
M E M O R A N D U M

To: Orange County Sanitation District
From: Townsend Public Affairs
Date: October 25, 2023
Subject: Monthly Legislative Report

STATE UPDATES

With the Legislature adjourned until January, the month of October largely focused on the bills on the Governor's desk for his signature or veto. The Governor had until October 14 to decide the fate of the almost 1,050 bills passed by the Legislature. Ultimately, the Governor signed 890 bills and vetoed an additional 156 bills. This 15 percent veto rate was consistent with the veto rate after the 2022 legislative session and was largely attributed to the Governor's hesitation toward creating new spending programs in an increasingly uncertain budget climate.

Despite the prolonged lack of official legislative activity until January, the Interim Recess is a critical time for legislative offices to strategize on the upcoming year and establish their proposed bill packages. Members also spend the time conducting official state sponsored or personal travel, hiring new staff, and engaging with their constituents in their respective Districts.

When the Legislature returns in January for the second year of the two-year session, they will have roughly one month to pass bills out of their house of origin that did not pass last year. The second year of the two-year session is shorter than the first year, which can lead to compressed deadlines and a flurry of activity in the January and August months.

Below is an overview of state activity from the month of October.

State Legislation – OC San Bills of Interest

During the 2023 legislative session, TPA tracked several dozen pieces of legislation on behalf of OC San. Throughout the year, TPA and OC San's subject matter experts provide insight and analysis on the impacts of certain bills to OC San operations which informs recommendations for legislative positions.

Below is a chart of bills that made it to the Governor's desk that OC San weighed in on, as well as their result:

Bill	Description	Position	Status
AB 246 (Papan)	Prohibits manufacturing or selling menstrual products that have intentionally added PFAS	Support	Vetoed
AB 334 (Rubio)	This bill would establish that an independent contractor, is not an officer for purposes of being subject to the prohibition on being financially interested in a contract.	Support	Signed
AB 727 (Weber)	Prohibits manufacturing or selling cosmetic products that have intentionally added PFAS	Support	Signed
AB 1216 (Muratsuchi)	Requires additional fence-line monitoring system equipment for certain wastewater treatment facilities	Oppose	Signed
AB 1594 (Garcia)	Seeks to give additional flexibilities to public agencies for procurement of medium- and heavy-duty zero-emission vehicles	Support	Signed

Making Water Conservation a California Way of Life Regulation

In 2018, the Legislature passed two bills (AB 1668 and SB 606) that directed the Department of Water Resources (DWR) and the State Water Resources Control Board (SWRCB) to develop regulations for significant water conservation measures. The proposed regulations, titled *Making Water Conservation a California Way of Life*, aimed to establish an objective and target for both indoor and outdoor residential water use for each water agency.

Subsequent bills passed in the 2022 legislative session (SB 1157) helped frame certain assumptions and data generation that would be used in the eventual regulations released by DWR and the SWRCB. OC San and TPA were heavily involved in coalition efforts to oppose AB 1668, SB 606, and SB 1157 with concerns related to the negative effect that water conservation could have to OC San related infrastructure including the Groundwater Replenishment System.

The draft regulation was officially released in August with a public hearing held on October 4. Several dozen water and wastewater agencies responded to the public hearing with concerns over the methodology and data used in the draft regulation, as well as advocated for additional variances and credits to protect infrastructure that relies on consistent residential and commercial wastewater flows.

The public comment period is currently open for the *Making Water Conservation a California Way of Life* regulations. There will be multiple additional opportunities for the public to provide input before the SWRCB considers adopting it in 2024.