



**BOARD OF DIRECTORS  
EAST BAY MUNICIPAL UTILITY DISTRICT**

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375 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

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**Notice of Time Change**

**LEGISLATIVE/ HUMAN RESOURCES  
COMMITTEE**

**Tuesday, April 8, 2025**

**10:15 a.m.**

**Boardroom**

**375 11<sup>th</sup> Street**

**Oakland, CA 94607**

Notice is hereby given that the Tuesday, April 8, 2025 Legislative/ Human Resources Committee meeting of the Board of Directors has been rescheduled from 10:00 a.m. to 10:15 a.m. The meeting will be held in the Administration Building Boardroom at 375 11th Street, Oakland, California.

Dated: April 3, 2025

A handwritten signature in blue ink that reads 'Rischa S. Cole'.

Rischa S. Cole  
Secretary of the District

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**BOARD OF DIRECTORS  
EAST BAY MUNICIPAL UTILITY DISTRICT**

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA  
Legislative/Human Resources Committee  
Tuesday, April 8, 2025  
10:15 a.m.  
Boardroom  
375 11<sup>th</sup> Street  
Oakland, CA 94607**

**\*\*\* Please see appendix for public participation instructions\*\*\***

*Committee Members: Directors Luz Gómez {Chair}, Jim Oddie, and Joey D. Smith*

**ROLL CALL:**

**PUBLIC COMMENT:** The Board of Directors is limited by State law to providing a brief response, asking questions for clarification or referring a matter to staff when responding to items that are not listed on the agenda.

**DETERMINATION AND DISCUSSION:**

1. Legislative Update (Viatella)
  - Receive Legislative Report No. 03-25 and consider positions on the following bills:  
SB 431 (Arreguín) Assault and Battery: Public Utility Employees and Essential Infrastructure Workers; SB 599 (Caballero) Atmospheric Rivers: Research: Forecasting Methods: Experimental Tools; SB 654 (Stern) California Environmental Protection Agency: Contract: Registry: Greenhouse Gas Emissions That Result From the Water-Energy Nexus; SB 682 (Allen) Environmental Health: Product Safety: Perfluoroalkyl and Polyfluoroalkyl Substances; SB 735, SB 736, and SB 737 (Committee on Local Government) Validations; and S. 322 (Padilla) Improving Atmospheric River Forecasts Act; and receive information on SB 858 (Committee on Local Government) Local Government Omnibus Act of 2025

**ADJOURNMENT:**

***Disability Notice***

*If you require a disability-related modification or accommodation to participate in an EBMUD public meeting please call the Office of the Secretary (510) 287-0404. We will make reasonable arrangements to ensure accessibility. Some special equipment arrangements may require 48 hours advance notice.*

***Document Availability***

*Materials related to an item on this agenda that have been submitted to the EBMUD Board of Directors within 72 hours prior to this meeting are available for public inspection in EBMUD's Office of the Secretary at 375 11<sup>th</sup> Street, Oakland, California, during normal business hours, and can be viewed on our website at [www.ebmud.com](http://www.ebmud.com).*



## APPENDIX

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### Legislative/Human Resource Committee Meeting

*EBMUD Board committee meetings will be conducted in person and via Zoom.  
These meetings are recorded and live-streamed.*

#### Online\* Online

<https://ebmud.zoom.us/j/98022213415?pwd=Q0JkaXptbSt3eW5XRElvRUNIZHRpUT09>

Webinar ID: 980 2221 3415

Passcode: 352334

#### By Phone

Telephone: 1 669 900 6833

Webinar ID: 980 2221 3415

Passcode: 352334

International numbers available: <https://ebmud.zoom.us/u/kdplKckQaS>

\*To familiarize yourself with Zoom, please visit <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

**Providing public comment** - *The EBMUD Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.*

- Each speaker is allotted 3 minutes to speak; the Committee Chair has the discretion to amend this time based on the number of speakers
- The Secretary will track time and inform each speaker when the allotted time has concluded
- Comments on **non-agenda items** will be heard at the beginning of the meeting
- Comments on **agenda items** will be heard when the item is up for consideration
- The Secretary will call each speaker in the order received

#### In person

- Fill out and submit a blue speaker card which is available in the meeting room

#### Via Zoom

- Use the raise hand feature in Zoom to indicate you wish to make a public comment  
<https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-in-a-webinar>
  - If you participate by phone, press \*9 to raise your hand
- When prompted by the Secretary, please state your name, affiliation if applicable, and topic

#### Submitting written comments or materials

- Email written comments or other materials for the Board of Directors to [SecOffice@ebmud.com](mailto:SecOffice@ebmud.com)
- Please indicate the meeting date and agenda item number or non-agenda item topic in the subject of the email. Contact information is optional.
- **Please email by 4 p.m. the day prior to the scheduled regular meeting;** written comments and other materials submitted to the Board of Directors will be filed in the record.

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**To observe the Legislative/Human Resources Committee Meeting,**  
**please visit:** <https://www.ebmud.com/about-us/board-directors/board-meetings/>

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## EAST BAY MUNICIPAL UTILITY DISTRICT

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DATE: April 3, 2025

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager *CCC*

FROM: Kathy Viatella, Manager of Legislative Affairs *KV*

SUBJECT: Legislative Report No. 03-25

The following issues are being referred to the Legislative/Human Resources Committee for review and recommendation to the Board of Directors for action, as appropriate, on April 8, 2025.

### **RECOMMENDED ACTION**

Approve positions on the following bills: 1) Support and amend SB 431 (Arreguín) Assault and battery: public utility employees and essential infrastructure workers; 2) Support SB 599 (Caballero) Atmospheric rivers: research: forecasting methods: experimental tools; 3) Support SB 654 (Stern) California Environmental Protection Agency: contract: registry: greenhouse gas emissions that result from the water-energy nexus; 4) Support SB 682 (Allen) Environmental health: product safety: perfluoroalkyl and polyfluoroalkyl substances; 5) Support SB 735, SB 736, SB 737 (Committee on Local Government) Validations; 6) Support S. 322 (Padilla) Improving Atmospheric River Forecasts Act; and receive information on SB 858 (Committee on Local Government) Local Government Omnibus Act of 2025.

### **STATE LEGISLATION**

### **RECOMMENDED POSITION**

<b>SB 431 (Arreguín)</b>	<b>ASSAULT AND BATTERY: PUBLIC UTILITY EMPLOYEES AND ESSENTIAL INFRASTRUCTURE WORKERS</b>	<b>SUPPORT AND AMEND</b>
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Existing law defines an assault as an unlawful attempt, coupled with the present ability, to commit a violent injury upon another person. Existing law defines battery as any willful and unlawful use of force or violence against another person. Under existing law, an assault or battery committed against specified professionals engaged in the performance of their duties, including peace officers, firefighters, and emergency medical personnel, is punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding \$2,000, or both.

SB 431 (Arreguín), as amended on March 24, 2025, would add public utility employees or workers engaged in essential infrastructure work to the list of protected professionals under this

law in the section providing for enhanced protections and penalties. The bill defines "essential infrastructure work" to mean "construction, maintenance, repair, or operation of critical facilities and services related to electricity, water, natural gas, telecommunications, public transportation, roads, bridges, or waste management." However, the bill does not explicitly mention wastewater as part of the definition of essential infrastructure work.

According to the author, "Utility employees and contractors at all levels...have experienced threats or violence from members of the communities they serve while performing their job duties." Additionally, the author notes that "These incidents create a stressful and unsafe work environment, further complicating the ability of utility workers to perform their duties, which are essential to public safety."

By classifying assault or battery against a public utility employee or worker engaged in essential infrastructure work as a punishable offense, this bill places these workers in the same class as other protected public service professionals, ensuring they receive the same level of legal protection under the law. Enhanced penalties for violations may deter some criminal assaults against District workers in the field. There are no anticipated costs to EBMUD from the bill's provisions.

Staff is recommending a "support and amend" position to include "wastewater" in the definition of "essential infrastructure work," which would then cover public-facing employees at the District for both water and wastewater.

An official support/opposition list for SB 431 is included below.

#### Support

California District Attorneys Association  
California Police Chiefs Association  
California State Association of Electrical Workers  
California Water Association  
Coalition of California Utility Employees  
League of California Cities  
Pacific Gas and Electric Company  
San Diego Gas & Electric Company  
San Francisco District Attorney  
Southern California Edison  
Southern California Gas Company

#### Opposition

ACLU California Action  
Initiate Justice Action

Opposition continued

Legal Services for Prisoners with Children  
LA County Public Defenders Union, Local 148

**SB 599  
(Caballero)**

**ATMOSPHERIC RIVERS: RESEARCH:  
FORECASTING METHODS:  
EXPERIMENTAL TOOLS**

**SUPPORT**

Existing law establishes the Atmospheric Rivers Research and Forecast Improvement Program: Enabling Climate Adaptation Through Forecast-Informed Reservoir Operations and Hazard Resiliency (AR/FIRO) Program within the Department of Water Resources (DWR). Existing law requires DWR to operate reservoirs in a manner that improves flood protection, and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers. Existing law requires DWR to research, develop, and implement new observations, prediction models, novel forecasting methods, and tailored decision support systems to improve predictions of atmospheric rivers and their impacts on water supply, flooding, post-wildfire debris flows, and environmental conditions.

SB 599 (Caballero), as amended on March 24, 2025, would extend the scope of DWR's AR/FIRO program to include the development of extended-range atmospheric river forecasting. Specifically, SB 599 directs DWR to include in conducting research and developing and implementing prediction models and novel forecasting methods the use of experimental tools that produce seasonal and subseasonal atmospheric river forecasts. SB 599 defines seasonal forecast as covering a period of approximately one to six months into the future, and subseasonal forecast as covering a period of approximately two to six weeks into the future.

Atmospheric rivers are long, narrow bands of water vapor, essentially giant rivers in the atmosphere pushed along by strong winds. They can carry roughly 25 times the amount of water that flows through the mouth of the Mississippi River. On average, atmospheric rivers supply 40 to 50 percent of California's annual precipitation and snowpack. Climate change is increasing the frequency and intensity of atmospheric rivers, leading to greater risks of flooding and mudslides.

According to SB 599, "atmospheric rivers have been identified as major drivers of floods and precipitation, responsible for up to half of the annual precipitation in California and 94 percent of all flood damages, totaling around \$620 million annually." SB 599 highlights that atmospheric river forecasting has improved, noting that five-day atmospheric river forecasts in water year 2020 were more accurate than four-day atmospheric river forecasts in 2017. SB 599 also notes that "better atmospheric river forecast accuracy and lead-time enhances the state's resiliency to flood and drought."

SB 599 is intended to build upon and improve DWR's current AR/FIRO research and operations by requiring DWR to develop longer-range atmospheric river forecasts. SB 599 would benefit

water agencies, such as EBMUD, by providing more accurate data and long-term forecasting certainty, helping water supply managers and flood control operators make better-informed reservoir storage decisions.

The bill is not expected to result in additional costs to EBMUD and could provide benefits in terms of more accurate forecasting of atmospheric rivers to better inform reservoir operations.

EBMUD has supported prior legislation to improve atmospheric river forecasting.

- In 2023, EBMUD supported AB 30 (Ward) which expanded DWR's atmospheric rivers program to improve prediction capabilities and forecast models for better reservoir operations and flood management. AB 30 was signed into law (Chapter 134 of 2023).
- In 2019, EBMUD supported AB 557 (Wood), which sought to provide funding for DWR's atmospheric rivers program to continue its research and clarify that the research could improve atmospheric river forecasting. AB 557 failed to advance out of the legislature, but the legislature subsequently provided funding for the atmospheric rivers program in multiple state budgets, including the fiscal year 2022-23 state budget.

An official support/opposition list for SB 599 is not currently available.

**SB 654**  
**(Stern)**

**CALIFORNIA ENVIRONMENTAL  
PROTECTION AGENCY: CONTRACT:  
REGISTRY: GREENHOUSE GAS  
EMISSIONS THAT RESULT FROM  
THE WATER-ENERGY NEXUS**

**SUPPORT**

Existing law establishes the California Environmental Protection Agency (CalEPA) in state government and requires the agency to oversee the development of a registry for greenhouse gas (GHG) emissions related to the water-energy nexus. Existing law [SB 1425 (Pavley), Chapter 596, Statutes of 2016] provided that participation in the registry, known as the Water-Energy Nexus Registry (WEN Registry), is voluntary and open to any entity conducting business in the state. In administering the program, SB 1425 authorized CalEPA to contract with a qualified nonprofit organization to recruit broad participation in the WEN Registry from all economic sectors and regions of the state.

