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MEMORANDUM

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**To:** Orange County Sanitation District  
**From:** Townsend Public Affairs  
**Date:** February 22, 2022  
**Subject:** Monthly Legislative Report

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**State Legislative Update**

The month of February was focused on bill introductions before the deadline on Friday, February 18. Although new bills have trickled in since the January 3 start of session, most legislators wait until the final deadline week to introduce the bulk of their proposals. As a result, more than 1,500 bills were introduced in the week of the deadline. Legislators will still have the opportunity to amend existing bill vehicles into new legislation, however, they will be unable to introduce new legislative vehicles for the rest of the year. Several hundred of the bills that were introduced were “spot bills”, or bills that do not have substantive language in them, and are introduced as placeholders. Assembly and Senate leaders have set a mid-March deadline for legislators to amend existing “spot” bill language into new language that will amend current laws or add new ones. Additionally, “gut and amended” bill language - which changes the cast and scope of the existing language - will also need to adhere to the mid-March deadline.

The Legislature has introduced a total of 2020 bills in the 2022 legislative session. Over 600 bills were introduced on the last day alone, more than the 539 bills introduced on the same day last year. Bills must sit for 30 days before they can be heard in committees. The Legislature will work over the next several months to hear bills in policy and fiscal committees before they move into their second house.

**COVID-19 Regulations**

*Governor unveils “SMARTER” Endemic Phase COVID-19 Plan*

On February 17, Governor Newsom and various public health leaders unveiled the State’s endemic strategy plan for COVID-19. The seven-part strategy, dubbed the “SMARTER” plan, will focus on addressing the late stages of the pandemic through additional vaccine distribution, masks, awareness, readiness, testing, education, and Rx medication treatments. The strategy will use the \$1.4 billion in early action budget funds to bolster pandemic mitigation actions, a strategy proposed by the Governor during his January Budget proposal.

## *California State of Emergency*

In February, Senate pro Tem Toni Atkins released a statement commenting on the merits of a resolution to end California's state of emergency. SCR 5, authored by Senator Melissa Melendez, is set for the first Senate Governmental Organization Committee hearing of the year on March 15. The Committee will debate the merits of the resolution and the implications it will have on California's ability to respond to the COVID-19 emergency. Senator Melendez introduced an earlier version of the resolution in July 2020, however, it died in the Senate Rules Committee which is chaired by Senate pro Tem Toni Atkins. If passed by both houses, SCR 5 would effectively end the current state of emergency without the Governor's input. Certain executive orders, federal reimbursements, and federal/local agency coordination that correspond to the COVID-19 state of emergency would cease. Additionally, the passage of SCR 5 would limit the Governor's executive powers within the scope of the declared emergency.

## Indoor Residential Water Use Standards

In 2021, Assembly Member Friedman introduced AB 1434 which enacts indoor residential water use standards that are stricter than what the State set through SB 606/AB 1668 (Hertzberg/Friedman) in 2018. AB 1434 was amended to reflect the recommended standard in DWR's Final Report and would establish, beginning January 1, 2025, the standard as 47 gallons per capita daily and, beginning January 1, 2030, 42 gallons per capita daily, representing a significant decrease.

AB 1434 failed to pass the first-house deadline on January 31 and is now dead. However, Senator Hertzberg recently introduced SB 1157 which mirrors the language inside the now dead AB 1434. Along with SB 1157, Assembly Member Rubio recently introduced AB 2157, which is a spot bill to address indoor water use standards. AB 2157 does not currently contain substantive language, and it is expected that additional language amending the indoor residential water use standard, potentially in conflict with SB 1157, will be considered. It is also expected that only one of these bills will continue moving and eventually be considered on their respective floors as the authors will likely have to come to an agreement on their potentially conflicting bills.