the remedial action only if the release is not being overseen by DTSC or a RWQCB.

Status: Held in Senate Environmental Quality Committee

AB 2488 (Gonzalez) Drinking water: Lead-Safe Schools Protection Act.

Summary: The Lead-Safe Schools Protection Act requires the State DPH to perform various activities related to reducing the risk of exposure to lead hazards in public schools, as defined, including, among other activities, conducting a sample survey to determine the likely extent and distribution of lead exposure to children from paint on the school, soil in play areas at the school, drinking water at the tap, and other potential sources identified by the State DPH for this purpose, as provided. This bill would have made nonsubstantive changes to those provisions.

Status: Introduced; Not referred to Assembly committee

AB 2511 (Garcia, C.) Hazardous waste.

Summary: Current law authorizes DTSC to report findings and results of an investigation that it undertakes pertaining to subject matter governed by the hazardous waste control laws and to publish reports summarizing or containing any order of the Director of DTSC or any judgment or court order that has been rendered pursuant to the hazardous waste control laws, including the nature of the charge and its disposition. This bill instead would have required DTSC to post those findings, results, and reports on its internet website.

Status: Held in Assembly Environmental Safety and Toxic Materials Committee

AB 2529 (Chen) Hazardous waste: quantity determinations.

Summary: Current law determines the type of regulation a business generating hazardous waste receives based, in part, on the quantity of that waste the business generates. Current law requires that a generator of hazardous waste include all hazardous waste that it has generated in any month, except for universal wastes, as defined, when determining that quantity. This bill would have made a nonsubstantive change to the provision requiring all hazardous waste generated in any month by a generator to be included in that quantity determination, as provided.

Status: Introduced; Not referred to Assembly committee

AB 2577 (Chiu) Environmental protection: vulnerable population: identification.

Summary: This bill would have required the Office of Planning and Research and the Strategic Growth Council to identify vulnerable populations using geographic, socioeconomic, public health, social determinants of health, environmental, and climate exposure criteria. The bill would have required the office and council, in identifying the vulnerable populations, to undertake a robust participatory process

that engages members of disadvantaged communities and other populations at significant risk from climate change impacts.

Status: Held in Assembly Natural Resources Committee

AB 2607 (Mathis) Department of Fish and Wildlife: Office of the Ombudsperson.

Summary: The California Constitution establishes the 5-member Fish and Game Commission, with members appointed by the Governor and approved by the Senate. Current law requires the commissioners to annually elect one of their number as president. Current law requires the commission to formulate the general policies for the conduct of the Department of Fish and Wildlife and requires its director to be guided by those policies and be responsible to the commission for the administration of the Department of Fish and Wildlife in accordance with those policies. This bill would have established in the Department of Fish and Wildlife the Office of the Ombudsperson administered through the ombudsperson.

Status: Held in Assembly Water, Parks, and Wildlife Committee

AB 2676 (Quirk) California Public Records Act: exemptions.

Summary: Current law exempts from disclosure critical infrastructure information, as defined, that is voluntarily submitted to the Office of Emergency Services for use by that office, including the identity of the person who or entity that voluntarily submitted the information. Current law defines “voluntarily submitted” for that purpose. This bill would have removed the restriction that the submission be voluntary, thereby expanding that exemption.

Status: Held in Assembly Judiciary Committee

AB 2677 (Santiago) Lead contamination: Exide Technologies facility: community liaison.

Summary: This bill would have created in the CalEPA, under the direction of the Secretary for Environmental Protection, the position of community liaison. The bill would have provide that the duties of the community liaison include, but are not limited to, community outreach and dissemination of information relating to cleanup of the lead contamination in the areas surrounding the Exide Technologies facility in the City of Vernon and coordination with DTSC to address issues raised by residents affected by the lead contamination in the areas surrounding the Exide Technologies facility.

Status: Held in the Assembly Environmental Safety and Toxic Materials Committee

AB 2699 (Santiago) Firearms: unsafe handguns.

Summary: This bill exempts from the prohibition on unsafe handguns, the sale of a handgun to, or the purchase of a handgun by, additional specified entities for use by sworn members of those entities, including DTSC. This bill specifies that the sale of an unsafe handgun to certain specified entities and members of those entities is only authorized if the handgun is to be used as a service weapon by a peace officer who has successfully completed the basic course prescribed by the Commission on Peace Officer Standards and Training (POST) and who qualifies with the handgun, as specified, at least every 6 months. The bill also provides that this training requirement is satisfied by completion of other specified POST training before January 1, 2021.

Status: Chapter 289 (Statutes of 2020)

AB 2706 (Fong) California Environmental Quality Act: record of proceedings.

Summary: In an action or proceeding alleging the lead agency violated CEQA, CEQA requires the lead agency to prepare and certify the record of proceedings and requires the parties to pay any reasonable costs or fees imposed for the preparation of the record of proceedings, as specified. CEQA authorizes the plaintiff or petitioner to elect to prepare the record of proceedings or for the parties to agree to an alternative method of preparation of the record of proceedings, subject to certification of its accuracy by the public agency. This bill would have made the above authorization for the plaintiff or

petitioner to elect to prepare the record of proceedings or to agree to an alternative method of record preparation inapplicable in a proceeding challenging a project that will be exclusively located or implemented in a county with fewer than 1,000,000 residents and, if the project is located in a city within that county, the city has fewer than 500,000 residents.

Status: Held in Assembly Natural Resources Committee

AB 2731 (Gloria) California Environmental Quality Act: City of San Diego: Old Town Center redevelopment.

Summary: This bill authorizes the San Diego Association of Governments to obtain site control to support the redevelopment of the Old Town Center site, including a transit and transportation facilities project, in the City of San Diego before completing the environmental review for those actions.

Status: Chapter 291 (Statutes of 2020)

AB 2734 (Chiu) California Environmental Quality Act: geographic terms: maps.

Summary: CEQA requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an EIR on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA requires OPR to prepare and develop, and the Secretary of the Natural Resources Agency to review and adopt, guidelines for the implementation of CEQA. This bill would have authorized the office to prepare and develop, and the secretary to review, adopt, amend, or repeal, maps for purposes of CEQA to illustrate or clarify geographic terms. The bill would have specified that the adopted maps establish a rebuttable presumption of the presence of geographic terms depicted by the maps. The bill would have prohibited a lead agency or responsible agency from making a contrary finding of the presence of the geographic terms depicted by the maps unless the contrary finding is supported by a preponderance of evidence in the record of proceedings.

Status: Held in Assembly Natural Resources Committee

AB 2740 (Carrillo) Fireworks: dangerous fireworks: seizure: management.

Summary: Current law makes the possession of dangerous fireworks, except when the person possessing the dangerous fireworks holds and is operating within the scope of a valid license, subject to various penalties depending on the amount of gross weight in possession, including the penalty of a misdemeanor. Current law defines dangerous fireworks for these purposes. This bill would have expanded the definition of a dangerous firework to include any firework that contains lead and lead compounds and hexachlorobenzene, as provided.

Status: Introduced; Not referred to Assembly committee

AB 2744 (Limón) Environmental protection: environmental data.