The Climate Registry has administered the WEN Registry program since 2017. The program provides stakeholders with the tools to track the relationship between water use and GHG emissions in their operations, and provides comprehensive consulting, training, and data collection support. Tracking this data helps participants manage emissions reductions, increase water efficiencies, achieve sustainability goals, and contribute to the state's climate goals.



As introduced February 20, 2025, SB 654 (Stern) would allow CalEPA to enter into a new three-year contract for the continued administration of the WEN Registry program and provide an additional \$2 million to support these efforts.

The District's commitment to carbon neutrality by 2030 for direct and indirect GHG emissions from the water and wastewater systems is expressed in Energy Policy 7.07 (as revised in September 2023). Tracking GHG emissions associated with water and wastewater systems through the WEN Registry is one of the referenced actions in Policy 7.07 to help achieve this goal.

EBMUD has tracked GHG emissions through the WEN Registry since the 2019 reporting year. Unlike most general GHG reporting protocols, the WEN Registry is specifically designed to measure, track, and mitigate GHG emissions associated with California's water systems. Prior to 2019, EBMUD used the General Reporting Protocol, also developed by The Climate Registry, for GHG emission inventories.

The science of measuring GHG emissions from reservoirs, wastewater sources, and recycled water operations continues to evolve, and incorporating these changes into the program is valuable. There are no anticipated additional costs to EBMUD related to SB 654, as the District is already voluntarily reporting GHG emissions through the WEN Registry.

EBMUD has historically supported measures intended to address the impacts of climate change. In 2016, EBMUD supported SB 1425 (Pavley), mentioned previously, as well as an earlier legislative attempt with SB 471 (Pavley, 2015), that would have required the California Air Resources Board to develop an inventory of GHG emissions from water systems in California.

An official support/opposition list for SB 654 is included below.

#### Support

Helix Water District  
Las Virgenes Municipal Water District  
Sonoma Water  
The Climate Registry  
The Energy Coalition  
USC Schwarzenegger Institute  
Waternow Alliance

#### Opposition

None received

**SB 682**  
**(Allen)**

**ENVIRONMENTAL HEALTH:  
PRODUCT SAFETY: PERFLUOROALKYL  
AND POLYFLUOROALKYL SUBSTANCES**

**SUPPORT**

Existing law requires the Department of Toxic Substances Control (DTSC), on or before January 1, 2029, to adopt regulations to enforce specified perfluoroalkyl and polyfluoroalkyl substances (PFAS) restrictions. Existing law, beginning January 1, 2025, prohibits the manufacture, distribution, sale, or offer for sale in the state of any new textile articles that contain regulated PFAS and any cosmetic product that contains intentionally added PFAS. Existing law also prohibits the distribution, sale, or offering for sale in the state of any food packaging that contains regulated PFAS.

SB 682 (Allen), as introduced on February 21, 2025, is intended to provide a comprehensive pollution prevention approach for PFAS. SB 682 builds on SB 903 (Skinner, 2024), which aimed to implement a comprehensive pollution prevention approach for PFAS and that EBMUD supported. SB 903 sought to address previous legislation to ban product-specific PFAS that Governor Newsom vetoed in 2023. However, SB 903 was ultimately held in the Senate Appropriations Committee due to cost concerns.

SB 682 takes a phased approach to banning PFAS:

- Beginning January 1, 2027, prohibit the distribution, sale, or offer for sale of cleaning products, cookware, dental floss, juvenile products, food packaging, and ski wax that contain intentionally added PFAS.
- Beginning January 1, 2033, prohibit the distribution, sale, or offer for sale of additional products containing intentionally added PFAS not covered by the 2027 prohibition unless DTSC makes an evaluation and determination that the use of PFAS in a product category is currently unavoidable or subject to the 2040 prohibition.
- Beginning January 1, 2040, prohibit the distribution, sale, or offer for sale of previously excluded products containing intentionally added PFAS, including refrigerants, solvents, propellants, personal protective equipment, and fire suppressants unless DTSC makes an evaluation and determination that the use of PFAS is currently unavoidable.

In addition to phasing in the ban of PFAS in products, SB 682 would also: 1) allow DTSC to ban PFAS in certain products prior to January 1, 2033, if feasible; 2) establish a petition process for manufacturers to seek a currently unavoidable use determination from DTSC; and 3) require DTSC to adopt regulations on or before January 1, 2027, to implement the bill's provisions.

According to the Senate Committee on Environmental Quality, PFAS are a large group of synthetic substances that have been widely used for their heat, water, and oil resistance properties in consumer products such as carpets, furniture fabrics, apparel, paper packaging for food, nonstick cookware, personal care products, and other products. PFAS are also used in industrial processes across a variety of sectors, including aerospace, apparel, automotive, building and construction, medical devices, paints, electronics, semiconductors, first responder

safety, and healthcare. PFAS can migrate into soil, water, and air during production, use, and disposal. Research has shown that some PFAS chemicals pose health and environmental risks.

The author's office notes that while California has enacted laws to ban several products containing intentionally added PFAS, including firefighting foams, textiles, cosmetics, juvenile products, and paper-based food packaging, PFAS are still used widely in consumer products and industrial processes. SB 682 is "a comprehensive, science-based approach to phasing out unnecessary uses of PFAS intentionally added to products."

EBMUD has a rigorous water quality program, which includes sampling, testing, and treatment of drinking water supplies, to ensure customers receive high-quality drinking water that meets or exceeds all state and federal regulatory requirements. Data collected over the past five years show that water from EBMUD treatment plants already meets the new PFAS standards set to take effect in 2029. However, some PFAS compounds are occasionally detected in local creeks that flow through developed areas in the East Bay. Fortunately, these creeks are mixed with water from Pardee Reservoir and other uncontaminated water sources, keeping PFAS levels in the East Bay reservoirs below the new standards. This underscores the importance of protecting source water.

As for wastewater, the State Water Resources Control Board has issued an investigative order that requires publicly owned treatment works to monitor for a variety of PFAS compounds in influent, effluent, and biosolids. EBMUD's Main Wastewater Treatment Plant participates in a regional monitoring study run by the San Francisco Estuary Institute in collaboration with the San Francisco Bay Regional Water Quality Control Board.

The first phase of the study showed PFAS in the influent and effluent of all Bay Area municipal wastewater plants, including EBMUD's, but at levels comparable to, or much lower than, the level of PFAS found in household products. The second phase of the study initiated in 2022 looked at upstream sources to better understand how residential, commercial, and specific industrial sources contribute to PFAS found in wastewater. The second phase of the study showed that businesses such as industrial laundries and car washes contribute the highest concentrations, but private residences appear to be the most significant overall source of PFAS. EBMUD continues to collaborate to better characterize the sources of PFAS in residential wastewater and to implement source reduction strategies.

PFAS are ubiquitous in consumer and industrial products, and water and wastewater agencies have limited means to control the trace amounts of PFAS contamination. Source control or pollution prevention offers the most effective strategy to reduce PFAS in the environment and protect public health. SB 682 aligns with this approach by eliminating non-essential PFAS use in consumer products sold and used in California.

SB 682 is not expected to impose additional costs on EBMUD and may benefit both EBMUD and its ratepayers by protecting public and environmental health through PFAS source reduction.

EBMUD has consistently supported legislation aimed at reducing PFAS pollution at its source.

- In 2024, EBMUD supported SB 903 (Skinner), which sought to phase out unnecessary PFAS in products. The bill was held in Senate Appropriations.
- In 2023, EBMUD supported AB 727 (Weber) that would have banned PFAS in cleaning products and AB 1423 (Schiavo), which would have prohibited the sale of artificial turf containing PFAS. Both bills were vetoed by Governor Newsom.
- In 2022, EBMUD supported AB 1817 (Ting) which was signed into law (Chapter 762 of 2022) banning PFAS in textile products. Also in 2022, EBMUD supported AB 2247 (Bloom), which would have required manufacturers of PFAS or products containing PFAS sold or distributed in California to report those PFAS or products containing PFAS on a publicly accessible database. AB 2247 was vetoed.
- In 2021, EBMUD supported AB 1200 (Ting) which banned food packaging containing PFAS beginning January 1, 2023, and required chemical disclosures for cookware sold in California beginning January 1, 2024. AB 1200 was signed into law (Chapter 503 of 2021).

SB 682 is co-sponsored by the Breast Cancer Prevention Partners, California Association of Sanitation Agencies, Clean Water Action, Environmental Working Group, and the National Resources Defense Council.

An official support/opposition list for SB 682 is included below.

Support

A Voice for Choice Advocacy  
Alliance of Nurses for Healthy  
Environments  
American College of Ob-gyn's District IX  
American Sustainable Business Network  
Association of California Water Agencies  
(ACWA)  
Azul  
Bay Area Clean Water Agencies  
Breast Cancer Prevention Partners  
California Association of Sanitation  
Agencies  
California Casa  
California Product Stewardship Council  
California Professional Firefighters  
California Safe Schools  
California Safe Schools Coalition  
California Stormwater Quality Association  
(CASQA)  
Californians Against Waste

Support continued

Calpirg  
Center for Community Action and  
Environmental Justice  
Center for Community Action and  
Environmental Justice (CCA EJ)  
Center for Environmental Health  
Center for Public Environmental Oversight  
Central Contra Costa Sanitary District  
City of Roseville  
City of Thousand Oaks  
Clean Water Action  
Climate Reality Project San Diego  
Climate Reality Project San Fernando Valley  
Chapter  
Climate Reality Project, Los Angeles  
Chapter  
Climate Reality Project, Orange County  
Coalition for Clean Air  
Community Water Center  
Dublin San Ramon Services District

Support continued

East Bay Dischargers Authority  
East Valley Water District  
Eastern Municipal Water District  
El Granada Advocates  
Elsinore Valley Municipal Water District  
Environmental Defense Fund  
Environmental Working Group  
Erin Brockovich Foundation  
Facts Families Advocating for Chemical and  
Toxics Safety  
Fairfield-Suisun Sewer District  
Go Green Initiative  
Green Science Policy Institute  
Inland Empire Utilities Agency  
Integrated Resource Management  
Las Virgenes Municipal Water District  
Leadership Counsel Action  
League of California Cities  
Los Angeles County Sanitation Districts  
Los Angeles Waterkeeper  
Monterey One Water  
National Stewardship Action Council  
Natural Resources Defense Council  
Non-toxic Neighborhoods

Opposition

Advanced Medical Technology Association  
(ADVAMED)  
Agc America INC. And Subsidiaries  
Air Conditioning, Heating and Refrigeration  
Institute  
Alliance for Automotive Innovation  
American Apparel & Footwear Association  
American Chemistry Council  
American Coatings Association  
American Forest & Paper Association  
American Fuel & Petrochemical  
Manufacturers  
American Petroleum Institute  
Animal Health Institute

Support continued

NRDC  
Orange County Sanitation District  
Physicians for Social Responsibility-Los  
Angeles  
Rancho California Water District  
Recolte Energy  
Resource Renewal Institute  
Responsible Purchasing Network  
Rethink Disposable  
San Francisco Bay Area Physicians for  
Social Responsibility  
San Francisco Baykeeper  
Save the Bay  
Sierra Club  
Sierra Club California  
Silicon Valley Clean Water  
Socal 350 Climate Action  
Story of Stuff  
Vallejo Flood and Wastewater District  
Valley Sanitary District (UNREG)  
Water Replenishment District of Southern  
California  
Watereuse California  
Western Municipal Water District

Opposition continued

Association of Equipment Manufacturers  
Association of Home Appliance  
Manufacturers  
Bio-process Systems Alliance  
Biocom California  
Building Owners and Managers Association  
of California  
California Building Industry Association  
California Business Properties Association  
California Chamber of Commerce  
California Grocers Association  
California Hispanic Chamber of Commerce  
California Hydrogen Business Council  
California Life Sciences

