

ACP 2021-2022 Key Bills Report

Lynch & Associates 6/10/2021

[AB 284](#) ([Rivas, Robert](#) D) **California Global Warming Solutions Act of 2006: climate goal: natural and working lands.**

Introduced: 1/21/2021

Last Amend: 4/14/2021

Status: 6/9/2021-Referred to Coms. on E.Q. and N.R. & W.

Location: 6/9/2021-S. E.Q.

Summary: The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. This bill would require the state board, when updating the scoping plan and in collaboration with the Natural Resources Agency and other relevant state agencies and departments, to take specified actions by January 1, 2023, including, among others, identifying a 2045 climate goal, with interim milestones, for the state's natural and working lands, as defined, and identifying practices, policy and financial incentives, market needs, and potential reductions in barriers that would help achieve the 2045 climate goal.

Position

Priority

Key Bill

[AB 318](#) ([Levine](#) D) **Hazardous waste: classification: cannabis waste.**

Introduced: 1/26/2021

Last Amend: 5/24/2021

Status: 6/4/2021-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 6/3/2021)(May be acted upon Jan 2022)

Location: 6/4/2021-A. 2 YEAR

Summary: Would require, on or before January 1, 2023, the Department of Toxic Substances Control, in consultation with the Department of Resources Recycling and Recovery and the Department of Food and Agriculture, to provide guidance to certified unified program agencies on how to characterize cannabis waste, as defined, under the hazardous waste control laws and regulations. The bill would authorize the department to adopt regulations within its jurisdiction establishing management standards for cannabis waste as an alternative to the requirements specified in the hazardous waste control laws and implementing regulations.

Position

Priority

Key Bill

[AB 332](#) (**Committee on Environmental Safety and Toxic Materials**) **Hazardous waste: treated wood waste: management standards.**

Introduced: 1/27/2021

Last Amend: 5/20/2021

Status: 6/3/2021-Referred to Coms. on E.Q. and JUD.

Location: 5/25/2021-S. E.Q.

Calendar: 6/14/2021 10 a.m. - John L. Burton Hearing Room (4203) SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair

Summary: Current law, as part of the hazardous waste control laws, requires the Department of Toxic Substances Control to regulate the management and handling of hazardous waste. Under current law, certain wood waste that is exempt from regulation under the federal Resource Conservation and Recovery Act of 1976, as amended, is exempt from the hazardous waste control laws, if the wood waste is disposed of in a municipal landfill that meets certain requirements imposed pursuant to the Porter-Cologne Water Quality Control Act for the classification of disposal sites, and the landfill meets other specified requirements. A violation of the state's hazardous waste control laws, including a regulation adopted pursuant to those laws, is a crime. This bill would require a person managing treated wood waste to comply with the hazardous waste control laws or the management standards established in the bill, including standards for the reuse, storage, treatment, transportation, tracking, identification, and disposal of treated wood waste, as provided.

Position

Priority

Key Bill

[AB 377](#) ([Rivas, Robert](#) D) **Water quality: impaired waters.**

Introduced: 2/1/2021

Last Amend: 4/13/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/19/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Would require, by January 1, 2023, the State Water Resources Control Board and regional boards to prioritize enforcement of all water quality standard violations that are causing or contributing to an exceedance of a water quality standard in a surface water of the state. The bill would require the state board and regional boards, by January 1, 2025, to evaluate impaired state surface waters and report to the Legislature a plan to bring all water segments into attainment by January 1, 2050. The bill would require the state board and regional boards to update the report with a progress summary to the Legislature every 5 years. The bill would create the Waterway Recovery Account in the Waste Discharge Permit Fund and would make moneys in the Waterway Recovery Account available for the state board to expend, upon appropriation by the Legislature, to bring impaired water segments into attainment in accordance with the plan.

Position **Priority**
Key Bill

[AB 504](#) **(McCarty D) Solid waste: commercial and organic waste: recycling bins.**

Introduced: 2/9/2021

Status: 5/12/2021-Referred to Com. on E.Q.

Location: 5/12/2021-S. E.Q.

Calendar: 6/14/2021 10 a.m. - John L. Burton Hearing Room (4203) SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair

Summary: Would, for a theme park, amusement park, water park, resort or entertainment complex, zoo, attraction, or similar facility, restrict the requirement to provide customers with a recycling bin or container to permanent, nonmobile food service facilities with dedicated seating areas that are not full-service restaurants. The bill would authorize those facilities, instead of providing an organic recycling bin or container, to implement a process for recycling organic waste that yields results comparable to or greater in volume and quality to results attained by providing an organic waste recycling bin or container. The bill would also make other revisions to these provisions, including revising the definition of "full-service restaurant," deleting obsolete provisions, and making conforming changes.