Summary: Current law requires the Secretary for Environmental Protection to develop and adopt information technology standards by which public agencies and the regulated community may use computers and other information technology to comply with environmental data reporting requirements, and to establish a standardized electronic format and protocol for the exchange of electronic data for the purpose of meeting the environmental data reporting requirements of specified laws. This bill would have made nonsubstantive revisions to legislative findings and declarations relative to the purposes of the above-described law.

Status: Introduced; Not referred to Assembly committee

AB 2749 (Stone, M.) Cannabis: quality assurance and testing.

Summary: Current law requires cannabis or cannabis products to be tested by a licensed testing laboratory. Current law requires the licensed testing laboratory to issue a certificate of analysis for each batch of cannabis or cannabis products tested, including reporting on a specified list of compounds and

contaminants. This bill would have required the Bureau of Cannabis Control, on or before January 1, 2022, to establish specific testing standards for all specified compounds and contaminants. The bill also would have required the bureau to post a notification on its internet website when a licensed testing laboratory is prohibited for more than 45 days from issuing certificates of analysis and to remove that notification immediately upon reinstatement of the licensed testing laboratory's authorization to issue certificates of analysis if the licensed testing laboratory is otherwise in good standing.

Status: Held in Senate Appropriations Committee

AB 2762 (Muratsuchi) Cosmetic products: safety.

Summary: Current law provides the State DPH with the authority to pursue all actions necessary to protect public health, including areas of product safety. This bill, commencing January 1, 2025, prohibits a person or entity from manufacturing, selling, delivering, holding, or offering for sale, in commerce any cosmetic product that contains any of several specified intentionally added ingredients, except under specified circumstances.

Status: Chapter 314 (Statutes of 2020)

AB 2882 (Chu) Hazardous emissions and substances: schoolsites: private and charter schools.

Summary: CEQA prohibits an environmental impact report or negative declaration from being approved for any project involving the purchase of a schoolsite or the construction of a new elementary or secondary school by a school district unless specified conditions are met, relating to, among other things, whether the property is located on a former hazardous waste disposal site or solid waste disposal site, a hazardous substances release site, or a site that contains a pipeline that carries specified substances, and the property's proximity to facilities that might reasonably be anticipated to emit hazardous air emissions or handle hazardous or extremely hazardous materials, substances, or waste, as provided. This bill would have additionally prohibited an EIR or negative declaration from being approved for any project involving the purchase of a schoolsite or the construction of a new elementary or secondary school by a charter school, unless those same conditions are met.

Status: Held in Senate Environmental Quality Committee

AB 2907 (Gipson) California Environmental Protection Agency: DTSC: brownfields: report.

Summary: Would have required, by December 31, 2021, CalEPA to complete a programmatic review of the DTSC's existing grant and loan programs for brownfields and a comprehensive review of brownfields in the state that includes various information, as prescribed. The bill would have required the agency to prepare and submit to the Legislature a report on the review by no later than February 1, 2021.

Status: Held in Assembly Environmental Safety and Toxic Materials Committee

AB 2920 (Oberholte) Hazardous waste: transportation: consolidated manifesting procedure.

Summary: Current law, as part of the hazardous waste control laws, imposes various manifest requirements for transporting hazardous waste, including, among others, requiring any person generating hazardous waste that is transported, or submitted for transportation, for offsite handling, treatment, storage, disposal, or any combination thereof, to complete a manifest and be subject to transporter registration requirements. Current law authorizes transporters and generators to use a consolidated manifesting procedure for certain kinds of waste if specified requirements are met. This bill authorizes the consolidated manifesting procedure to be used additionally for retail hazardous waste, as defined, collected from a retailer engaged in business in the state. The bill requires, when using the consolidated manifesting procedure for retail hazardous waste, that incompatible materials transported in the same transport vehicle be managed pursuant to specified provisions that govern the transportation of hazardous waste.

Status: Chapter 222 (Statutes of 2020)

AB 2993 (Levine) Hazardous waste: classification: exclusions: green waste.

Summary: Current law requires DTSC to develop and adopt by regulation criteria and guidelines for the identification of hazardous wastes and extremely hazardous wastes, as provided. Current law exempts certain kinds of waste, including, among other things, wood waste, as defined, from regulation under the hazardous waste control laws under specified conditions. This bill would have excluded from classification as a hazardous waste green waste, as defined, that would be classified as hazardous solely because a representative sample of the green waste is below a specified threshold pursuant to an acute aquatic toxicity test described in a specified regulation.

Status: Held in Assembly Environmental Safety and Toxic Materials Committee

AB 3042 (Limón) Hazardous materials.

Summary: Existing law declares the Legislature's intent that, in order to protect the public health and safety and the environment, it is necessary to establish business and area plans relating to the handling and release or threatened release of hazardous materials. This bill would have made nonsubstantive changes to that provision.

Status: This bill was amended into legislation related to dietary supplements for weight loss and over-the-counter diet pills (held in Assembly Health Committee)

AB 3116 (Irwin) Mobility devices: personal information.

Summary: Would have authorized authorize a public agency, defined as a state or local public entity that issues a permit to an operator for mobility services or that otherwise regulates an operator, to require an operator to periodically submit to the public agency anonymized trip data and the operator's mobility devices operating in the geographic area under the public agency's jurisdiction and provide specified notice of that requirement to the operator. The bill would have authorized a public agency to share anonymized trip data with a contractor, agent, or other public agency only if specified conditions are met, including that the purpose of the sharing is to assist the public agency in the promotion and protection of transportation planning, integration of mobility options, and road safety. The bill would have prohibited a public agency from sharing trip data with a contractor or agent.

Status: Held in Assembly Appropriations Committee

AB 3158 (Melendez) Solid waste: Rechargeable Battery Recycling Act.

Summary: Would have authorized DTSC to include on its internet website the prior years' previously posted information of the estimated amount, by weight, of each type of rechargeable batteries returned for recycling.

Status: Held in Assembly Environmental Safety and Toxic Materials Committee

AB 3162 (Oberholte) Reports submitted to legislative committees.

Summary: Current law requires a report required or requested by law to be submitted by a state or local agency to the Members of either house of the Legislature, generally, to be submitted in a specified manner, including a requirement that a report submitted by a state agency be posted on the state agency's internet website. This bill additionally would have required a state agency to post on its internet website any report, as defined, that the state agency submits to a committee of the Legislature.

Status: Held in Assembly Accountability and Administrative Review Committee

AB 3180 (Gabriel) Pupils: tobacco and cannabis products: confiscation.

Summary: This bill would have authorized a school of a school district or county office of education or a charter school to permanently confiscate and immediately dispose of a tobacco product, as defined, or cannabis product, as defined, taken from a pupil while the pupil is on campus, attending a school-sponsored activity, or under the supervision and control of a school employee.

Status: Held in Assembly Education Committee

AB 3261 (ESTM) Hazardous waste: small quantity generator.

Summary: Current law designates certain generators of hazardous waste in specified amounts as a “conditionally exempt small quantity generator,” also known as “CESQG” for certain regulations. The term CESQG is defined with reference to a specified federal regulation that provides that a generator is a conditionally exempt small quantity generator in a calendar month if it generates no more than 100 kilograms of hazardous waste in that month and that specifies which hazardous wastes are included in, or excluded from, that calculation. That federal regulation also exempts specified amounts of acute hazardous wastes and residues from cleanup of acute hazardous waste, as specified. This bill would have replaced the terms “conditionally exempt small quantity generator” and CESQG with “very small quantity generator” and “VSQG” with reference to a different federal regulation that recasts those provisions regarding the amount of hazardous waste and which hazardous wastes are included in, or excluded from, that calculation.