Opposition continued

California Manufacturers & Technology Association  
California Metals Coalition  
California New Car Dealers Association  
California Restaurant Association  
California Retailers Association  
Can Manufacturers Institute  
Center for Baby and Adult Hygiene Products  
Chemical Industry Council of California  
Communication Cable and Connectivity Association  
Consumer Brands Association  
Consumer Healthcare Products Association  
Cookware Sustainability Alliance  
Croplife America  
Dairy Institute of California  
European Federation of The Cookware, Cutlery and Houseware Industry  
Flexible Packaging Association  
Fluid Sealing Association  
Fuel Cell and Hydrogen Energy Association  
Household and Commercial Products Association  
International Sleep Products Association  
Juvenile Products Manufacturers Association  
Lkq Corporation

Opposition continued

Mema the Vehicle Supply Association  
Motorcycle Industry Council  
Naiop California  
National Council of Textile Organizations (NCTO)  
National Marine Manufacturers Association  
North American Association of Food Equipment Manufacturers  
Personal Care Products Council  
Plumbing Manufacturers International  
Printing United Alliance  
Recreational Vehicle Institute of America  
Responsible Industry for A Sound Environment – Rise  
Specialty Equipment Market Association (SEMA)  
Specialty Vehicle Institute of America (SVIA)  
Spray Polyurethane Foam Alliance  
The Cookware and Bakeware Alliance  
The Toy Association  
Truck and Engine Manufacturers Association  
Valve Manufacturers Association  
Western Plant Health Association  
Western Plastics Association

**SB 735, SB 736, VALIDATIONS  
SB 737  
(Committee on  
Local Government)**

**SUPPORT**

SB 735, SB 736, and SB 737 (Committee on Local Government), as introduced on February 21, 2025, would enact the Validating Acts of 2025. The legislature usually enacts three bills known as the Validating Acts each year to retroactively correct procedural errors or omissions that public officials of state agencies, cities, counties, and special districts may make inadvertently.

Banks, pension funds, and other investors will not buy municipal securities unless they are sound investments. Without the enactment of Validating Acts to cure minor errors that could undermine a bond's legal integrity, bond counsel would be reluctant to certify public agencies' bonds as good risks because of potential mistakes that could invalidate future payments. Safer bonds mean higher ratings and lower costs.

While the three Validating Acts save California taxpayers millions of dollars by protecting investors from minor procedural mistakes that might otherwise imperil bonds, boundary changes, proceedings, and other official acts, they will not cure fraudulent, illegal, or unconstitutional actions. A Validating Act cannot protect public officials who have acted illegally from prosecution.

The Validating Acts could benefit EBMUD by protecting investors from any minor procedural mistakes in bond issuances or other official acts. These measures are not expected to impose additional cost burdens on EBMUD ratepayers.

EBMUD has historically supported the Validating Acts. Most recently, in 2024, EBMUD's Board adopted a "support" position on the Validating Acts of 2024, SB 1515, SB 1516, and SB 1517, which were signed into law (Chapter 31, Chapter 32, and Chapter 33 of 2024, respectively).

The official support and opposition list to SB 735, SB 736, and SB 737 is shown below.

Support

None submitted

Opposition

None submitted

**FEDERAL LEGISLATION**

**RECOMMENDED  
POSITION**

**S. 322  
(Padilla)**

**IMPROVING ATMOSPHERIC RIVER  
FORECASTS ACT**

**SUPPORT**

S. 322, the Improving Atmosphere Rivers Forecast Act, is intended to reduce flood risks and enhance emergency preparedness by improving atmospheric river forecasting. S. 322 requires the National Oceanic and Atmospheric Administration (NOAA), in collaboration with institutions of higher education, to establish the Atmospheric Rivers Forecast Improvement Program (AR Program) within the National Weather Service. In carrying out the AR Program, NOAA "shall seek to reduce the loss of life and property and economic losses from atmospheric rivers through the development and extension of, and research on, accurate, effective, and actionable forecasts and warnings."

According to Senator Padilla's office, the AR Program would be tasked with:

- Developing accurate, effective, and actionable storm forecasts and warnings in collaboration with public and private partners across the weather forecasting sectors;
- Evaluating innovative observation tools and emerging technologies to improve atmospheric river modeling, forecasting, and warning;
- Authorizing NOAA to procure equipment, aircraft, and personnel contracts to monitor atmospheric rivers each winter; and
- Improving communication of atmospheric river hazards.

Atmospheric rivers are long, narrow bands of water vapor, essentially giant rivers in the atmosphere pushed along by strong winds. They can carry roughly 25 times the amount of water that flows through the mouth of the Mississippi River. Atmospheric rivers supply on average 40 to 50 percent of California's annual precipitation and snowpack. Climate change is increasing the frequency and intensity of atmospheric rivers, leading to greater risks of flooding and mudslides.

S. 322 would establish a federal atmospheric rivers forecast program, complementing California's efforts under the Department of Water Resources (DWR). The state program is tasked with researching, developing, and implementing new observations, prediction models, novel forecasting methods, and tailored decision support systems to improve predictions of atmospheric rivers and their impacts on water supply, flooding, post-wildfire debris flows, and environmental conditions.

A dedicated federal program would bolster state efforts and support water agencies like EBMUD by providing more accurate landfall and precipitation forecasts. These forecasts would help water supply managers and flood control operators make more informed reservoir storage decisions based on precise storm data.

S. 322 is not expected to impose additional costs on EBMUD and could provide benefits by improving atmospheric river forecasting to enhance reservoir operations.

Support for S.322 is consistent with EBMUD's support of state measures intended to help provide more accurate forecasting of atmospheric rivers, including:

- SB 599 (Caballero) discussed above, and
- AB 30 (Ward) that updated and broadened DWR's atmospheric rivers program to ensure DWR continues improving the atmospheric prediction capabilities and forecast models to better inform reservoir operations and flood management. AB 30 was signed into law (Chapter 134 of 2023).

Consistent with other federal measures, there is no official support and opposition list for S. 322.



**INFORMATION ITEM**

**SB 858  
(Committee  
on Local  
Government)**

**LOCAL GOVERNMENT OMNIBUS  
ACT OF 2025**

**INFORMATION**

Consistent with the State Legislative Priorities for the 2025 Legislative Year, approved by the Board on January 14, 2025, EBMUD is sponsoring a legislative provision to amend EBMUD's enabling act, the Municipal Utility District Act (MUD Act). The MUD Act amendment will extend the term of office for appointed Board members to ensure there is no gap in Board representation when the Board of Directors fills a vacancy on the Board by appointment.

Staff secured inclusion in SB 858 (Senate Committee on Local Government), the Senate Local Government Omnibus Act of 2025. Each year, the Committee on Local Government sponsors an omnibus bill that includes minor, noncontroversial changes to state laws affecting local governance, public finance, land use planning, and development. The measure was introduced on March 12, 2025, and includes EBMUD's requested change to the MUD Act. Staff has expressed support for SB 858 and will provide updates to the Board, as appropriate.

CCC:KCV:DM/JW

Attachments

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AMENDED IN SENATE MARCH 24, 2025

**SENATE BILL**

**No. 431**

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**Introduced by Senator Arreguín**

February 18, 2025

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An act to amend Sections 241 and 243 of the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

SB 431, as amended, Arreguín. Assault and battery: public utility ~~employees~~; *employees and essential infrastructure workers*.

Existing law defines an assault as an unlawful attempt, coupled with present ability, to commit a violent injury upon the person of another. Existing law defines a battery as any willful and unlawful use of force or violence upon the person of another. Under existing law, an assault or battery committed against specified professionals engaged in the performance of their duties, including peace officers, firefighters, and emergency medical personnel, is punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding \$2,000, or by both that fine and imprisonment.

This bill would make an assault or battery committed against an employee of a public ~~utility~~; *utility or a worker engaged in essential infrastructure work*, as defined, punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding \$2,000, or by both that fine and imprisonment. By expanding the scope of these crimes, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 241 of the Penal Code is amended to  
2 read:

3 241. (a) An assault is punishable by a fine not exceeding one  
4 thousand dollars (\$1,000), or by imprisonment in the county jail  
5 not exceeding six months, or by both the fine and imprisonment.

6 (b) When an assault is committed against the person of a parking  
7 control officer engaged in the performance of their duties, and the  
8 person committing the offense knows or reasonably should know  
9 that the victim is a parking control officer, the assault is punishable  
10 by a fine not exceeding two thousand dollars (\$2,000), or by  
11 imprisonment in the county jail not exceeding six months, or by  
12 both the fine and imprisonment.

13 (c) When an assault is committed against the person of a peace  
14 officer, firefighter, emergency medical technician, lifeguard,  
15 process server, traffic officer, code enforcement officer, animal  
16 control officer, or search and rescue member engaged in the  
17 performance of their duties, or a physician or nurse engaged in  
18 rendering emergency medical care outside a hospital, clinic, or  
19 other health care facility, or a physician, nurse, or other health care  
20 worker of a hospital engaged in providing services within the  
21 emergency department, ~~or a public utility employee, or a worker~~  
22 *engaged in essential infrastructure work*, and the person  
23 committing the offense knows or reasonably should know that the  
24 victim is a peace officer, firefighter, emergency medical technician,  
25 lifeguard, process server, traffic officer, code enforcement officer,  
26 animal control officer, or search and rescue member engaged in  
27 the performance of their duties, or a physician or nurse engaged  
28 in rendering emergency medical care, or a physician, nurse, or  
29 other health care worker of a hospital engaged in providing services  
30 within the emergency department, ~~or a public utility employee, or~~  
31 *a worker engaged in essential infrastructure work*, the assault is  
32 punishable by a fine not exceeding two thousand dollars (\$2,000),

1 or by imprisonment in a county jail not exceeding one year, or by  
2 both the fine and imprisonment.

3 (d) As used in this section, the following definitions apply:

4 (1) Peace officer means any person defined in Chapter 4.5  
5 (commencing with Section 830) of Title 3 of Part 2.

6 (2) “Emergency medical technician” means a person who is  
7 either an EMT-I, EMT-II, or EMT-P (paramedic), and possesses  
8 a valid certificate or license under the standards of Division 2.5  
9 (commencing with Section 1797) of the Health and Safety Code.

10 (3) “Nurse” means a person who possesses a valid certificate  
11 or license under the standards of Chapter 6 (commencing with  
12 Section 2700) or 6.5 (commencing with Section 2840) of Division  
13 2 of the Business and Professions Code or a nurse of a hospital  
14 engaged in providing services within the emergency department.

15 (4) “Lifeguard” means a person who is:

16 (A) Employed as a lifeguard by the state, a county, or a city,  
17 and is designated by local ordinance as a public officer who has a  
18 duty and responsibility to enforce local ordinances and  
19 misdemeanors through the issuance of citations.

20 (B) Wearing distinctive clothing that includes written  
21 identification of the person’s status as a lifeguard and that clearly  
22 identifies the employing organization.

23 (5) “Process server” means any person who meets the standards  
24 or is expressly exempt from the standards set forth in Section 22350  
25 of the Business and Professions Code.

26 (6) “Traffic officer” means any person employed by a county  
27 or city to monitor and enforce state laws and local ordinances  
28 relating to parking and the operation of vehicles.

29 (7) “Animal control officer” means any person employed by a  
30 county or city for purposes of enforcing animal control laws or  
31 regulations.

32 (8) (A) “Code enforcement officer” means any person who is  
33 not described in Chapter 4.5 (commencing with Section 830) of  
34 Title 3 of Part 2 and who is employed by any governmental  
35 subdivision, public or quasi-public corporation, public agency,  
36 public service corporation, any town, city, county, or municipal  
37 corporation, whether incorporated or chartered, that has  
38 enforcement authority for health, safety, and welfare requirements,  
39 and whose duties include enforcement of any statute, rules,

1 regulations, or standards, and who is authorized to issue citations,  
2 or file formal complaints.