Position **Priority**
Key Bill

[AB 661](#) **(Bennett D) Recycling: materials.**

Introduced: 2/12/2021

Last Amend: 3/11/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/19/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

Summary: Current law establishes minimum content requirements for recycled products. Current law requires a state agency to report annually to the Department of Resources Recycling and Recovery its progress in meeting the recycled product purchasing requirements using a SABRC report format. Existing law requires the Department of General Services (DGS), if a requirement has not been met, in consultation with the Department of Resources Recycling and Recovery, to review purchasing policies and make recommendations for immediate revisions to ensure that the recycled product purchasing requirements are met. This bill would require a state agency, if fitness and quality are equal, to purchase recycled products instead of nonrecycled products, without regard to cost. The bill would substantially revise product categories.

Position **Priority**
Key Bill

[AB 683](#) **(Grayson D) Recycling: procurement.**

Introduced: 2/12/2021

Last Amend: 3/18/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was A. & A.R. on 3/18/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Current law relating to public contracting establishes the State Agency Buy Recycled Campaign (SABRC), which requires state agencies to ensure specific percentages of reportable purchases from prescribed product categories to be recycled products. Current law requires each state agency, if fitness and quality are equal, to purchase recycled products instead of nonrecycled products whenever recycled products are available at the same or a lesser total cost than nonrecycled products. Current law establishes minimum content requirements for recycled products. Current law requires a state agency to report annually to the Department of Resources Recycling and Recovery its progress in meeting the recycled product purchasing requirements using a SABRC report format. Current law requires the Department of General Services (DGS), if a requirement has not been met, in consultation with the Department of Resources Recycling and Recovery, to review purchasing policies and make recommendations for immediate revisions to ensure that the recycled product purchasing requirements are met. This bill would authorize the Department of Resources Recycling and Recovery, on or after January 1, 2022, to add additional products based on criteria selected by the Department of General

Services.

Position **Priority**
Key Bill

AB 710 (Garcia, Eduardo D) Sale of listed agricultural products: requirements for sale.

Introduced: 2/16/2021

Last Amend: 3/18/2021

Status: 6/9/2021-Referred to Coms. on B., P. & E.D. and AGRI.

Location: 6/9/2021-S. B., P. & E.D.

Summary: Would prohibit a retailer, as defined, from selling a listed agricultural product, as defined, produced in the state or outside of the state unless the product was produced in compliance with specified California health and environmental protection laws, as defined. The bill would also prohibit a retailer from selling a listed agricultural product produced in the state or outside of the country unless the product was produced in compliance with specified California labor laws, as defined.

Position **Priority**
Key Bill

AB 842 (Garcia, Cristina D) California Circular Economy and Plastic Pollution Reduction Act.

Introduced: 2/17/2021

Last Amend: 3/22/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 3/18/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Would enact the California Circular Economy and Plastic Pollution Reduction Act, which would establish a comprehensive regulatory scheme for producers, retailers, and wholesalers of single-use packaging, as defined, and single-use products, as defined, made partially or entirely of plastic, to be administered by the Department of Resources Recycling and Recovery. The bill would require producers, within 6 months of the department's adoption of regulations to implement the act, to individually, or to collectively form or join a stewardship organization that will, develop, finance, and implement a convenient and cost-effective program to source reduce, recover, and recycle single-use packaging and single-use products discarded in the state, and develop and submit to the department a stewardship plan, annual report, and budget, as prescribed.

Position **Priority**
Key Bill

AB 1001 (Garcia, Cristina D) Environment: air pollution and mitigation measures for air and water quality impacts.

Introduced: 2/18/2021

Last Amend: 4/20/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 3/4/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Current law requires each air pollution control district and each air quality management district (air district) that has a nonattainment area for one or more air pollutants to adopt an expedited schedule for the implementation of best available retrofit control technology (BARCT) by the earliest feasible date, but not later than December 31, 2023. Current law provides that the adopted expedited schedule applies only to each industrial source that, as of January 1, 2017, was subject to a market-based compliance mechanism for the emissions of greenhouse gases adopted by the State Air Resources Board, as provided. This bill would additionally require those air districts to adopt an expedited schedule for the implementation of best available control technology (BACT).

Position **Priority**
Key Bill

AB 1086 (Aguilar-Curry D) Organic waste: implementation strategy.

Introduced: 2/18/2021

Last Amend: 4/5/2021

Status: 6/9/2021-Referred to Com. on RLS.