Status: Held in Sente Environmental Quality Committee

AB 3296 (Kiley) California Environmental Quality Act: Department of Fish and Wildlife: review of environmental documents: revenue and cost tracking and accounting.

Summary: Current law authorizes the Department of Fish and Wildlife to impose and collect a filing fee to defray the costs of managing and protecting fish and wildlife trust resources, including, but not limited to, consulting with other public agencies, reviewing environmental documents, recommending mitigation measures, developing monitoring requirements for purposes of CEQA, and other activities protecting those trust resources identified in the review pursuant to the CEQA. This bill would have required the Department of Fish and Wildlife to separately track and account for all revenues collected under the above filing fee provision and all costs incurred in its role as a responsible agency or trustee agency under CEQA.

Status: Held in Assembly Water, Parks, and Wildlife Committee

AB 3336 (Carrillo) California Hazardous Substances Act: misbranded and banned hazardous substances.

Summary: The California Hazardous Substances Act prohibits the manufacture, production, preparation, compounding, packing, selling, offering for sale, or keeping for sale within the State of California, or the introduction into this state, of any package of a misbranded hazardous substance or banned hazardous substance. The act prohibits prosecution under the act if a person, after receipt of a hazardous substance, can establish a specified guarantee or undertaking to the effect that the hazardous substance is not a misbranded hazardous substance or a banned hazardous substance. This bill would have made nonsubstantive changes to the latter provision.

Status: This bill was amended into legislation related to third-party food delivery platforms: food safety (Chapter 105, Statutes of 2020).

AB 3354 (Friedman) Hazardous materials: green chemistry.

Summary: Current law requires DTSC to adopt regulations to establish a process to identify and prioritize those chemicals or chemical ingredients in consumer products that may be considered as being a chemical of concern. Current law requires DTSC to adopt regulations to establish a process for evaluating chemicals of concern in consumer products and their potential alternatives, to determine how best to limit exposure or reduce the level of hazard posed by a chemical of concern. Current law requires DTSC to establish a Green Ribbon Science Panel to, among other things, advise DTSC in the adoption of those regulations. This bill would have repealed the above provisions and would have made conforming changes.

Status: Introduced; Not referred to Assembly committee

ACA 22 (Melendez) Environmental quality: California Environmental Quality Act: housing projects: injunctions: exemptions.

Summary: This bill would have prohibited a court, in granting relief in an action or proceeding brought under CEQA, from enjoining a housing project, as defined, unless the court finds that the continuation of the housing project presents an imminent threat to public health and safety or that the housing project site contains unforeseen important Native American artifacts or important historical, archaeological, or ecological values that would be materially, permanently, and adversely affected by the continuation of the housing project. The measure would have, except as provided, prohibited the Legislature from enacting legislation to exempt projects from the requirements of CEQA unless the projects are housing projects, projects for the development of roadway infrastructure, or projects to address an emergency circumstance for which the Governor has declared a state of emergency.

Status: Introduced; Not referred to Assembly committee

Senate Bills

SB 53 (Wilk) Open meetings.

Summary: This bill would have specified that the definition of “state body” includes an advisory board, advisory commission, advisory committee, advisory subcommittee, or similar multimember advisory body of a state body that consists of 3 or more individuals, as prescribed, except a board, commission, committee, or similar multimember body on which a member of a body serves in their official capacity as a representative of that state body and that is supported, in whole or in part, by funds provided by the state body, whether the multimember body is organized and operated by the state body or by a private corporation.

Status: Held in Assembly Appropriations Committee

SB 54 (Allen) Solid waste: packaging and products.

Summary: Would have enacted the California Circular Economy and Plastic Pollution Reduction Act, which would have imposed a comprehensive regulatory scheme on producers, retailers, and wholesalers of single-use packaging, as defined, and priority single-use products, as defined, made partially or entirely of plastic, to be administered by CalRecycle. As part of that regulatory scheme, the bill would have required producers to source reduce single-use packaging and priority single-use products and to ensure that all single-use packaging and priority single-use products that are manufactured after January 1, 2032 were recyclable or compostable. The bill would have required CalRecycle to achieve and maintain, by January 1, 2032, a statewide 75% reduction of the waste generated from single-use packaging and priority single-use products offered for sale, sold, distributed, or imported in or into the state through source reduction, recycling, or composting.

Status: Failed passage on Assembly Floor

SB 68 (Galgiani) Hazardous waste: treated wood waste.

Summary: Current law requires each wholesaler and retailer of treated wood and treated wood-like products to conspicuously post information that contains a specified message, including a certain internet website address at which more information can be found, at or near the point of display or customer selection of treated wood and treated wood-like products, as provided. Current law requires the wood preserving industry, as defined, to, jointly and in consultation with DTSC, make information available to generators of treated wood waste that describes how to best handle, dispose of, and otherwise manage treated wood waste. Current law repeals these requirements on January 1, 2021. A violation of the hazardous waste control laws is a crime. This bill would have made permanent the statute authorizing treated wood waste alternative management standards, require the wood preserving industry to perform additional outreach to treated wood waste handlers, and impose additional mandates on DTSC related to treated wood waste and treated wood waste management.

Status: Vetoed

SB 73 (Mitchell) Budget Act of 2019.

Summary: This bill would have made appropriations for the support of state government for the 2019–20 fiscal year.

Status: Held in Senate Budget and Fiscal Review Committee

SB 86 (Durazo) Department of Pesticide Regulation: chlorpyrifos: quarterly reports.

Summary: This bill, beginning with the first quarter of 2021, requires DPR to prepare and submit to specified Senate and Assembly committees and the Office of the Surgeon General quarterly reports containing information, as prescribed, regarding granular chlorpyrifos use, monitoring, and exposure during the quarter.

Status: Chapter 299 (Statutes of 2020)

SB 135 (Jackson) Paid family leave.

Summary: This bill would have prohibited an employer with five or more employees from refusing to grant an employee a request to take up to 12 weeks of unpaid leave for family care and medical leave if the employee had 180 days of service with the employer.

Status: Held on Senate Inactive File

SB 232 (Dodd) Hazardous substances: regulated metals: packaging materials.

Summary: This bill, until January 1, 2024, would have increased the permissible heavy metal limit of the Toxics in Packaging Prevention Act from 100 to 200 parts per million (ppm) by weight for recycled glass packaging.

Status: Vetoes

SB 276 (Pan) Immunizations: medical exemptions.

Summary: This bill requires DPH, by January 1, 2021, to develop and make available for use by licensed physicians and surgeons an electronic, standardized, statewide medical exemption request that would be transmitted using the California Immunization Registry, and which, commencing January 1, 2021, will be the only documentation of a medical exemption that a governing authority may accept. The bill specifies the information to be included in the medical exemption form, including a certification under penalty of perjury that the statements and information contained in the form are true, accurate, and complete.

Status: Chapter 278 (Statutes of 2019)

SB 317 (Caballero) Hazardous waste: waste facilities: prohibited chemicals.