3 (B) “Code enforcement officer” also includes any person who  
4 is employed by the Department of Housing and Community  
5 Development who has enforcement authority for health, safety,  
6 and welfare requirements pursuant to the Employee Housing Act  
7 (Part 1 (commencing with Section 17000) of Division 13 of the  
8 Health and Safety Code); the State Housing Law (Part 1.5  
9 (commencing with Section 17910) of Division 13 of the Health  
10 and Safety Code); the Manufactured Housing Act of 1980 (Part 2  
11 (commencing with Section 18000) of Division 13 of the Health  
12 and Safety Code); the Mobilehome Parks Act (Part 2.1  
13 (commencing with Section 18200) of Division 13 of the Health  
14 and Safety Code); and the Special Occupancy Parks Act (Part 2.3  
15 (commencing with Section 18860) of Division 13 of the Health  
16 and Safety Code).

17 (9) “Parking control officer” means any person employed by a  
18 city, county, or city and county, to monitor and enforce state laws  
19 and local ordinances relating to parking.

20 (10) “Search and rescue member” means any person who is part  
21 of an organized search and rescue team managed by a governmental  
22 agency.

23 (11) “Health care worker” means a person who, in the course  
24 and scope of employment, performs duties directly associated with  
25 the care and treatment rendered by the hospital’s emergency  
26 department or the department’s security.

27 (12) “Public utility employee” means any person employed by  
28 a public utility, as defined in Section 216 of the Public Utilities  
29 Code, including ~~contract workers~~ *workers, employees of a utility*  
30 *contractor*, or employees of a corporate parent entity.

31 (13) *“Essential infrastructure work” means construction,*  
32 *maintenance, repair, or operation of critical facilities and services*  
33 *related to electricity, water, natural gas, telecommunications,*  
34 *public transportation, roads, bridges, or waste management.*

35 SEC. 2. Section 243 of the Penal Code is amended to read:

36 243. (a) A battery is punishable by a fine not exceeding two  
37 thousand dollars (\$2,000), or by imprisonment in a county jail not  
38 exceeding six months, or by both that fine and imprisonment.

39 (b) When a battery is committed against the person of a peace  
40 officer, custodial officer, firefighter, emergency medical technician,

lifeguard, security officer, custody assistant, process server, traffic officer, code enforcement officer, animal control officer, or search and rescue member engaged in the performance of their duties, whether on or off duty, including when the peace officer is in a police uniform and is concurrently performing the duties required of them as a peace officer while also employed in a private capacity as a part-time or casual private security guard or patrolman, or a nonsworn employee of a probation department engaged in the performance of their duties, whether on or off duty, or a physician or nurse engaged in rendering emergency medical care outside a hospital, clinic, or other health care facility, or a physician, nurse, or other health care worker of a hospital engaged in providing services within the emergency department, ~~or a public utility employee, or a worker engaged in essential infrastructure work,~~ and the person committing the offense knows or reasonably should know that the victim is a peace officer, custodial officer, firefighter, emergency medical technician, lifeguard, security officer, custody assistant, process server, traffic officer, code enforcement officer, animal control officer, or search and rescue member engaged in the performance of their duties, nonsworn employee of a probation department, or a physician or nurse engaged in rendering emergency medical care, or a physician, nurse, or other health care worker of a hospital engaged in providing services within the emergency department, ~~or a public utility employee, or a worker engaged in essential infrastructure work,~~ the battery is punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

(c) (1) When a battery is committed against a custodial officer, firefighter, emergency medical technician, lifeguard, process server, traffic officer, or animal control officer engaged in the performance of their duties, whether on or off duty, or a nonsworn employee of a probation department engaged in the performance of their duties, whether on or off duty, or a physician or nurse engaged in rendering emergency medical care outside a hospital, clinic, or other health care facility, and the person committing the offense knows or reasonably should know that the victim is a nonsworn employee of a probation department, custodial officer, firefighter, emergency medical technician, lifeguard, process server, traffic officer, or animal control officer engaged in the performance of

1 their duties, or a physician or nurse engaged in rendering  
2 emergency medical care, and an injury is inflicted on that victim,  
3 the battery is punishable by a fine of not more than two thousand  
4 dollars (\$2,000), by imprisonment in a county jail not exceeding  
5 one year, or by both that fine and imprisonment, or by  
6 imprisonment pursuant to subdivision (h) of Section 1170 for 16  
7 months, or two or three years.

8 (2) When the battery specified in paragraph (1) is committed  
9 against a peace officer engaged in the performance of their duties,  
10 whether on or off duty, including when the peace officer is in a  
11 police uniform and is concurrently performing the duties required  
12 of them as a peace officer while also employed in a private capacity  
13 as a part-time or casual private security guard or patrolman and  
14 the person committing the offense knows or reasonably should  
15 know that the victim is a peace officer engaged in the performance  
16 of their duties, the battery is punishable by a fine of not more than  
17 ten thousand dollars (\$10,000), or by imprisonment in a county  
18 jail not exceeding one year or pursuant to subdivision (h) of Section  
19 1170 for 16 months, or two or three years, or by both that fine and  
20 imprisonment.

21 (d) When a battery is committed against any person and serious  
22 bodily injury is inflicted on the person, the battery is punishable  
23 by imprisonment in a county jail not exceeding one year or  
24 imprisonment pursuant to subdivision (h) of Section 1170 for two,  
25 three, or four years.

26 (e) (1) When a battery is committed against a spouse, a person  
27 with whom the defendant is cohabiting, a person who is the parent  
28 of the defendant's child, former spouse, fiancé, or fiancée, or a  
29 person with whom the defendant currently has, or has previously  
30 had, a dating or engagement relationship, the battery is punishable  
31 by a fine not exceeding two thousand dollars (\$2,000), or by  
32 imprisonment in a county jail for a period of not more than one  
33 year, or by both that fine and imprisonment. If probation is granted,  
34 or the execution or imposition of the sentence is suspended, it shall  
35 be a condition thereof that the defendant participate in, for no less  
36 than one year, and successfully complete, a batterer's treatment  
37 program, as described in Section 1203.097, or if none is available,  
38 another appropriate counseling program designated by the court.  
39 However, this provision shall not be construed as requiring a city,  
40 a county, or a city and county to provide a new program or higher



1 level of service as contemplated by Section 6 of Article XIII B of  
2 the California Constitution.

3 (2) Upon conviction of a violation of this subdivision, if  
4 probation is granted, the conditions of probation may include, in  
5 lieu of a fine, one or both of the following requirements:

6 (A) That the defendant make payments to a domestic violence  
7 shelter-based program, up to a maximum of five thousand dollars  
8 (\$5,000).

9 (B) That the defendant reimburse the victim for reasonable costs  
10 of counseling and other reasonable expenses that the court finds  
11 are the direct result of the defendant's offense.

12 For any order to pay a fine, make payments to a domestic  
13 violence shelter-based program, or pay restitution as a condition  
14 of probation under this subdivision, the court shall make a  
15 determination of the defendant's ability to pay. In no event shall  
16 any order to make payments to a domestic violence shelter-based  
17 program be made if it would impair the ability of the defendant to  
18 pay direct restitution to the victim or court-ordered child support.  
19 If the injury to a married person is caused in whole or in part by  
20 the criminal acts of their spouse in violation of this section, the  
21 community property shall not be used to discharge the liability of  
22 the offending spouse for restitution to the injured spouse, required  
23 by Section 1203.04, as operative on or before August 2, 1995, or  
24 Section 1202.4, or to a shelter for costs with regard to the injured  
25 spouse and dependents, required by this section, until all separate  
26 property of the offending spouse is exhausted.

27 (3) Upon conviction of a violation of this subdivision, if  
28 probation is granted or the execution or imposition of the sentence  
29 is suspended and the person has been previously convicted of a  
30 violation of this subdivision or Section 273.5, the person shall be  
31 imprisoned for not less than 48 hours in addition to the conditions  
32 in paragraph (1). However, the court, upon a showing of good  
33 cause, may elect not to impose the mandatory minimum  
34 imprisonment as required by this subdivision and may, under these  
35 circumstances, grant probation or order the suspension of the  
36 execution or imposition of the sentence.

37 (4) The Legislature finds and declares that these specified crimes  
38 merit special consideration when imposing a sentence so as to  
39 display society's condemnation for these crimes of violence upon  
40 victims with whom a close relationship has been formed.

(5) If a peace officer makes an arrest for a violation of paragraph (1) of subdivision (e) of this section, the peace officer is not required to inform the victim of their right to make a citizen's arrest pursuant to subdivision (b) of Section 836.

(f) As used in this section:

(1) "Peace officer" means any person defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2.

(2) "Emergency medical technician" means a person who is either an EMT-I, EMT-II, or EMT-P (paramedic), and possesses a valid certificate or license under the standards of Division 2.5 (commencing with Section 1797) of the Health and Safety Code.

(3) "Nurse" means a person who possesses a valid certificate or license under the standards of Chapter 6 (commencing with Section 2700) or 6.5 (commencing with Section 2840) of Division 2 of the Business and Professions Code or a nurse of a hospital engaged in providing services within the emergency department.

(4) "Serious bodily injury" means a serious impairment of physical condition, including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement.

(5) "Injury" means any physical injury that requires professional medical treatment.

(6) "Custodial officer" means any person who has the responsibilities and duties described in Section 831 and who is employed by a law enforcement agency of any city or county or who performs those duties as a volunteer.

(7) "Lifeguard" means a person defined in paragraph (4) of subdivision (d) of Section 241.

(8) "Traffic officer" means any person employed by a city, county, or city and county to monitor and enforce state laws and local ordinances relating to parking and the operation of vehicles.

(9) "Animal control officer" means any person employed by a city, county, or city and county for purposes of enforcing animal control laws or regulations.

(10) "Dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement independent of financial considerations.

(11) (A) "Code enforcement officer" means any person who is not described in Chapter 4.5 (commencing with Section 830) of

1 Title 3 of Part 2 and who is employed by any governmental  
2 subdivision, public or quasi-public corporation, public agency,  
3 public service corporation, any town, city, county, or municipal  
4 corporation, whether incorporated or chartered, who has  
5 enforcement authority for health, safety, and welfare requirements,  
6 and whose duties include enforcement of any statute, rules,  
7 regulations, or standards, and who is authorized to issue citations,  
8 or file formal complaints.

9 (B) “Code enforcement officer” also includes any person who  
10 is employed by the Department of Housing and Community  
11 Development who has enforcement authority for health, safety,  
12 and welfare requirements pursuant to the Employee Housing Act  
13 (Part 1 (commencing with Section 17000) of Division 13 of the  
14 Health and Safety Code); the State Housing Law (Part 1.5  
15 (commencing with Section 17910) of Division 13 of the Health  
16 and Safety Code); the Manufactured Housing Act of 1980 (Part 2  
17 (commencing with Section 18000) of Division 13 of the Health  
18 and Safety Code); the Mobilehome Parks Act (Part 2.1  
19 (commencing with Section 18200) of Division 13 of the Health  
20 and Safety Code); and the Special Occupancy Parks Act (Part 2.3  
21 (commencing with Section 18860) of Division 13 of the Health  
22 and Safety Code).

23 (12) “Custody assistant” means any person who has the  
24 responsibilities and duties described in Section 831.7 and who is  
25 employed by a law enforcement agency of any city, county, or city  
26 and county.

27 (13) “Search and rescue member” means any person who is part  
28 of an organized search and rescue team managed by a government  
29 agency.

30 (14) “Security officer” means any person who has the  
31 responsibilities and duties described in Section 831.4 and who is  
32 employed by a law enforcement agency of any city, county, or city  
33 and county.

34 (15) “Health care worker” means a person who, in the course  
35 and scope of employment, performs duties directly associated with  
36 the care and treatment rendered by the hospital’s emergency  
37 department or the department’s security.

38 (16) “Public utility employee” means any person employed by  
39 a public utility, as defined in Section 216 of the Public Utilities

1 Code, including contract ~~workers~~ *workers, employees of a utility*  
2 *contractor*, or employees of a corporate parent entity.

3 (17) “*Essential infrastructure work*” means construction,  
4 *maintenance, repair, or operation of critical facilities and services*  
5 *related to electricity, water, natural gas, telecommunications,*  
6 *public transportation, roads, bridges, or waste management.*

7 (g) It is the intent of the Legislature by amendments to this  
8 section at the 1981–82 and 1983–84 Regular Sessions to abrogate  
9 the holdings in cases such as *People v. Corey*, 21 Cal. 3d 738, and  
10 *Cervantez v. J.C. Penney Co.*, 24 Cal. 3d 579, and to reinstate prior  
11 judicial interpretations of this section as they relate to criminal  
12 sanctions for battery on peace officers who are employed, on a  
13 part-time or casual basis, while wearing a police uniform as private  
14 security guards or patrolmen and to allow the exercise of peace  
15 officer powers concurrently with that employment.