Location: 5/28/2021-S. RLS.

Summary: Would require the Natural Resources Agency, in coordination with specified state agencies, and in consultation with stakeholders and relevant permitting agencies, to prepare and submit to the Legislature, by January 1, 2023, a report that provides an implementation strategy to achieve the state's organic waste, and related climate change and air quality, mandates, goals, and targets. The bill would authorize the Natural Resources Agency to, by July 1, 2022, contract with outside entities, including the California Council on Science and Technology and the University of California, to prepare the report. The bill would require the implementation strategy to include, among other things,

recommendations on policy and funding support for the beneficial reuse of organic waste.

Position **Priority**
Key Bill

[AB 1200](#) (Ting D) Plant-based food packaging: cookware: hazardous chemicals.

Introduced: 2/18/2021

Last Amend: 3/29/2021

Status: 5/12/2021-Referred to Coms. on HEALTH and E.Q.

Location: 5/12/2021-S. HEALTH

Summary: Would prohibit, beginning January 1, 2023, any person from distributing, selling, or offering for sale in the state any food packaging that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances or PFAS, as defined. The bill would require a manufacturer to use the least toxic alternative when replacing PFAS chemicals. The bill would define "food packaging," in part, to mean a nondurable package, packaging component, or food service ware that is comprised, in substantial part, of paper, paperboard, or other materials originally derived from plant fibers.

Position **Priority**
Letter, Coalition Key Bill
Support

Notes: ACP signed a coalition support letter

[AB 1201](#) (Ting D) Solid waste: plastic products: labeling: compostability and biodegradability.

Introduced: 2/18/2021

Last Amend: 4/5/2021

Status: 6/9/2021-Referred to Com. on E.Q.

Location: 6/9/2021-S. E.Q.

Summary: Would prohibit a person from selling a plastic product that is labeled with the term 'compostable,' 'home compostable,' or 'soil biodegradable' unless the product meets specified standards and satisfies specified criteria. The bill would authorize the Department of Resources Recycling and Recovery to adopt regulations for plastic product labeling to ensure that plastic products labeled 'compostable' or 'home compostable' are clearly distinguishable from noncompostable products upon quick inspection by consumers and solid waste processing facilities.

Position **Priority**
Key Bill

[AB 1276](#) (Carrillo D) Single-use food accessories.

Introduced: 2/19/2021

Last Amend: 5/27/2021

Status: 6/2/2021-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/2/2021-S. RLS.

Summary: Would prohibit a food facility or a third-party food delivery platform, as defined, from providing any single-use food accessories, as defined, to a consumer unless requested by the consumer, as provided. The bill would authorize a food facility to ask a drive-through consumer if the consumer wants a single-use food accessory in specified circumstances. The bill would require a third-party food delivery platform to provide each of its ready-to-eat food vendors with the option to customize the vendor's menu, on the online food-ordering platform, regarding the availability of single-use food accessories, as provided. The bill would exclude from these requirements correctional institutions, health care facilities, residential care facilities, and public and private school cafeterias.

Position **Priority**
Key Bill

[AB 1395](#) (Muratsuchi D) Greenhouse gases: carbon neutrality.

Introduced: 2/19/2021

Last Amend: 5/4/2021

Status: 6/7/2021-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/7/2021-S. RLS.

Summary: Would declare the policy of the state to achieve carbon neutrality as soon as possible, but no later than 2045, and to achieve and maintain net negative greenhouse gas emissions thereafter. The bill would require the State Air Resources Board to work with relevant state agencies to ensure that updates to the scoping plan identify and recommend measures to achieve these policy goals, to ensure that by 2045 statewide anthropogenic greenhouse gas emissions are reduced to at least 90% below the 1990 level, and to prioritize the use of nature-based solutions in California to achieve carbon neutrality. The bill would require the state board to work with relevant agencies to establish criteria for the use of technology-based solutions for purposes of achieving these policy goals. The bill would impose other requirements on state agencies relating to working toward these policy goals.

Position **Priority**

[AB 1469](#) (Santiago D) Solid waste: plastic products: labeling: compostability and biodegradability.

Introduced: 2/19/2021

Last Amend: 3/18/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 3/18/2021)(May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Would prohibit a person from selling a plastic product that is labeled with the term "industrially compostable" unless, at the time of sale, the plastic product meets the applicable ASTM standard specification for plastics designed to be aerobically composted in municipal or industrial facilities, and would specify that the labeling prohibition for "compostable" or "home compostable" applies unless, at the time of sale, the plastic product has the OK compost HOME certification. The bill would additionally exempt a plastic product labeled with the term "industrially compostable," "compostable," or "home compostable" from the prohibition on using those terms if the plastic product meets another specification adopted by the department that is adopted or developed by ASTM International or a similar existing standards body, as provided.