Summary: This bill bans the sale and distribution of recreational vehicle (RV) chemical toilet deodorizers containing any of 14 designated biocidal chemicals, which cause septic tank failure, and requires the owner or operator of an RV park or campground to post a notice informing users of the ban. This bill also requires, upon appropriation, SWRCB to investigate methods to detect and quantify the specified chemicals in septic systems.

Status: Chapter 367 (Statutes of 2019)

SB 392 (Allen) Hazardous materials: green chemistry: consumer products.

Summary: This bill would have authorized DTSC, in lieu of requiring an analysis of alternatives, following public notice and an opportunity for public comment, to instead rely on all or part of one or more applicable publicly available studies or evaluations of alternatives to the chemical of concern under consideration in a consumer product, in existence at the time of consideration, and to proceed directly to a regulatory response, as provided. The bill also would have required DTSC to amend specified regulations to conform to these provisions. This bill contains other related provisions.

Status: Held on Assembly Inactive File

SB 424 (Jackson) Tobacco products: single-use and multiuse components.

Summary: This bill would have prohibited a person or entity from selling, giving, or furnishing to another person of any age in this state a cigarette utilizing a single-use filter made of any material, an attachable and single-use plastic device meant to facilitate manual manipulation or filtration of a tobacco product, and a single-use electronic cigarette or vaporizer device. The bill would have prohibited that selling, giving, or furnishing, whether conducted directly or indirectly through an in-person transaction, or by means of any public or private method of shipment or delivery to an address in this state.

Status: Held in Assembly Governmental Organization Committee

SB 519 (Bradford) Hazardous substances: underground storage tanks.

Summary: This bill authorizes SWRCB to expend moneys in the Underground Storage Tank Cleanup Fund for the reasonable and necessary costs incurred by DTSC or water replenishment districts to identify the source of surface or groundwater contamination, and for remediation costs.

Status: Chapter 480 (Statutes of 2019)

SB 552 (Archuleta) Hazardous waste: household hazardous waste: door-to-door collection programs: residential pickup services.

Summary: This bill indefinitely extends the requirements that allow a public agency or its contractor to operate a door-to-door household hazardous waste collection program or a household hazardous waste residential pickup program.

Status: Chapter 481 (Statutes of 2019)

SB 574 (Leyva) Cosmetic Fragrance and Flavor Ingredient Right to Know Act of 2019.

Summary: This bill would have, commencing January 1, 2021, required a manufacturer of a cosmetic product sold in the state to disclose to the Division of Environmental and Occupational Disease Control a list of each fragrance ingredient or flavor ingredient that is included on a designated list, as defined, and a list of each fragrance allergen that is present in the cosmetic product in specified concentrations. The bill would, commencing January 1, 2021, have required the division to post on its existing database of cosmetic product information a list of those fragrance ingredients and flavor ingredients in the cosmetic product and its associated health hazards.

Status: Held in Assembly Appropriations Committee

SB 633 (Stern) Toxic substances: cleanup standards.

Summary: This bill would have required DTSC, in finalizing cleanup standards for a contaminated site, to consider, among other factors, the history of, and potential for, future migration of contamination offsite or to groundwater or surface water.

Status: The bill was amended into legislation related to the California Electric Vehicle Authority (held in Assembly Environmental Safety and Toxic Materials Committee)

SB 647 (Mitchell) Hazardous substances: metal-containing jewelry.

Summary: This bill expands the scope of the Metal-Containing Jewelry Law and makes it more stringent by raising the age threshold for children's jewelry and lowering lead and cadmium content standards for all jewelry.

Status: Chapter 379 (Statutes of 2019)

SB 692 (Skinner) Cannabis: trade samples.

Summary: This bill, on January 1 2022, or upon the effective date of specified regulations by the Bureau of Cannabis Control, whichever occurs first, would have allowed a licensee authorized to engage in distribution or retail sales of cannabis to designate cannabis or a cannabis product as a trade sample at any time while the cannabis or cannabis product is in the possession of the licensee and would have imposed specific requirements on the licensee making the designation. The bill would have prohibited the sale or donation of cannabis or a cannabis product that is designated a trade sample, but would have allowed those trade samples to be given for no consideration to an employee of the licensee that designated the trade sample or to a licensee authorized to engage in distribution or retail sales of cannabis, subject to specified requirements, including that a trade sample be given only for specified purposes.

Status: Held in Senate Appropriations Committee

SB 726 (Caballero) Hazardous waste: public agencies: materials exchange program.

Summary: This bill authorizes a contractor of a public agency to conduct a materials exchange program at a household hazardous waste collection facility for reusable household hazardous products and material, and authorizes the distribution of reusable household products to a broader range of recipients, including commercial entities.

Status: Chapter 485 (Statutes of 2019)

SB 937 (Hill) State agencies: web accessibility.

Summary: This bill would have authorized a state agency to temporarily remove public documents from digital access if a justifiable impediment exists and the Director of Technology verifies the impediment prohibits full compliance and the state agency complies with certain requirements, including citing the reason for the document's removal and listing options and instructions for how to access the document offline. The bill would have made any file or document removed after October 14, 2017, subject to these requirements.

Status: Held in Senate Judiciary Committee

SB 1044 (Allen) Firefighting equipment and foam: PFAS chemicals.

Summary: This bill, prohibits the manufacture, sale, distribution, and use of class B firefighting foam containing perfluoroalkyl substances and polyfluoroalkyl substances (PFAS chemicals) by January 1, 2022, with some exceptions, and requires notification of the presence of PFAS chemicals in the protective equipment of firefighters. This bill also requires CalEPA to identify a safe disposal technology for recalled PFAS containing products.

Status: Chapter 308 (Statutes of 2020)

SB 1056 (Portantino) Drinking water: testing: perfluoroalkyl and polyfluoroalkyl substances.

Summary: This bill would have required the SWRCB, on or before January 1, 2022, to certify a methodology or methodologies for testing drinking water, groundwater, and surface water for perfluoroalkyl and polyfluoroalkyl substances, as provided, and to accredit qualified laboratories in California to analyze perfluoroalkyl and polyfluoroalkyl substances pursuant to the adopted methodology or methodologies.

Status: Held in Senate Environmental Quality Committee

SB 1070 (Leyva) Land use: general plans.

Summary: The Planning and Zoning Law requires the legislative body of each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city and of any land outside its boundaries that bears relation to its planning. That law requires the general plan to include several elements, including, among others, an environmental justice element, or related goals, policies, and objectives integrated in other elements, that identifies disadvantaged communities, as defined, if the city, county, or city and county has a disadvantaged community. This bill would have revised and recasted the provisions regarding an environmental justice element by requiring the environmental justice element to include certain provisions, including identification of disadvantaged communities; an assessment of the unique and compounded health risks and investment needs in disadvantaged communities; a statement of goals, quantified objectives, and policies designed to address the unique and compounded health risks and investment needs identified; and a program that sets forth a schedule of required meaningful actions with an implementation deadline and performance metrics with regard to the goals, quantified objectives, and policies identified.

Status: Held in Senate Rules Committee

SB 1152 (Skinner) Solar panels: disposal: labeling.

Summary: This bill would have required, on and after January 1, 2023, a manufacturer of a solar panel

sold in California to include a permanently affixed label that provides information necessary to facilitate proper disposal or recycling of the solar panel at the end of its useful life. The bill would have required CalRecycle, in consultation with the State Energy Resources Conservation and Development Commission and the Public Utilities Commission, to develop regulations implementing that labeling requirement, as provided.