16 SEC. 3. No reimbursement is required by this act pursuant to  
17 Section 6 of Article XIII B of the California Constitution because  
18 the only costs that may be incurred by a local agency or school  
19 district will be incurred because this act creates a new crime or  
20 infraction, eliminates a crime or infraction, or changes the penalty  
21 for a crime or infraction, within the meaning of Section 17556 of  
22 the Government Code, or changes the definition of a crime within  
23 the meaning of Section 6 of Article XIII B of the California  
24 Constitution.

AMENDED IN SENATE MARCH 24, 2025

**SENATE BILL**

**No. 599**

---

**Introduced by Senator Caballero**

February 20, 2025

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An act to amend Section ~~1242.1~~ 347 of the Water Code, relating to ~~groundwater~~: *atmospheric rivers*.

LEGISLATIVE COUNSEL'S DIGEST

SB 599, as amended, Caballero. ~~Groundwater recharge: floodflows: diversion:~~ *Atmospheric rivers: research: forecasting methods: experimental tools.*

*Existing law establishes the Atmospheric Rivers Research and Forecast Improvement Program: Enabling Climate Adaptation Through Forecast-Informed Reservoir Operations and Hazard Resiliency (AR/FIRO) Program in the Department of Water Resources. Existing law requires the department to operate reservoirs in a manner that improves flood protection, and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers. Existing law requires the department to research, develop, and implement new observations, prediction models, novel forecasting methods, and tailored decision support systems to improve predictions of atmospheric rivers and their impacts on water supply, flooding, post-wildfire debris flows, and environmental conditions.*

*This bill would, for novel forecasting methods researched, developed, and implemented by the department, require the department to include the use of experimental tools that produce seasonal and subseasonal atmospheric river forecasts, as defined.*

~~Existing law declares that all water within the state is the property of the people of the state, but the right to the use of the water may be~~

~~acquired by appropriation in the manner provided by law. Existing law requires the appropriation to be for some useful or beneficial purpose. Existing law provides that the diversion of floodflows for groundwater recharge, commenced before January 1, 2029, does not require an appropriative water right if certain conditions are met, including that the diversion does not use new permanent infrastructure or permanent construction.~~

~~This bill would make a nonsubstantive change to this provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     *SECTION 1. The Legislature finds and declares all of the*  
2     *following:*  
3     *(a) Atmospheric rivers are long narrow bands of concentrated*  
4     *moisture that form over the Pacific Ocean.*  
5     *(b) Atmospheric rivers have been identified as major drivers of*  
6     *floods and precipitation, responsible for up to one-half of the*  
7     *annual precipitation in California and 94 percent of all flood*  
8     *damages, totaling around \$620 million annually.*  
9     *(c) Climate change is resulting in more intense and more*  
10    *frequent atmospheric rivers.*  
11    *(d) In southern California, around Prado Dam, atmospheric*  
12    *rivers have caused the 10 largest events on record. Additionally,*  
13    *precipitation in the Yuba-Feather watershed is strongly tied to*  
14    *atmospheric river activity.*  
15    *(e) Winter storms from late-December 2022 to mid-January*  
16    *2023 caused massive flood damage in 40 of California's 58*  
17    *counties, resulting in 20 deaths and significant devastation to*  
18    *homes, roads, infrastructure, agriculture, businesses, the economy,*  
19    *and caused over \$30 billion in damages.*  
20    *(f) One in five Californians live in flood-prone areas, and all*  
21    *58 counties have a history of severe flood damage. Homes and*  
22    *buildings worth approximately \$900 billion are at risk of flooding.*  
23    *(g) Flooding is the most widespread natural hazard in*  
24    *California, and is more pervasive than wildfires or earthquakes.*  
25    *(h) Low-income communities of color are disproportionately*  
26    *at risk due to limited financial capacity for flood control upgrades*  
27    *and recovery.*

1     (i) Over 250 aging dams and outdated flood infrastructure  
2     increase the likelihood of catastrophic flooding.

3     (j) California spends \$1.8 billion annually on flood control  
4     operations and maintenance, and \$1 billion annually on new  
5     investments, but investment needs range from \$2 to \$4.5 billion,  
6     inclusive, annually for the next 25 years.

7     (k) Since 2006, only \$4.5 billion has been allocated to new flood  
8     infrastructure.

9     (l) Atmospheric River Reconnaissance (AR Recon), a Research  
10    and Operations Partnership (RAOP) with NOAA National Center  
11    for Environmental Prediction (NCEP), led by the Center for  
12    Western Weather and Water Extremes, leverages National Oceanic  
13    and Atmospheric Administration and United States Air Force  
14    investments in aircraft-based observations. It is now the leading  
15    effort within the National Winter Season Operations Plan for  
16    airborne weather reconnaissance.

17    (m) The AR Recon Partnership has improved forecasting skill.  
18    Statewide, five-day atmospheric river forecasts in water year 2020  
19    were better than four-day forecasts in 2017.

20    (n) The Department of Water Resources is invested in extended  
21    forecasts, such as subseasonal (two to six weeks) and seasonal  
22    (one to six months) forecasts.

23    (o) Better atmospheric river forecast accuracy and lead time  
24    enhances the state's resiliency to flood and drought.

25    (p) According to the Public Policy Institute of California, a  
26    major flood event, like the flood in 1861–62, could displace  
27    1,500,000 people and cause over \$1 trillion in damages and  
28    business losses.

29    (q) With effective atmospheric river forecasting, California can  
30    maximize its efforts to recharge more groundwater and boost our  
31    water supply for communities across the state, and protect  
32    communities from catastrophic flooding.

33    SEC. 2. Section 347 of the Water Code is amended to read:

34    347. (a) The Atmospheric Rivers Research and Forecast  
35    Improvement Program: Enabling Climate Adaptation Through  
36    Forecast-Informed Reservoir Operations and Hazard Resiliency  
37    (AR/FIRO) Program is hereby established in the Department of  
38    Water Resources.

39    (b) (1) The department shall research, develop, and implement  
40    new observations, prediction models, novel forecasting methods,

1 *including the use of experimental tools that produce seasonal and*  
2 *subseasonal atmospheric river forecasts, and tailored decision*  
3 *support systems to improve predictions of atmospheric rivers and*  
4 *their impacts on water supply, flooding, post-wildfire debris flows,*  
5 *and environmental conditions.*

6 (2) The department shall utilize all relevant information  
7 produced pursuant to paragraph (1) to operate reservoirs in a  
8 manner that improves flood protection in the state and to reoperate  
9 flood control and water storage facilities to capture water generated  
10 by atmospheric rivers and other storms. The goals of integrating  
11 forecast-informed reservoir operations into department operations  
12 shall be to increase water supply, hydropower availability, and  
13 water supply reliability. The department may use research  
14 generated by this program to refine climate projections of extreme  
15 weather and water events and changes in Sierra snow.

16 (3) Information produced pursuant to paragraph (1) shall be  
17 available to relevant federal, state, and local agencies.

18 (c) *For purposes of this section, both of the following definitions*  
19 *apply:*

20 (1) *“Seasonal forecast” means a forecast that covers a period*  
21 *of approximately one to six months into the future.*

22 (2) *“Subseasonal forecast” means a forecast that covers a*  
23 *period of approximately two to six weeks into the future.*

24 ~~SECTION 1. Section 1242.1 of the Water Code is amended to~~  
25 ~~read:~~

26 ~~1242.1. The diversion of floodflows for groundwater recharge~~  
27 ~~shall not require an appropriative water right if all of the following~~  
28 ~~conditions are met:~~

29 ~~(a) (1) A local or regional agency that has adopted a local plan~~  
30 ~~of flood control pursuant to Section 8201 or has considered flood~~  
31 ~~risk as part of its most recently adopted general plan has given~~  
32 ~~notice via its internet website, electronic distribution list,~~  
33 ~~emergency notification service, or another means of public notice,~~  
34 ~~that flows downstream of the point of diversion are at imminent~~  
35 ~~risk of flooding and inundation of land, roads, or structures.~~

36 ~~(2) As used in this section, “floodflow” means any of the~~  
37 ~~following:~~

38 ~~(A) Where a waterbody is subject to a defined flood stage, flows~~  
39 ~~in excess of flood stage where actions are necessary to avoid threats~~  
40 ~~to human health and safety.~~



~~(B) (i) Except as provided in clause (ii), where a waterbody is not subject to a defined flood stage, surface water escaped from or is likely to imminently escape from a channel or waterbody causing or threatening to cause inundation of residential or commercial structures, or roads needed for emergency response. Likely imminent escape from a channel or waterbody shall be demonstrated by measured flows in excess of the maximum design capacity of a flood control project, where such a project is present and the maximum design capacity is readily available information.~~

~~(ii) This subparagraph does not apply to flows that inundate wetlands, working lands, or floodplains, events that constitute a “design flood,” groundwater seepage, or waters confined to a “designated floodway.”~~

~~(C) Where flows would inundate ordinarily dry areas in the bed of a terminal lake to a depth that floods dairies and other ongoing agricultural activities, or areas with substantial residential, commercial, or industrial development.~~

~~(3) As used in this subdivision, “imminent” means a high degree of confidence that a condition will begin in the immediate future.~~

~~(b) The diversions cease when the flood conditions described in the public notice provided pursuant to subdivision (a) have abated to the point there is no longer a risk of flooding and inundation of land, roads, or structures downstream of the point of diversion.~~

~~(c) Any water diverted is not diverted to, and will not be applied to, any of the following:~~

~~(1) Any barns, ponds, or lands where manure or waste from an animal facility that generates waste from the feeding and housing of animals for more than 45 days per year in a confined area that is not vegetated are applied.~~

~~(2) Any agricultural field that has been identified as an outlier with respect to nitrogen application by any of the following:~~

~~(A) The board.~~

~~(B) The appropriate regional board.~~

~~(C) An agricultural coalition charged with implementation of the Irrigated Lands Regulatory Program.~~

~~(3) Any area that could cause damage to critical levees, infrastructure, wastewater and drinking water systems, drinking water wells or drinking water supplies, or exacerbate the threat of flood and other health and safety concerns.~~

~~(4) Any area that has not been in active irrigated agricultural cultivation within the past three years, including grazing lands, annual grasslands, and natural habitats. This limitation does not apply to facilities already constructed for the purpose of groundwater recharge or managed wetlands.~~

~~(d) With respect to diversions from water tributaries to the Sacramento-San Joaquin Delta (Delta), water rights holders are not making releases of stored water or reoperating facilities to provide flow for the purposes of meeting water quality control plan or endangered species requirements in the Delta at the time of the diversion.~~

~~(e) The diversion of floodflows for groundwater recharge uses the following as part of the diversion:~~

~~(1) Either existing diversion infrastructure or temporary pumps.~~

~~(2) Existing groundwater recharge locations, where available.~~

~~(3) No new permanent construction or permanent infrastructure.~~

~~(4) For diversions directly from rivers or streams, protective screens on temporary pump intakes to minimize the impacts of diversion to fish and other aquatic life. Such screens shall be constructed of any rigid material, perforated, woven, or slotted, that provides water passage while physically excluding fish. The screen face shall be parallel to the flow and adjacent to the water's edge. The upstream and downstream transitions to the screen structure shall be designed and constructed to minimize eddies upstream of, in front of, and downstream of the screen, while minimizing entrainment to the degree feasible. Prior to implementing this paragraph, the Department of Fish and Wildlife shall conduct at least one public workshop to review recommended design parameters and ranges of scenarios for deployment and use of protective screens. These recommendations and any other guidelines provided by the Department of Fish and Wildlife on the implementation of this paragraph shall not be subject to the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).~~

~~(f) The person or entity making the diversion for groundwater recharge does not claim any water right based on that diversion and recharge.~~

~~(g) (1) The person or entity making the diversion for groundwater recharge files all of the following with the board and~~

1 with any applicable groundwater sustainability agency, as defined  
2 in Section 10721, for the basin:

3 (A) ~~A notice that provides the information specified in~~  
4 ~~Subparagraphs (A) through (C), inclusive, of paragraph (2), 48~~  
5 ~~hours before whenever feasible, and in no event later than 48 hours~~  
6 ~~after initially commencing diversion of floodflows for groundwater~~  
7 ~~recharge.~~

8 (B) ~~A preliminary report no later than 14 days after initially~~  
9 ~~commencing diversion of floodflows for groundwater recharge.~~

10 (C) ~~A final report no later than 15 days after diversions cease.~~

11 (2) ~~The preliminary and final reports shall do all of the~~  
12 ~~following:~~

13 (A) ~~Identify the person or entity making the diversion for~~  
14 ~~groundwater recharge.~~

15 (B) ~~Provide the Global Positioning System (GPS) coordinates~~  
16 ~~for the point of diversion, a map identifying the approximate area~~  
17 ~~inundated by the floodflows, and the corresponding assessor parcel~~  
18 ~~numbers.~~

19 (C) ~~Identify the time when diversions of floodflows to~~  
20 ~~groundwater recharge commenced, and, for final reports, when~~  
21 ~~diversions ceased.~~

22 (D) ~~Provide an estimate, as of the report's date, of the amount~~  
23 ~~of floodflows diverted for groundwater recharge.~~

24 (h) ~~This section shall only apply to diversions commenced~~  
25 ~~before January 1, 2029.~~

**Introduced by Senator Stern**February 20, 2025

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An act to amend Section 71422 of the Public Resources Code, relating to environmental protection.