Position **Priority**
Key Bill

[SB 27](#) (Skinner D) Carbon sequestration: state goals: natural and working lands: registry of projects.

Introduced: 12/7/2020

Last Amend: 5/20/2021

Status: 6/3/2021-Referred to Com. on NAT. RES.

Location: 6/3/2021-A. NAT. RES.

Summary: Would require, no later than July 1, 2022, the Natural Resources Agency, in coordination with the California Environmental Protection Agency, the State Air Resources Board, the Department of Food and Agriculture, and other relevant state agencies, to establish the Natural and Working Lands Climate Smart Strategy that serves as a framework to increase adoption of natural and working lands-based carbon sequestration and that advances the state's climate goals. The bill would require the state board, as part of its scoping plan, to establish specified carbon dioxide removal targets for 2030 and beyond.

Position **Priority**
Key Bill

[SB 54](#) (Allen D) Plastic Pollution Producer Responsibility Act.

Introduced: 12/7/2020

Last Amend: 2/25/2021

Status: 6/4/2021-Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 5/20/2021)(May be acted upon Jan 2022)

Location: 6/4/2021-S. 2 YEAR

Summary: Would establish the Plastic Pollution Producer Responsibility Act, which would prohibit producers of single-use, disposable packaging or single-use, disposable food service ware products from offering for sale, selling, distributing, or importing in or into the state such packaging or products that are manufactured on or after January 1, 2032, unless they are recyclable or compostable.

Position **Priority**
Key Bill

[SB 343](#) (Allen D) Environmental advertising: recycling symbol.

Introduced: 2/9/2021

Last Amend: 5/20/2021

Status: 6/2/2021-In Assembly. Read first time. Held at Desk.

Location: 6/1/2021-A. DESK

Summary: Current law declares that it is the public policy of the state that environmental marketing claims, whether explicit or implied, should be substantiated by competent and reliable evidence to prevent deceiving or misleading consumers about the environmental impact of plastic products and that, for consumers to have accurate and useful information about the environmental impact of plastic products, environmental marketing claims should adhere to uniform and recognized standards. This bill would further declare that it is the public policy of the state that claims related to the recyclability of a plastic product be truthful and that consumers deserve accurate and useful information related to how to properly handle the end of life of a plastic product.

Position **Priority**
Key Bill

[SB 359](#) (Caballero D) Climate change: Resilient Merced County Incentive Pilot Program.

Introduced: 2/9/2021

Last Amend: 4/19/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/3/2021)(May be acted upon Jan 2022)

Location: 5/25/2021-S. 2 YEAR

Summary: Would, until _____, require the Strategic Growth Council, in consultation with the Department of Conservation and the state board, to develop and implement the Resilient Merced County Incentive Pilot Program (pilot program) to assist the County of Merced to use scenario-planning tools to estimate and account for the countywide greenhouse gas reduction and carbon sequestration potential of different land management, restoration, and conservation activities and for the council to provide financial assistance to private landowners to voluntarily implement activities resulting from the use of the scenario-planning tools used by the county. The bill would require the council to implement the pilot program as a component of the Sustainable Agricultural Lands Conservation Program and consistent with the Affordable Housing and Sustainable Communities Program.

Position **Priority**
Key Bill

SB 619 **(Laird D) Organic waste: reduction regulations.**

Introduced: 2/18/2021

Last Amend: 4/13/2021

Status: 5/28/2021-Referred to Com. on NAT. RES.

Location: 5/28/2021-A. NAT. RES.

Summary: Current law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve those targets for reducing organic waste in landfills, and authorizes those regulations to require local jurisdictions to impose requirements on generators or other relevant entities within their jurisdiction, to authorize local jurisdictions to impose penalties on generators for noncompliance, and to include penalties to be imposed by the department for noncompliance. Current law provides that those regulations shall take effect on or after January 1, 2022, except that the imposition of penalties by local jurisdictions pursuant to the regulations shall not take effect until 2 years after the effective date of the regulations. This bill, until January 1, 2023, would require the department to only impose a penalty on a local jurisdiction, and would require a penalty to only accrue, for a violation of the regulations if the local jurisdiction did not make a reasonable effort, as determined by the department, to comply with the regulations.

Position **Priority**
Key Bill

Total Measures: 21

Total Tracking Forms: 21