Status: Held in Senate Rules Committee

SB 1156 (Archuleta) Lithium-ion batteries: illegal disposal: fire prevention.

Summary: This bill would have enacted requirements to increase the proper handling and disposal of lithium-ion batteries and products that contain lithium-ion batteries to prevent fires that are caused by lithium-ion batteries disposed in solid waste management facilities.

Status: Held on Senate Inactive File

SB 1173 (Durazo) Public employment: labor relations: employee information.

Summary: Current law, including the Meyers-Milias-Brown Act, the Ralph C. Dills Act, the Trial Court Employment Protection and Governance Act, the Trial Court Interpreter Employment and Labor Relations Act, and the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act, provisions commonly referred to as the Educational Employment Relations Act, and the Higher Education Employer-Employee Relations Act, among others, regulates the labor relations of the state, the courts, and specified local public agencies and their employees. Current law requires these public employers to provide certain labor representatives with the names and home addresses of newly hired employees, as well as their job titles, departments, work locations, telephone numbers, and personal email addresses, within 30 days of hire or by the first pay period of the month following hire. Current law also requires the public employers to provide this information for all employees in a bargaining unit at least every 120 days, except as specified. This bill, beginning on July 1, 2021, would have generally authorized an exclusive representative to file a charge of an unfair labor practice with the Public Employment Relations Board, as specified, alleging a violation of the above-described requirements.

Status: Held on Senate Inactive File

SB 1228 (Caballero) Adoption of regulations.

Summary: Current law establishes OAL and sets forth its powers and duties, including, but not limited to, the review and approval of regulations proposed for adoption by state agencies. Current law requires the office to maintain a link on its internet website to the internet website of the Small Business advocate. This bill would have made nonsubstantive changes to that provision.

Status: Held in Senate Rules Committee

SB 1235 (Caballero) Administrative Procedure Act: adverse economic impact.

Summary: Current law requires a state agency proposing to adopt, amend, or repeal a major regulation, on or after November 1, 2013, to prepare a standardized regulatory impact analysis in the manner prescribed by DOF that addresses, among other things, the creation or elimination of jobs within the state. This bill, among other things, would have deleted the requirement that a state agency prepare an economic impact assessment for proposed changes to a major regulation proposed prior to November 1, 2013, and would instead have required a state agency to prepare a standardized regulatory impact analysis for proposed changes to all major regulations. The bill would have required that the economic impact assessment and the standardized regulatory impact analysis also include identification of each regulation adopted within 10 years prior to the date of the proposed regulations when the prior adopted regulations are located in the same title or division as the proposed regulations and include a brief summary of any economic impact analysis previously performed with regard to those regulations.

Status: Held in Senate Rules Committee

SB 1346 (Dahle) State fleet: recycling program.

Summary: Current law requires, beginning December 31, 2025, that at least 15% of newly purchased vehicles with a gross vehicle weight rating of 19,000 pounds or more purchased by DGS and other state entities for the state fleet be zero emission and that at least 30% be zero emission beginning December 31, 2030. Current law requires, beginning no later than the 2024–25 fiscal year, DGS to ensure that at least 50% of the light-duty vehicles purchased for the state fleet each fiscal year are zero-emission vehicles. This bill would have required DGS, in implementing the above requirements, to ensure that a recycling program is in place to safely dispose of, and recover critical materials from, rechargeable lithium ion batteries in zero-emission battery electric vehicles, as specified.

Status: Held in Senate Governmental Organization Committee

SB 1457 (Borgeas) Small businesses: reduction or waiver of civil penalties for violation of regulations or statutes.

Summary: This bill would have enacted the California Small Business Regulatory Fairness Act, requiring all state agencies to assist small businesses in complying with their statutes and regulations and during enforcement actions.

Status: Held in Assembly Appropriations Committee

SB 1464 (Glazer) Department of Real Estate: common environmental hazards booklet.

Summary: Current law required the Department of Real Estate, by January 1, 1991, to develop a booklet on common environmental hazards that are located on, and affect, real property. Current law requires DTSC to publish a new edition of the booklet. This bill would have required the Department of Real Estate to make the booklet available on its internet website, upon appropriation by the Legislature of funds for this purpose. The bill would make other nonsubstantive changes.

Status: Held in Senate Business, Professions and Economic Development Committee

SCA 9 (Wilk) Legislature: 2-year budget.

Summary: Would have limited the Legislature, in the first year of the regular session, to considering or acting upon only the Budget Bill and related bills, and up to 5 bills introduced by each of the standing committees of the Legislature, as specified. The measure would have required the Governor to submit to the Legislature a budget for the ensuing 2 fiscal years within the first 10 days of the first calendar year of the biennium of the legislative session, and would have required the Legislature to adopt by June 15 of the first calendar year of the biennium of the legislative session a Budget Bill that appropriates funds to support state government for the next 2-year fiscal period commencing on July 1.

Status: Held in Senate Rules Committee

Bill Subject Index

(Note: The bills are listed in their original categorized subject. These are subject to change over the course of the legislative year, so they may no longer correspond.)

Accessibility

AB 2123	Chau	Accessibility: internet website.	Dead
SB 937	Hill	State agencies: web accessibility	Dead

Administrative/Personnel

AB 9	Reyes	Employment discrimination: limitation of actions	Ch. 709 (2019)
AB 51	Gonzalez	Employment discrimination: enforcement	Ch. 711 (2019)
AB 170	Gonzalez	Employment harassment: liability/ <i>Worker status: employees</i>	Ch. 415 (2019)
AB 171	Gonzalez	<i>and independent contractors</i> Employment: sexual harassment	Vetoed
AB 196	Gonzalez	Workers' compensation: COVID-19: essential occupations and industries	Dead
AB 271	Cooper	Civil service: Personnel Classification Plan: salary equalization	Dead
AB 372	Voepel	State employees: Infant at Work programs	Vetoed
AB 866	Petrie-Norris	State employment: reduced worktime	Dead
AB 1002	Quirk-Silva	California Global Warming Solutions Act of 2006: Low-Carbon Fuel Standard regulations: Greenhouse Gas Reduction Fund.	Dead
AB 1033	Cooper	State employment: new employees: information	Ch. 447 (2019)
AB 1224	Gray	Disability insurance: paid family leave program	2-Year
AB 1756	Flora	Discrimination: state contracting.	Dead
AB 1805	Committee on Labor and Employment	Occupational safety and health	Ch. 200 (2019)
SB 135	Jackson	Paid Family Leave	Dead
SB 1173	Durazo	Public employment: labor relations: employee information	Dead

Batteries

AB 1509	Mullin	Solid waste: lithium-ion batteries	Dead
AB 2104	Garcia, C.	Lead-Acid Battery Recycling Act of 2016	Ch. 276 (2020)
AB 3158	Melendez	Lead-Acid Battery Recycling Act of 2016	Dead
SB 1156	Archuleta	Lithium-ion batteries: illegal disposal: fire prevention	Dead
SB 1346	Dahle	State fleet: recycling program	Dead