## LEGISLATIVE COUNSEL'S DIGEST

SB 654, as introduced, Stern. California Environmental Protection Agency: contract: registry: greenhouse gas emissions that result from the water-energy nexus.

Existing law establishes the California Environmental Protection Agency in state government and requires the agency to oversee the development of a registry for greenhouse gas emissions that result from the water-energy nexus using the best available data. Existing law provides that participation in the registry is voluntary and open to any entity conducting business in the state. Existing law authorizes the agency to enter into a contract with a qualified nonprofit organization to do specified things, including to recruit broad participation in the registry from all economic sectors and regions of the state. Existing law limits the term of the contract to 3 years, except as provided.

This bill would instead require the agency to oversee the administration of the above-described registry and would authorize the agency to enter into a new contract, limited to a term of 3 years and with a total budget of \$2,000,000, to do specified things, including to recruit broad participation in the registry from all economic sectors and regions of the state to meet the different needs of water users throughout the state by various means, as provided. The bill would remove obsolete language related to the development of the registry, as provided.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 71422 of the Public Resources Code is amended to read:

71422. (a) (1) The agency shall oversee the ~~development~~ *administration* of a registry for greenhouse gas emissions that result from the water-energy nexus using the best-available data.

(2) Participation in the registry shall be voluntary and open to any entity conducting business in the state. A participating entity may register its emissions, including emissions generated outside of the state, on an entitywide basis and may utilize the services of the registry.

(b) The agency may enter into a contract with a qualified nonprofit organization to do all of the following:

~~(1) Develop, in consultation with the agency and other relevant state agencies, the registry through a public stakeholder process, as determined by the agency. In developing the registry, the chosen qualified nonprofit organization shall consider greenhouse gas emissions accounting methodologies developed as part of programs authorized pursuant to the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code).~~

~~(2)~~  
(1) Help participating entities in the state to establish emissions baselines.

~~(3)~~  
(2) Encourage voluntary actions to increase water and energy efficiency measures to reduce the greenhouse gas intensity of the state's water system.

~~(4)~~  
(3) Enable participating entities to record voluntary entitywide greenhouse gas emissions reductions in a consistent format that is supported by third-party verification.

~~(5)~~  
(4) Recognize, publicize, and promote participating entities making voluntary reductions of greenhouse gas emissions.

~~(6)~~  
(5) Recruit broad participation in the registry from all economic sectors and regions of the ~~state~~; *state to meet the different needs of water users throughout the state by various means, including,*

1 *but not limited to, workshops, trainings, and other similar*  
2 *activities, technical support for reporting of emissions, and climate*  
3 *action planning to assist with reduction strategies and improve*  
4 *water and energy efficiency.*

5 ~~(7) Facilitate streamlined data reporting for relevant entities~~  
6 ~~already reporting to the Climate Registry as part of its voluntary~~  
7 ~~corporate greenhouse gas emissions reporting program.~~

8 (c) ~~(1)~~ The contract authorized pursuant to subdivision ~~(b)~~ (b),  
9 *as it read on January 1, 2025, shall be limited to a term of three*  
10 *years. The contract authorized pursuant to subdivision (b), as*  
11 *amended pursuant to the bill adding this sentence, shall be limited*  
12 *to a term of three years and a total budget of two million dollars*  
13 *(\$2,000,000).*

14 ~~(2) Notwithstanding paragraph (1), the term of the contract may~~  
15 ~~be extended for one year upon the agreement of both parties to the~~  
16 ~~contract.~~

**Introduced by Senator Allen**

February 21, 2025

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An act to amend Sections 25252 and 108076 of, and to add Chapter 17.5 (commencing with Section 109030) to Part 3 of Division 104 of, the Health and Safety Code, relating to product safety.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 682, as introduced, Allen. Environmental health: product safety: perfluoroalkyl and polyfluoroalkyl substances.

(1) Existing law requires the Department of Toxic Substances Control, on or before January 1, 2029, to adopt regulations to enforce specified covered perfluoroalkyl and polyfluoroalkyl substances (PFAS) restrictions, which include prohibitions on the distribution, sale, or offering for sale of certain products that contain specified levels of PFAS. Existing law requires the department, on and after July 1, 2030, to enforce and ensure compliance with those provisions and regulations, as provided. Existing law requires manufacturers of these products, on or before July 1, 2029, to register with the department, to pay a registration fee to the department, and to provide a statement of compliance certifying compliance with the applicable prohibitions on the use of PFAS to the department, as specified. Existing law authorizes the department to test products and to rely on third-party testing to determine compliance with prohibitions on the use of PFAS, as specified. Existing law requires the department to issue a notice of violation for a product in violation of the prohibitions on the use of PFAS, as provided. Existing law authorizes the department to assess an administrative penalty for a violation of these prohibitions and authorizes the department to seek an injunction to restrain a person or entity from violating these prohibitions, as specified.

This bill would, beginning January 1, 2027, prohibit a person from distributing, selling, or offering for sale a covered product that contain intentionally added PFAS, as defined, except for previously used products and as otherwise preempted by federal law. The bill would define “covered product” to include cleaning products, cookware, dental floss, juvenile products, food packaging, and ski wax, as specified.

This bill would, beginning January 1, 2040, prohibit a person from distributing, selling, or offering for sale certain products that contains intentionally added PFAS, including, but not limited to, refrigerants, solvents, propellants, and clean fire suppressants, as specified, unless the department has made a determination that the use of PFAS in the product is a currently unavoidable use, the prohibition is preempted by federal law, or the product is previously used.

This bill would also, beginning January 1, 2033, prohibit a person from distributing, selling, or offering for sale any other product, as defined, that contains intentionally added PFAS unless the department has made a determination that the use of PFAS in the product is a currently unavoidable use, the prohibition is preempted by federal law, or the product is previously used. The bill would specify the criteria and procedures for determining whether the use of PFAS in a product is a currently unavoidable use, for renewing that determination, and for revoking that determination. The bill would require the department to maintain on its internet website a list of each determination of currently unavoidable use, when each determination expires, and the products and uses that are exempt from the prohibition.

This bill would require the department, on or before January 1, 2027, to adopt regulations to carry out these provisions. The bill would require the regulations to establish and provide for the assessment of an application fee. The bill would create the PFAS Oversight Fund and require all application fees to be deposited into the fund. The bill would require moneys in the account, upon appropriation by the Legislature, to be used to cover the department’s reasonable costs of administering this act.

This bill would require these prohibitions on covered products and products to be enforced by the department pursuant to the existing authority described above, including, but not limited to, the authority relating to registration, product testing, and administrative penalties.

(2) Existing law requires the department, in consultation with the Office of Environmental Health Hazard Assessment and all appropriate state agencies, to adopt regulations to establish a process to identify



and prioritize chemicals or chemical ingredients in consumer products that may be considered as being a chemical of concern, as specified. Pursuant to that authority, the department adopted regulations known as the Safer Consumer Products Regulations.

This bill would authorize, but not require, that those regulations evaluate uses of PFAS in products that would be prohibited by the provisions in paragraph (1).

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) Perfluoroalkyl and polyfluoroalkyl substances (PFAS) are  
4 a class of persistent and highly toxic chemicals with widespread  
5 contamination across the United States, including California. The  
6 United States Geological Survey estimates that 45 percent of the  
7 United States' tap water is contaminated with PFAS. It is also  
8 estimated that 98 percent of people living in the United States have  
9 PFAS in their blood.

10 (b) PFAS have been and continue to be used in a broad range  
11 of industrial processes and in manufacturing products because of  
12 their water and stain resistant, nonstick, surfactant, and other  
13 properties, including for making packaging, plastic food ware,  
14 cleaning products, ski waxes, menstrual products, metal products,  
15 propellants, coatings and paints, and much more, despite the  
16 growing body of evidence that these chemicals may leach into  
17 food, water supplies, and even the human body through exposures.

18 (c) Exposure to PFAS poses a significant threat to the  
19 environment and public health. Adverse health effects associated  
20 with PFAS include, but are not limited to, kidney and liver damage,  
21 decreased immune system function, including interference with  
22 vaccine response and increased risk of asthma, developmental and  
23 reproductive harm, increased cholesterol levels, increased thyroid  
24 disorders and other hormone disruption, and increased incidences  
25 of testicular and kidney cancer.

26 (d) PFAS in products is a major source of PFAS contamination  
27 and phasing out nonessential uses of PFAS must be an immediate  
28 legislative objective.

1 (e) The intent of this act is to phase out the sale of products with  
2 avoidable PFAS use to address the imminent threat of further  
3 contamination of the environment in the state.

4 (f) As the European Union notes in its “Guiding criteria and  
5 principles for the essential use concept in EU legislation dealing  
6 with chemicals,” the essential use concept, as implemented by this  
7 act, is not intended to determine whether a certain substance,  
8 product, product group, or service is itself essential for society,  
9 nor whether an individual consumer or company considers the use  
10 essential for them.

11 SEC. 2. Section 25252 of the Health and Safety Code is  
12 amended to read:

13 25252. (a) On or before January 1, 2011, the department shall  
14 adopt regulations to establish a process to identify and prioritize  
15 those chemicals or chemical ingredients in consumer products that  
16 may be considered as being a chemical of concern, in accordance  
17 with the review process specified in Section 25252.5. The  
18 department shall adopt these regulations in consultation with the  
19 office and all appropriate state agencies and after conducting one  
20 or more public workshops for which the department provides public  
21 notice and provides an opportunity for all interested parties to  
22 comment. The regulations adopted pursuant to this section shall  
23 establish an identification and prioritization process that includes,  
24 but is not limited to, all of the following considerations:

25 (1) The volume of the chemical in commerce in this state.

26 (2) The potential for exposure to the chemical in a consumer  
27 product.

28 (3) Potential effects on sensitive subpopulations, including  
29 infants and children.

30 (b) (1) In adopting regulations pursuant to this section, the  
31 department shall develop criteria by which chemicals and their  
32 alternatives may be evaluated. These criteria shall include, but not  
33 be limited to, the traits, characteristics, and endpoints that are  
34 referenced in Section 25256.

35 (2) In adopting regulations pursuant to this section, the  
36 department shall reference and use, to the maximum extent feasible,  
37 available information from other nations, governments, and  
38 authoritative bodies that have undertaken similar chemical  
39 prioritization processes, so as to leverage the work and costs

1 already incurred by those entities and to minimize costs and  
2 maximize benefits for the state's economy.

3 (3) Paragraph (2) does not require the department, when  
4 adopting regulations pursuant to this section, to reference and use  
5 only the available information specified in paragraph (2).

