
MEMORANDUM

To: Orange County Sanitation District
From: Townsend Public Affairs
Date: February 16, 2021
Subject: Monthly Legislative Report

State Legislative Update

In February, attention in Sacramento has been solely focused on introducing legislation before the deadline on February 19.

Since the Legislature was sworn in on December 7, there have been approximately 1,200 bills introduced. Several hundred of these bills are empty budget trailer bills or spot bills that do not have substantive language in them. It is expected that the number of bills introduced will increase to approximately 2,700 before the bill introduction deadline on February 19. Once bills have been introduced, they must sit for 30 days before they can be acted on.

The Legislature will move in the next few months to hold policy committee hearings on legislative proposals as well as budget subcommittees to consider the Newsom Administration's January Budget.

Below are the upcoming relevant dates for the Legislature:

February 19 – Bill introduction deadline

March 25 – Spring Recess begins upon adjournment

Governor's COVID-19 Action Summary

Below is a summary of the major COVID-19 actions taken by the State Administration in January:

- **February 3 – Community Vaccination Sites:** Governor Newsom announced a pilot project partnership with the Biden Administration to open mass vaccination sites at the Oakland-Alameda Coliseum and California State University, Los Angeles. The site will be co-run by FEMA and CalOES. These two locations were chosen because of their proximity to diverse and socioeconomically challenges communities.
- **January 27 – Executive Order:** Governor Newsom signed an executive order (N-02-21) that will attempt to bolster the State's efforts to vaccinate as many Californians as possible as quickly as possible. The executive order reconfirms laws that grant health professionals and providers legal liability when responding to state and local emergencies, which is expected to increase the number of individuals administering vaccines.

- **January 25 – Improvements to Vaccine Plan:** Governor Newsom announced a series of improvements to the State’s vaccination plan. The new steps in the plan will make it easier for people to know when they are eligible for vaccination and how to make an appointment, accelerate the administration of vaccines on hand and improve the State’s ability to track vaccination data.
- **January 21 – Executive Order:** Governor Newsom signed an executive order in response to the COVID-19 pandemic, extending the validity of medical cannabis identification cards that would otherwise have expired.

Priority Legislation

Although the legislative session just began, there are a few bills already introduced that TPA has preliminarily identified as priority bills for the District:

AB 59 (Gabriel) - Mitigation Fee Act: fees: notice and timelines

AB 59 would repeal Section 66022 of the Government Code, which establishes the 120-day statute of limitations for legal challenges to new or increased connection fees or capacity charges. Under current law, any legal challenges for water and sewer connection fee or capacity charge must be commenced within 120 days after a water or sewer agencies adopts or amends a fee. This bill would change the statute of limitations to begin once the agency actually charges the fee to the ratepayer.

AB 59 would also require local agencies that collect fees in excess of the amount needed to provide their specific services to reimburse the ratepayer for that amount as opposed to re-investing that excess into reducing rates.

AB 59 has been double referred to the Assembly Local Government Committee and the Assembly Housing and Community Development Committee.

AB 377 (Rivas) – Water quality: impaired waters

AB 377 would require that by 2050, all surface waters in California be suitable for drinking, swimming, and fishing. Would change enforcement protocols at the SWRCB to make NPDES permits more stringent and would prevent the SWRCB from authorizing NPDES permits that are weaker than previous permits, or that would provide for an exceedance of water quality standards. AB 377 also provides additional enforcement requirements for NPDES permit holders and regional board compliance. AB 377 does not include a funding source for the excess requirements and lacks clarity for definitions of enforcement.

AB 377 has been referred to the Assembly Environmental Safety and Toxic Materials Committee and has not yet been assigned a hearing date.

SB 45 (Portantino) – Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022

SB 45 would establish a \$5.5 billion general obligation bond that would appear on the November 2022 ballot. SB 45 would provide funding for a wide variety of natural resources and climate resilient projects including: wildfire prevention, safe drinking water and water quality, protecting fish, wildlife, and agriculture from Climate risks, and protecting coastal resources.

SB 45 is a re-introduction of SB 45 (Allen, 2018). This proposal and conversations around a climate focused bond were put on hold largely due to the COVID-19 pandemic. It is important to note that Governor Newsom's January budget request did not include a climate/natural resources bond.