Budget

AB 74	Ting.	Budget Act of 2019	Ch. 23 (2019)
AB 92	Assembly Budget Committee	Public Resources: omnibus trailer bill	Ch. 18 (2020)
AB 190	Ting	Budget Act of 2019	Dead
SB 73	Mitchell	Budget Act of 2019	Dead
SB 74	Mitchell	Budget Act of 2020	Ch. 6 (2020)
SCA 9	Wilk	Legislature: 2-year budget	Dead

Cannabis

AB 2993	Levine	Hazardous waste: classification: exclusions: green waste	Dead
SB 692	Skinner	Cannabis: trade samples	Dead

CEQA

AB 586	Diep	California Environmental Quality Act: exemption: special housing projects	Dead
AB 1673	Salas	California Environmental Quality Act: judicial challenge: litigation transparency: identification of contributors	Dead
AB 2323	Friedman	California Environmental Quality Act: exemptions.	Dead
AB 2706	Fong	(Fong R) California Environmental Quality Act: record of proceedings	Dead
AB 2731	Gloria	California Environmental Quality Act: City of San Diego: Old Town Center redevelopment	Ch. 291 (2020)
AB 2734	Chiu	California Environmental Quality Act: geographic terms: maps	Dead
AB 3296	Kiley	California Environmental Quality Act: Department of Fish and Wildlife: review of environmental documents: revenue and cost tracking and accounting	Dead
ACA 22	Melendez	Environmental quality: California Environmental Quality Act: housing projects: injunctions: exemptions	Dead

Chemical Ban

SB 317	Caballero	Hazardous waste: waste facilities: prohibited chemicals.	Ch. 367 (2019)
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Consumer Products

AB 495	Muratsuchi	Cosmetics: safety	Dead
AB 647	Kalra	Hazardous substances: cosmetics: disinfectants: safety documents	Ch. 305 (2019)
AB 841	Ting	Drinking water: contaminants: perfluoroalkyl and polyfluoroalkyl substances/ <i>Energy: transportation electrification: energy efficiency programs: School Energy Efficiency Stimulus Program</i>	Ch. 372 (2020)
AB 1509	Mullin	Solid wastes: lithium-ion batteries	Dead
AB 2762	Muratsuchi	Cosmetic products: safety	Ch. 314 (2020)
SB 54	Allen	Solid waste: packaging and products	Dead
SB 317	Caballero	Hazardous waste: waste facilities: prohibited chemicals	Ch. 367 (2019)
SB 392	Allen	Hazardous materials: green chemistry: consumer products	Dead
SB 574	Leyva	Cosmetic Fragrance and Flavor Ingredient Right to Know Act of 2019	Dead
SB 647	Mitchell	Hazardous substances: metal-containing jewelry	Ch. 379 (2019)
SB 1152	Skinner	Solar panels: disposal: labeling	Dead

Cost Recovery

AB 181	Maienschein	Hazardous waste: cost reimbursement	Ch. 797 (2019)
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CUPA

AB 432	Quirk	Released waste: certification of local officers	Dead
AB 1500	Carrillo	Hazardous substances	Dead
AB 2298	Carrillo	Hazardous waste	Dead
AB 3042	Limón	Hazardous materials/ <i>Dietary supplements for weight loss and over-the-counter diet pills</i>	Dead

Electronic Data

AB 1184	Gloria	Public records: writing transmitted by electronic mail: retention	Dead
SB 86	Durazo	Department of Pesticide Regulation: chlorpyrifos: quarterly reports	Ch. 299 (2020)

Electronic Waste

AB 1163	Eggman	Electronic waste/ <i>Consumer warranty protection: express warranties</i>	Dead
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Emergency Response

AB 1596	ESTM	Hazardous substances: contaminated property: fentanyl cleanup	Ch. 691 (2019)
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Enforcement

AB 238		Santiago	Unlicensed automobile dismantlers: enforcement and compliance activities	Dead
AB 1794		Jones-Sawyer	Unsafe handguns: exemptions	Dead
AB 2699		Santiago	Firearms: unsafe handguns	Ch. 289 (2020)
SB 317		Caballero	Hazardous waste: waste facilities: prohibited chemicals	Ch. 367 (2019)

Environmental Justice

AB 345	Muratsuchi	Natural resources: environmental justice: oil and gas: regulation of operations	Dead
AB 1252	Rivas, R.	Environmental Justice Small Grant Program: advance payments	Vetoed
AB 1531	Salas	State agencies: bilingual services	Dead
AB 1628	Rivas, R.	Environmental justice	Ch. 360 (2019)
AB 2089	Rivas, L.	Resilient Economies and Community Health Pilot Program	Dead
AB 2577	Chiu	Environmental protection: vulnerable population: identification	Dead
SB 1070	Leyva	Land use: general plans	Dead

Fees

AB 142	Garcia, C.	Lead-acid batteries	Ch. 860 (2019)
AB 181	Maienschein	Hazardous waste: cost reimbursement	Ch. 797 (2019)
AB 280	Burke	Hazardous materials: fees	Dead
AB 399	Brough	Taxation: Hazardous Substances Tax Law/ <i>Taxation: renters' credit</i>	Dead
AB 995	C. Garcia	Hazardous waste	Vetoed

Grants

AB 1013	Obernolte	State agencies: grant applications	Ch. 498 (2019)
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Green Building/Green Business

AB 470	Limón	California Green Business Program	Dead
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Green Chemistry

AB 1438	Melendez	Hazardous materials: Green Ribbon Science Panel: meetings	Dead
AB 3354	Friedman	Hazardous materials: green chemistry	Dead
SB 392	Allen	Hazardous materials: green chemistry: consumer products	Dead

Hazardous Waste

AB 161	Ting	Solid waste: paper waste: proofs of purchase	Dead
AB 238	Santiago	Unlicensed automobile dismantlers: enforcement and compliance activities	Dead
AB 733	Quirk	Hazardous waste: identification: testing	Vetoed
AB 804	Ting	Medical waste: sharps waste	Dead
AB 995	Garcia, C.	Hazardous waste	Vetoed
AB 1462	Santiago	Hazardous substances: lead: cleanup: Exide Technologies facility	Dead
AB 1597	ESTM	Hazardous waste: transportation: electronic manifests	Ch. 133 (2019)
AB 2511	Garcia, C.	Hazardous waste	Dead
AB 2529	Chen	Hazardous waste: quantity determinations	Dead
AB 2740	Carrillo	Fireworks: dangerous fireworks: seizure: management.	Dead
AB 2749	Stone, M.	Cannabis: quality assurance and testing	Dead
AB 2920	Obernolte	Hazardous waste: transportation: consolidated manifesting procedure	Ch. 222 (2020)
AB 2993	Levine	Hazardous waste: classification: exclusions: green waste	Dead
AB 3158	Melendez	Solid waste: Rechargeable Battery Recycling Act	Dead
AB 3180	Gabriel	Pupils: tobacco and cannabis products: confiscation	Dead
AB 3261	ESTM	Hazardous waste: small quantity generator	Dead
SB 54	Allen	Solid waste: packaging and products	Dead
SB 68	Galgiani	Hazardous waste: treated wood waste	Vetoed
SB 276	Pan	Immunizations: medical exemptions.	Ch. 278 (2019)
SB 317	Caballero	Hazardous waste: waste facilities: prohibited chemicals	Ch. 36 (2019)
SB 424	Jackson	Tobacco products: single-use and multiuse components	Dead
SB 552	Archuleta	Hazardous waste: household hazardous waste: door-to-door collection programs: residential pickup services	Ch. 481 (2019)
SB 726	Caballero	Hazardous waste: public agencies: materials exchange program	Ch. 485 (2019)
SB 1152	Skinner	Solar panels: disposal: labeling	Dead
SB 1346	Dahle	State fleet: recycling program	Dead
SB 1457	Borgeas	Small businesses: reduction or waiver of civil penalties for violation of regulations or statutes	Dead
SB 1464	Glazer	Department of Real Estate: common environmental hazards booklet	Dead