6 *(c) The Safer Consumer Products Regulations (Chapter 55*  
7 *(commencing with Section 69501) of Division 4.5 of Title 22 of*  
8 *the California Code of Regulations), adopted pursuant to this*  
9 *section, may, but is not required to, evaluate uses of perfluoroalkyl*  
10 *and polyfluoroalkyl substances, as defined in Section 109030, in*  
11 *products that are covered by Chapter 17.5 (commencing with*  
12 *Section 109030) of Part 3 of Division 104.*

13 SEC. 3. Section 108076 of the Health and Safety Code is  
14 amended to read:

15 108076. For purposes of this chapter, all of the following  
16 definitions apply:

17 (a) "Covered PFAS restriction" means a restriction imposed by  
18 any of the following:

19 (1) Chapter 12.5 (commencing with Section 108945).

20 (2) Chapter 13.5 (commencing with Section 108970).

21 (3) Article 1 (commencing with Section 109000) of Chapter  
22 15.

23 (4) *Chapter 17.5 (commencing with Section 109030).*

24 (b) "Covered product" means any of the following:

25 (1) A juvenile product, as defined in Section 108945.

26 (2) Textile articles, as defined in Section 108970.

27 (3) Food packaging, as defined in Section 109000.

28 (4) (A) *A covered product, as defined in Section 109030.*

29 (B) *A product, as defined in Section 109030, that is subject to*  
30 *a covered PFAS restriction under subdivision (b) of Section*  
31 *109030.1.*

32 (c) "Department" means the Department of Toxic Substances  
33 Control.

34 SEC. 4. Chapter 17.5 (commencing with Section 109030) is  
35 added to Part 3 of Division 104 of the Health and Safety Code, to  
36 read:

1 CHAPTER 17.5. PERFLUOROALKYL AND POLYFLUOROALKYL  
2 SUBSTANCES

3  
4 109030. For purposes of this chapter, the following definitions  
5 apply unless the context otherwise indicates:

6 (a) “Cleaning product” has the same meaning as “designated  
7 product” in Section 108952.

8 (b) “Component” means an identifiable ingredient, part, or piece  
9 of a product, regardless of whether the manufacturer of the product  
10 is the manufacturer of the component.

11 (c) “Cookware” has the same meaning as in Section 109010.

12 (d) “Covered product” means all of the following product  
13 categories:

14 (1) Cleaning products.

15 (2) Cookware.

16 (3) Dental floss.

17 (4) Juvenile products.

18 (5) Food packaging.

19 (6) Ski wax.

20 (e) “Currently unavoidable use” means a use of PFAS that the  
21 department has determined is permissible for a limited time  
22 pursuant to subdivision (a) of Section 109030.2.

23 (f) “Department” means the Department of Toxic Substances  
24 Control.

25 (g) (1) “Food packaging” means a container applied to or  
26 providing a means to market, protect, handle, deliver, serve,  
27 contain, or store a food or beverage, and includes, but is not limited  
28 to, all of the following:

29 (A) A unit package, an intermediate package, or a shipping  
30 container.

31 (B) Unsealed receptacles, including, but not limited to, carrying  
32 cases, crates, cups, plates, bowls, pails, rigid foil and other trays,  
33 wrappers and wrapping films, bags, or tubs.

34 (C) An individual assembled part of a food package, including,  
35 but not limited to, an interior or exterior blocking, bracing,  
36 cushioning, weatherproofing, exterior strapping, coating, closures,  
37 inks, or labels.

38 (2) “Food packaging” does not include a product that meets the  
39 definition of “food packaging” in Section 109000.

40 (h) “Intentionally added PFAS” means either of the following:

1 (1) PFAS added to a product that has a functional or technical  
2 effect in the product, including the PFAS components of  
3 intentionally added chemical mixtures and PFAS that are  
4 intentional products of an added chemical or process.

5 (2) PFAS intentionally used or produced during a product's  
6 manufacture or processing that is introduced into or onto the  
7 product, whether or not it confers a functional or technical effect  
8 in the product. This includes any source of PFAS that is reasonably  
9 known to be present, including the use of processing agents, mold  
10 release agents, or fluorination, but does not include contaminated  
11 natural resources, such as water.

12 (i) (1) "Juvenile product" means a product designed for use by  
13 infants and children under 12 years of age.

14 (2) "Juvenile product" does not include a product described in  
15 either paragraph (1) or (2) of subdivision (c) of Section 108945.

16 (j) (1) Subject to paragraphs (2) and (3), "manufacturer" means  
17 either of the following:

18 (A) A person that manufactures the product and whose name  
19 appears on the product label.

20 (B) A person for whom the product is manufactured or by whom  
21 it is distributed, and who owns or is the licensee of the brand or  
22 trademark under which the product is used in a commercial  
23 enterprise, sold, offered for sale, or distributed in the state.

24 (2) In the case of a product imported into the United States,  
25 "manufacturer" includes the importer or first domestic distributor  
26 of the product if no person that meets the requirements of  
27 subparagraph (A) or (B) of paragraph (1) has a presence in the  
28 United States.

29 (3) "Manufacturer" does not include trade associations or similar  
30 entities.

31 (4) For purposes of this chapter, a product may have more than  
32 one manufacturer.

33 (k) "Necessary for the product to work" means required for the  
34 product to perform its primary function, as determined by the  
35 department.

36 (l) "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS"  
37 means a class of fluorinated organic chemicals containing at least  
38 one fully fluorinated carbon atom.

39 (m) "Person" means an individual, firm, corporation, association,  
40 or other entity doing business in California.

(n) (1) “Product” means a “consumer product” as defined in Section 25251.

(2) “Product” does not include the provision of services or commodities by water, sewer, electric, or gas utilities or agencies.

(o) “Product category” means a group of similar products that are used for a similar purpose and that could functionally replace each other for that purpose, as determined by the department, and does not mean variations within a product that do not affect the product’s primary function. For example, pants, insulation, and cookware are each a product category whereas stain-resistant pants, spray insulation, and nonstick cookware are variations of products within those product categories.

(p) “Reliable information” means a study or evaluation that meets both the following:

(1) The study or evaluation design was appropriate to the hypothesis being tested, and sufficient to support the proposition for which the study or evaluation is presented to the department.

(2) The study or evaluation was published in one of the following:

(A) A scientifically peer-reviewed report or other literature.

(B) A report of the United States National Academies.

(C) A report by an international, federal, state, or local agency that implements laws governing chemicals.

(q) “Safer alternative” means an alternative that, in comparison with another product or product manufacturing process, has reduced adverse impacts or potential exposures to humans and the environment associated with PFAS. Alternatives include materials, processes, designs, products, or chemicals that are sufficient for achieving the desired result. For example, a safer alternative to stain-resistant sprays for avoiding stains could be the use of detergents or the use of fibers that are inherently stain resistant.

(r) “Ski wax” means a lubricant applied to the bottom of snow runners, including, but not limited to, skis and snowboards, to improve their grip or glide properties and includes related tuning products.

109030.1. (a) On and after January 1, 2027, a person shall not distribute, sell, or offer for sale in the state a covered product that contains intentionally added PFAS.

(b) (1) Except as provided in subdivisions (a), (c), (d), and (e), beginning January 1, 2033, a person shall not distribute, sell, or

1 offer for sale in this state a product that contains intentionally  
2 added PFAS.

3 (2) The department may establish by regulation an effective  
4 date for the prohibition of PFAS in a product or product category  
5 that is before January 1, 2033, if it is feasible to do so. The  
6 department shall consider public petitions that request an earlier  
7 effective date for a product category. Feasibility shall be deemed  
8 to exist if any of the following conditions is met:

9 (A) The department finds any of the following:

10 (i) There are safer alternatives to the use of PFAS in the product  
11 or product category that are reasonably available.

12 (ii) The function provided by PFAS in the product is not  
13 necessary for the product or product category to work.

14 (iii) The use of PFAS in the product or product category is not  
15 critical for the health, the safety, or the functioning of society.

16 (B) If the findings of all or part of an applicable publicly  
17 available study or evaluation of alternatives shows the viability of  
18 safer alternatives to PFAS in the product or product category. The  
19 department shall only rely on a study or evaluation that is reliable  
20 information.

21 (C) If the product or product category is prohibited from being  
22 sold, used, or distributed, as of the date of the feasibility analysis,  
23 in another state or states within the United States, or in another  
24 country, because it contains PFAS.

25 (c) On and after January 1, 2040, a person shall not distribute,  
26 sell, or offer for sale in this state any of the following products  
27 that contain intentionally added PFAS:

28 (1) Textiles used for personal protective equipment, as defined  
29 in Section 108970.

30 (2) Textiles used for noise and vibration insulation in engine  
31 bays in the automotive industry.

32 (3) Refrigerants used in any of the following applications:

33 (A) Temperature refrigeration below minus 50 degrees Celsius.

34 (B) Laboratory test and measurement equipment.

35 (C) A refrigerated centrifuge.

36 (4) Solvents used for any of the following applications:

37 (A) An industrial precision cleaning fluid.

38 (B) A cleaning fluid for use in an oxygen-enriched environment.

39 (C) An industrial or professional use of a solvent-based  
40 debinding system in 3D printing.

1 (D) An industrial or professional use of a smoothing agent for  
2 polymer 3D printing application.

3 (5) A propellant for a technical aerosol for an application where  
4 nonflammability and high technical performance of spray quality  
5 is required.

6 (6) A clean fire suppressant used where current alternatives  
7 damage the assets to be protected or pose an acute risk to human  
8 health.

9 (7) A fluorinated gas used for the preservation of a cultural  
10 paper-based material.

11 (8) A product affecting the proper functioning related to the  
12 safety of a vehicle and affecting the safety of an operator,  
13 passenger, or goods.

14 (9) An additive to a hydraulic fluid for antierosion or  
15 anticorrosion in a hydraulic system, including, but not limited to,  
16 control valves in the aircraft and aerospace industry.

17 (10) A product used in the semiconductor manufacturing  
18 process.

19 (11) A lubricant where the use takes place under harsh  
20 conditions or the use is for the safe functioning and safety of  
21 equipment.

22 (12) A fluoropolymer product used in petroleum production  
23 and mining.

24 (13) Fluorinated gases used for the maintenance and refilling  
25 of installed equipment for heating, venting, and air conditioning  
26 products.

27 (d) A prohibition described in subdivision (a), (b), or (c) shall  
28 not apply to either of the following:

29 (1) A covered product, product, or product category for which  
30 federal law governs the presence of PFAS in the product in a  
31 manner that preempts state authority.

32 (2) A previously used covered product or product.

33 (e) A prohibition described in subdivisions (b) and (c) shall not  
34 apply to a product or product category for which there is an  
35 applicable determination of currently unavoidable use identified  
36 on the department's internet website pursuant to subdivision (g)  
37 of Section 109030.2.

38 109030.2. (a) Upon a petition from the manufacturer of a  
39 product or an association or group of manufacturers of a product  
40 or product category, the department shall review and determine



whether the use of PFAS in the product category to which the product belongs is a currently unavoidable use. In making that determination, the department shall use the broadest reasonable product category when selecting the product category to which the product belongs, and shall rely on analysis and findings from a prior determination for a product category, if a prior determination exists. The department may identify exclusions from a product category. Exclusions shall be construed as narrowly as possible. The department shall find that the use of PFAS in the product category or for an exclusion is a currently unavoidable use only if it finds all the following:

(1) There are no safer alternatives to PFAS that are reasonably available.

(2) The function provided by PFAS in the product is necessary for the product to work.

(3) The use of PFAS in the product is critical for health, safety, or the functioning of society.

(b) The manufacturer, association, or group, in its petition, shall provide all of the following:

(1) Evidence that demonstrates the criteria in paragraphs (1) to (3), inclusive, of subdivision (a) are met.

(2) Any additional information requested by the department to assist in making the determination.

(3) Any other information that the manufacturer believes is relevant, with an explanation of the relevance.

(4) The applicable application fee established pursuant to Section 109030.3.

(c) When determining whether the use of PFAS in a product category is a currently unavoidable use, the department shall do all of the following:

(1) Consider the information provided pursuant to subdivision (b), including relevance and significance for the product category.

(2) Consider available reliable information.

(3) Consider bans on the sale or use of PFAS in the product or product category in another state, the United States, or other countries. If the product or product category is prohibited from being sold, used, or distributed in a relevant jurisdiction, as of the date of its unavoidable-use analysis, because it contains PFAS, then that prohibition demonstrates that the use of PFAS is not a currently unavoidable use.