Hearings

AB 2028	Aguiar-Curry	State agencies: meetings	Dead
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Illegal Drug Labs

AB 1596	ESTM	Hazardous substances: contaminated property: fentanyl cleanup	Ch. 691 (2019)
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Information Technology

AB 212	Bonta	Counties: recording fees	Ch. 41 (2019)
AB 1184	Gloria	Public records: writing transmitted by electronic mail: retention	Vetoed
AB 1597	ESTM	Hazardous waste: transportation: electronic manifests	Ch. 133 (2019)
AB 2123	Chau	Accessibility: internet website	Dead
AB 2744	Limón	Environmental protection: environmental data	Dead
AB 3116	Irwin	Mobility devices: personal information	Dead
SB 937	Hill	State agencies: web accessibility	Dead

Medical Waste

AB 804	Ting	Medical waste: sharps waste	Dead
AB 1419	Kamlager-Dove	Medical waste: pharmaceuticals	Dead

Ombudsperson

AB 995	C. Garcia	Hazardous waste	Vetoed
AB 2607	Mathis	Department of Fish and Wildlife: Office of the Ombudsperson	Dead

Packaging

AB 1080	Gonzalez	Solid waste: packaging and products	Dead
AB 1171	Chen	Solid waste: food packaging material: local regulation	Dead
SB 54	Allen	Solid waste: packaging and products	Dead
SB 232	Dodd	Hazardous substances: regulated metals: packaging materials	Vetoed

Permitting

AB 181	Maienschein	Hazardous waste: cost reimbursement	Ch. 797 (2019)
AB 655	Fong	Hazardous waste: facilities: permits: renewals	Dead
AB 995	C. Garcia	Hazardous waste	Vetoed
AB 1860	Santiago	Hazardous waste: facilities: permits/ <i>Local government finance: special taxes: homeless housing and services.</i>	Dead

Plastics

AB 129	Bloom	Microfiber pollution	Dead
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Pollution Prevention

AB 470	Limón	California Green Business Program	Dead
AB 995	Garcia, C.	Hazardous waste	Vetoed
AB 2089	Rivas, L.	Resilient Economies and Community Health Pilot Program	Dead

Public Meetings/Public Participation

AB 1357	Quirk	Department of Toxic Substances Control: public meetings	Dead
AB 2028	Aguiar-Curry	State agencies: meetings	Dead
AB 2677	Santiago	Lead contamination: Exide Technologies facility: community liaison	Dead
SB 53	Wilk	Open meetings	Dead

Public Records Act

AB 289	Fong	California Public Records Act Ombudsperson	Dead
AB 2138	Chau	California Public Records Act	Dead
AB 2676	Quirk	California Public Records Act: exemptions	Dead

Regulations

AB 312	Cooley	State government: administrative regulations: review	Dead
AB 939	Frazier	Administrative Procedures Act: major regulations	Dead
AB 2214	Carrillo	Administrative Procedure Act: notice of proposed action	Dead
SB 1228	Caballero	Adoption of regulations	Dead
SB 1235	Caballero	Administrative Procedure Act: adverse economic impact	Dead
SB 1457	Borgeas	Small businesses: reduction or waiver of civil penalties for violation of regulations or statutes	Dead

Reports

AB 802	Stone, M.	Reports to the Legislature: Statewide Open Data Portal	Dead
AB 805	Obernolte	Reports submitted to legislative committees/ <i>Unemployment insurance</i>	Dead
AB 3162	Obernolte	Reports submitted to legislative committees	Dead

Schools/School Site Assessment

AB 2882	Chu	Hazardous emissions and substances: schoolsites: private and charter schools	Dead
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Site Mitigation/Brownfields/ Cleanup/ Land Use

AB 142	Garcia, C.	Lead-acid batteries	Ch. 860 (2019)
AB 206	Chiu	Public nuisance: abatement: lead-based paint	Ch. 171 (2019)
AB 432	Quirk	Released waste: certification of local officers	Dead
AB 1191	Bonta	State Lands Commission: exchange of trust lands: City of Oakland: Howard Terminal property: Oakland Waterfront Sports and Mixed-Use Project, Waterfront Access, Environmental Justice, and Revitalization Act	Ch. 752 (2019)
AB 1429	Chen	Hazardous materials: business plans	Ch. 66 (2019)
AB 1462	Santiago	Hazardous substances: lead: cleanup: Exide Technologies facility	Dead
AB 1596	ESTM	Hazardous substances: contaminated property: fentanyl cleanup	Ch. 691 (2019)
AB 2323	Friedman	California Environmental Quality Act: exemptions	Dead
AB 2333	Quirk	Waste: releases: remedial action: local oversight	Dead
AB 2882	Chu	Hazardous emissions and substances: schoolsites: private and charter schools	Dead

AB 2907	Gipson	California Environmental Protection Agency: Department of Toxic Substances Control: brownfields: report	Dead
SB 519	Bradford	Hazardous substances: underground storage tanks	Ch. 480 (2019)
SB 633	Stern	Toxic substances: cleanup standards/ <i>California Electric Vehicle Authority</i>	Dead
SB 1044	Allen	Firefighting equipment and foam: PFAS chemicals	Ch. 308 (2020)

Toxics in Products

AB 2060	Holden	Drinking water: pipes and fittings: lead content	Dead
AB 3336	Carrillo	California Hazardous Substances Act: misbranded and banned hazardous substances/ <i>Third-party food delivery platforms: food safety</i>	Ch. 105 (2020)
SB 647	Mitchell	Hazardous substances: metal-containing jewelry	Ch. 379 (2019)

Transportation

AB 2920	Obernolte	Hazardous waste: transportation: consolidated manifesting procedure	Ch. 222 (2020)
SB 552	Archuleta	Hazardous waste: household hazardous waste: door-to-door collection programs: residential pickup services	Ch. 481 (2019)

Universal Waste

AB 178	Dahle	Energy: building standards: photovoltaic requirements	Ch. 259 (2019)
SB 1152	Skinner	Solar panels: disposal: labeling	Dead
SB 1156	Archuleta	Lithium-ion batteries: illegal disposal: fire prevention	Dead

Water Quality

AB 756	Garcia, C.	Public water systems: perfluoroalkyl and polyfluoroalkyl substances	Ch. 162 (2019)
AB 841	Ting	Drinking water: contaminants: perfluoroalkyl and polyfluoroalkyl substances/ <i>Energy: transportation electrification: energy efficiency programs: School Energy Efficiency Stimulus Program</i>	Ch. 372 (2020)
AB 2488	Gonzalez	Drinking water: Lead-Safe Schools Protection Act	Dead
SB 1056	Portantino	Drinking water: testing: perfluoroalkyl and polyfluoroalkyl substances	Dead

Website

AB 63	Fong	State government	Dead
AB 2123	Chau	Accessibility: internet website	Dead
AB 2214	Carrillo	Administrative Procedure Act: notice of proposed action	Dead
AB 2511	Garcia, C.	Hazardous waste	Dead
SB 937	Hill	State agencies: web accessibility	Dead

Veto Messages

To the Members of the California State Assembly

I am returning Assembly Bill 171 without my signature.

This bill amends the Labor Code to extend anti-retaliation and anti-discrimination protections to survivors of sexual harassment. These protections are currently provided to survivors of domestic violence, sexual assault or stalking. The bill also establishes a rebuttable presumption of unlawful retaliation, if an employer takes adverse action against the employee within 90 days, as specified.

I strongly support the Legislature's efforts to strengthen workplace protections for all survivors of harassment and abuse. However, this bill creates a standard for a particular form of sex-based discrimination different from applicable standards for other forms of discrimination that could weaken, rather than strengthen, existing worker protections. Incorporating sexual harassment into the Labor Code duplicates, and in some crucial respects, weakens existing law under the Fair Employment and Housing Act (FEHA), which already includes protections and remedies for survivors of sexual harassment when employers act unlawfully. AB 171 could also result in potentially overlapping claims filed with both the Department of Fair Employment and Housing (DFEH) as well as the Labor Commissioner, which could create confusion and potentially limit workers' rights.

I encourage the Legislature to work collaboratively with DFEH to evaluate if and how the FEHA can be enhanced to better protect survivors of sexual harassment against unlawful employment practices.

Sincerely,

Gavin Newsom

To the Members of the California State Assembly

I am returning Assembly Bill 372 without my signature. This bill would allow a state agency to adopt an Infant at Work pilot program, and adopt the necessary regulations that would permit an employee, who is a new parent or caregiver to an infant, the option to bring their infant to the workplace. I recognize the value of this program, which is in line with my commitment to strengthening parent and caregiver bonding during the earliest months of a child's life. As such, an Infant at Work program might be worth exploring, but the bill as written exposes the state to a high level of risk of lawsuits and should be handled administratively or through collective bargaining. Moreover, the timeline stipulated does not provide adequate time to establish a policy and regulations for a program of this magnitude. Therefore, I am directing CalHR to develop a pilot program to implement this concept in a thoughtful manner.

Sincerely,

Gavin Newsom

To the Members of the California State Assembly

I am returning Assembly Bill 733 without my signature. This bill requires the Department of Toxic Substances Control (DTSC) to include an optional alternative acute aquatic toxicity test for hazardous waste identification that does not use live vertebrate fish, should a test be found suitable after an evaluation by DTSC. While updating the state's aquatic toxicity test for hazardous waste is laudable and should be explored, DTSC estimates that this bill would require \$4.9 million to implement. As the Hazardous Waste Control Account has a structural deficit, the account and the department cannot support this additional activity and expense until the fiscal deficiencies have been addressed.

Sincerely,

Gavin Newsom

To the Members of the California State Assembly

I am returning Assembly Bill 995 without my signature.

This bill would create the Board of Environmental Safety within the California Environmental Protection Agency (CalEPA) to provide policy direction to and oversight of the Department of Toxic Substances Control (DTSC).

I applaud the author's diligence in seeking to increase transparency and accountability in DTSC. However, the bill as written falls short of the goals we have previously set for needed changes to better protect public health and safety. Without necessary funding, DTSC will be unable to deliver on the promise of this legislation - cleaning up too many abandoned sites adversely impacting the health of low-income communities across our state and better protecting Californians from dangerous chemicals going forward.

Understanding that governance and fiscal changes are both necessary and inextricably tied to achieving the mandates DTSC is currently responsible for, my 2020 Budget proposed a comprehensive approach to achieve a more transparent decision-making process through the creation of a board and restructured fees to adequately fund this Department.

AB 995 seeks to impose changes to governance but lacks necessary fiscal reform.

To accomplish comprehensive change and make progress on the more than 150,000 brownfield sites where no responsible party exists, we will need comprehensive fiscal reform to support adequate revenues. Over the last year, we were able to reach agreement with the Legislature on many of the key elements of DTSC reform. I am confident that in the upcoming legislative session we will achieve the much needed fiscal and governance reforms to better protect communities across our state.

Therefore, I am returning this bill without my signature.

Sincerely,

Gavin Newsom

To the Members of the California State Assembly

I am returning Assembly Bill 1184 without my signature. This bill would require state and local public agencies to retain every public record transmitted by e-mail for at least two years. This bill does not strike the appropriate balance between the benefits of greater transparency through the public's access to public records, and the burdens of a dramatic increase in records-retention requirements, including associated personnel and data-management costs to taxpayer. Therefore, I am unable to sign this bill.

Sincerely,

Gavin Newsom

To the Members of the California State Assembly

I am returning Assembly Bill 1252 without my signature. This bill expands the California Environmental Protection Agency's (CalEPA) authority to distribute advanced payments for grants awarded under the Environmental Justice Small Grant Program. Currently environmental justice grant funds are awarded as a reimbursement for approved projects, but organizations may receive an advanced payment of up to \$10,000 in order to begin a project. I support finding new tools to help community-based non-profit organizations and tribal governments overcome obstacles to accessing environmental justice grants. However, state agencies have to ensure state monies are appropriately spent by verifying the expense prior to disbursing the funds. The resources required to attempt to track down, verify or recover misspent grant dollars after they have been paid would divert staff time and resources away from administering the program and assisting other grant applicants.

Sincerely,

Gavin Newsom

To the Members of the California State Senate:

I am returning Senate Bill 68 without my signature.

This bill would eliminate the sunset on the Treated Wood Waste (TWW) program at the Department of Toxic Substance Control (DTSC) and would make various changes to that program.

SB 68 creates a significant additional mandate for DTSC to perform regular inspections of generators and disposal sites for treated wood waste. The Hazardous Waste Control Account (HWCA) currently has a structural deficit and this unfunded new mandate will cost the department millions of dollars to implement, exacerbating this deficit.

Moreover, it is not appropriate to eliminate the sunset date for the Treated Wood Waste program authorization, essentially exempting this hazardous waste from hazardous waste law and regulation. While the generation of this waste may have justified the allowance for alternative management standards, this waste is hazardous and poses a risk to both human health and the environment and necessitates periodic review of its statutory authorization.

For these reasons, I am returning SB 68 without my signature.

Sincerely,

Gavin Newsom

To the Members of the California State Senate:

I am returning Senate Bill 232 without my signature. This bill increases the permissible heavy metal limit in recycled glass from 100 parts per million (ppm) to 200 ppm until January 1, 2024. While I have been a strong supporter of increasing our recycling efforts in California, I do not believe we should risk potential exposure to toxic substances during the process. This bill would allow increased heavy metal levels in glass packaging, which may result in unsafe toxic exposures. The Centers for Disease Control and Prevention have unequivocally stated that there is no safe level of lead exposure, especially for vulnerable populations like our children. We need to ensure that the food products we give to our children are in glass containers that are safe for consumption.

Sincerely,

Gavin Newsom

Signing Messages

There are no signing messages from the Governor for any of the bills that were tracked by DTSC in the 2019-20 legislative session.