1 (4) Provide an opportunity for public comment.

2 (d) When determining whether the use of PFAS in a product  
3 category is a currently unavoidable use, the department shall make  
4 a determination without evaluating all the criteria pursuant to  
5 subdivision (b) if the determination can be made based on fewer  
6 criteria.

7 (e) (1) Upon finding that the use of PFAS in a product category  
8 is a currently unavoidable use, the department shall issue a  
9 determination of currently unavoidable use.

10 (2) (A) A determination of currently unavoidable use shall  
11 expire five years after its issuance, unless otherwise provided by  
12 the department pursuant to subparagraph (B).

13 (B) The department may approve an extension of up to three  
14 years to aid administrative needs. A subsequent renewal request  
15 shall be made within five years of a determination on the prior  
16 request for renewal.

17 (3) The department may review a determination of currently  
18 unavoidable use before its expiration and may revoke the  
19 determination if there is a significant change in the information  
20 supporting the determination.

21 (4) The department shall consider public petitions requesting a  
22 review of a determination of currently unavoidable use based on  
23 a significant change of information.

24 (f) A manufacturer, association, or group may submit a petition  
25 to renew a determination of currently unavoidable use no later  
26 than six months before its expiration. The petition for renewal  
27 shall comply with subdivision (b) and also provide evidence of  
28 significant efforts to develop a safer alternative to the continued  
29 use of PFAS in the product or product category, including, but not  
30 limited to, published peer-reviewed papers and funding of  
31 third-party research with no financial conflict of interest. In  
32 reviewing a petition to renew, the department shall comply with  
33 subdivisions (a), (c), (d), and (g).

34 (g) The department shall maintain on its internet website a list  
35 of each determination of currently unavoidable use, when each  
36 determination expires, and the products and uses that are exempt  
37 from the prohibition specified in subdivision (b) of Section  
38 109030.1.

39 (h) A manufacturer, association, or group subject to the  
40 prohibition in paragraph (1) of subdivision (b) of Section 109030.1

1 shall submit a petition for unavoidable use determination before  
2 January 1, 2028, and the department shall make a final  
3 determination on petitions on or before January 1, 2032. Before  
4 January 1, 2028, a petitioner may supplement its petition once with  
5 relevant new information.

6 (i) A manufacturer, association, or group for products subject  
7 to the prohibition in subdivision (c) of Section 109030.1 shall  
8 submit a petition for unavoidable use determination before January  
9 1, 2035, and the department shall make a final determination on  
10 petitions for unavoidable use determination before January 1, 2038.  
11 Before January 1, 2035, a petitioner may supplement its petition  
12 once with relevant new information.

13 109030.3. On or before January 1, 2027, the department shall  
14 adopt regulations to administer this chapter. The regulations shall  
15 establish and provide for the assessment of an application fee.  
16 Moneys received from the application fee shall be deposited into  
17 the PFAS Oversight Fund, which is hereby created in the State  
18 Treasury. Moneys in the account shall be used, upon appropriation  
19 by the Legislature, to cover the department's reasonable costs of  
20 administering this chapter.

**Introduced by Committee on Local Government (Senators Durazo (Chair), Arreguín, Cabaldon, Choi, Laird, Seyarto, and Wiener)**

February 21, 2025

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An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 735, as introduced, Committee on Local Government. Validations.

This bill would enact the First Validating Act of 2025, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. This act shall be known, and may be cited, as the  
2 First Validating Act of 2025.

3 SEC. 2. As used in this act:

4 (a) "Public body" means all of the following:

5 (1) The state and all departments, agencies, boards,  
6 commissions, and authorities of the state. Except as provided in  
7 paragraph (2), "public body" also means all cities, counties, cities

- 1 and counties, districts, authorities, agencies, boards, commissions,
- 2 and other entities, whether created by a general statute or a special
- 3 act, including, but not limited to, the following:
- 4 Agencies, boards, commissions, or entities constituted or
- 5 provided for under or pursuant to the Joint Exercise of Powers Act
- 6 (Chapter 5 (commencing with Section 6500) of Division 7 of Title
- 7 1 of the Government Code).
- 8 Affordable housing authorities.
- 9 Air pollution control districts of any kind.
- 10 Air quality management districts.
- 11 Airport districts.
- 12 Assessment districts, benefit assessment districts, and special
- 13 assessment districts of any public body.
- 14 Bridge and highway districts.
- 15 California water districts.
- 16 Citrus pest control districts.
- 17 City maintenance districts.
- 18 Climate resilience districts.
- 19 Community college districts.
- 20 Community development commissions in their capacity to act
- 21 as a housing authority for other community development purposes
- 22 of the jurisdiction in which the commission operates, except for
- 23 any action taken with respect to the commission's authority to act
- 24 as a community redevelopment agency.
- 25 Community facilities districts.
- 26 Community rehabilitation districts.
- 27 Community revitalization and investment authorities.
- 28 Community services districts.
- 29 Conservancy districts.
- 30 Cotton pest abatement districts.
- 31 County boards of education.
- 32 County drainage districts.
- 33 County flood control and water districts.
- 34 County free library systems.
- 35 County maintenance districts.
- 36 County sanitation districts.
- 37 County service areas.
- 38 County transportation commissions.
- 39 County water agencies.
- 40 County water authorities.

- 1 County water districts.
- 2 County waterworks districts.
- 3 Department of Water Resources and other agencies acting
- 4 pursuant to Part 3 (commencing with Section 11100) of Division
- 5 6 of the Water Code.
- 6 Distribution districts of any public body.
- 7 Districts acting pursuant to Section 53395.82 of the Government
- 8 Code.
- 9 Drainage districts.
- 10 Enhanced infrastructure financing districts.
- 11 Fire protection districts.
- 12 Flood control and water conservation districts.
- 13 Flood control districts.
- 14 Garbage and refuse disposal districts.
- 15 Garbage disposal districts.
- 16 Geologic hazard abatement districts.
- 17 Harbor districts.
- 18 Harbor improvement districts.
- 19 Harbor, recreation, and conservation districts.
- 20 Health care authorities.
- 21 Highway districts.
- 22 Highway interchange districts.
- 23 Highway lighting districts.
- 24 Housing authorities.
- 25 Improvement districts or improvement areas of any public body.
- 26 Industrial development authorities.
- 27 Infrastructure financing districts.
- 28 Integrated financing districts.
- 29 Irrigation districts.
- 30 Joint highway districts.
- 31 Levee districts.
- 32 Library districts.
- 33 Library districts in unincorporated towns and villages.
- 34 Local agency formation commissions.
- 35 Local health care districts.
- 36 Local health districts.
- 37 Local hospital districts.
- 38 Local transportation authorities or commissions.
- 39 Maintenance districts.
- 40 Memorial districts.

- 1 Metropolitan transportation commissions.
- 2 Metropolitan water districts.
- 3 Mosquito abatement and vector control districts.
- 4 Multifamily improvement districts.
- 5 Municipal improvement districts.
- 6 Municipal utility districts.
- 7 Municipal water districts.
- 8 Nonprofit corporations.
- 9 Nonprofit public benefit corporations.
- 10 Open-space maintenance districts.
- 11 Parking and business improvement areas.
- 12 Parking authorities.
- 13 Parking districts.
- 14 Permanent road divisions.
- 15 Pest abatement districts.
- 16 Police protection districts.
- 17 Port districts.
- 18 Property and business improvement areas.
- 19 Protection districts.
- 20 Public cemetery districts.
- 21 Public utility districts.
- 22 Rapid transit districts.
- 23 Reclamation districts.
- 24 Recreation and park districts.
- 25 Regional housing finance authorities.
- 26 Regional justice facility financing agencies.
- 27 Regional park and open-space districts.
- 28 Regional planning districts.
- 29 Regional transportation commissions.
- 30 Resort improvement districts.
- 31 Resource conservation districts.
- 32 River port districts.
- 33 Road maintenance districts.
- 34 Sanitary districts.
- 35 School districts of any kind or class.
- 36 School facilities improvement districts.
- 37 Separation of grade districts.
- 38 Service authorities for freeway emergencies.
- 39 Sewer districts.
- 40 Sewer maintenance districts.

- 1 Small craft harbor districts.
- 2 Special municipal tax districts.
- 3 Stone and pome fruit pest control districts.
- 4 Storm drain maintenance districts.
- 5 Storm drainage districts.
- 6 Storm drainage maintenance districts.
- 7 Stormwater districts.
- 8 Toll tunnel authorities.
- 9 Traffic authorities.
- 10 Transit development boards.
- 11 Transit districts.
- 12 Unified and union school districts' public libraries.
- 13 Vehicle parking districts.
- 14 Water agencies.
- 15 Water authorities.
- 16 Water conservation districts.
- 17 Water districts.
- 18 Water replenishment districts.
- 19 Water storage districts.
- 20 Watermaster districts.
- 21 Wine grape pest and disease control districts.
- 22 Zones, improvement zones, or service zones of any public body.
- 23 (2) Notwithstanding paragraph (1), a "public body" does not
- 24 include any of the following:
  - 25 (A) A community redevelopment agency formed pursuant to
  - 26 the Community Redevelopment Law (Part 1 (commencing with
  - 27 Section 33000) of Division 24 of the Health and Safety Code).
  - 28 (B) A community development commission, with respect to its
  - 29 exercise of the powers of a community redevelopment agency.
  - 30 (C) A joint powers authority that includes a community
  - 31 redevelopment agency or a community development commission
  - 32 as a member, with respect to its exercise of the powers of a
  - 33 community redevelopment agency.
- 34 (3) "Public body" includes both of the following:
  - 35 (A) The successor agency to the Redevelopment Agency of the
  - 36 City and County of San Francisco, solely for the purpose of issuing
  - 37 bonds or incurring other indebtedness pursuant to the provisions
  - 38 of Section 34177.7 of the Health and Safety Code.
  - 39 (B) A successor agency, as defined in subdivision (j) of Section
  - 40 34171 of the Health and Safety Code, solely for the purpose of



1 issuing bonds or incurring other indebtedness pursuant to the  
2 provisions of Section 34177.5 of the Health and Safety Code.

3 (b) “Bonds” means all instruments evidencing an indebtedness  
4 of a public body incurred or to be incurred for any public purpose,  
5 all leases, installment purchase agreements, or similar agreements  
6 wherein the obligor is one or more public bodies, all instruments  
7 evidencing the borrowing of money in anticipation of taxes,  
8 revenues, or other income of that body, all instruments payable  
9 from revenues or special funds of those public bodies, all  
10 certificates of participation evidencing interests in the leases,  
11 installment purchase agreements, or similar agreements, and all  
12 instruments funding, refunding, replacing, or amending any thereof  
13 or any indebtedness.

14 (c) “Hereafter” means any time subsequent to the effective date  
15 of this act.

16 (d) “Heretofore” means any time prior to the effective date of  
17 this act.

18 (e) “Now” means the effective date of this act.

19 SEC. 3. All public bodies heretofore organized or existing  
20 under any law, or under color of any law, are hereby declared to  
21 have been legally organized and to be legally functioning as those  
22 public bodies. Every public body, heretofore described, shall have  
23 all the rights, powers, and privileges, and be subject to all the duties  
24 and obligations, of those public bodies regularly formed pursuant  
25 to law.

26 SEC. 4. The boundaries of every public body as heretofore  
27 established, defined, or recorded, or as heretofore actually shown  
28 on maps or plats used by the assessor, are hereby confirmed,  
29 validated, and declared legally established.

30 SEC. 5. All acts and proceedings heretofore taken by any public  
31 body or bodies under any law, or under color of any law, for the  
32 annexation or inclusion of territory into those public bodies or for  
33 the annexation of those public bodies to any other public body or  
34 for the detachment, withdrawal, or exclusion of territory from any  
35 public body or for the consolidation, merger, or dissolution of any  
36 public bodies are hereby confirmed, validated, and declared legally  
37 effective. This shall include all acts and proceedings of the  
38 governing board of any public body and of any person, public  
39 officer, board, or agency heretofore done or taken upon the question  
40 of the annexation or inclusion or of the withdrawal or exclusion

1 of territory or the consolidation, merger, or dissolution of those  
2 public bodies.

3 SEC. 6. (a) All acts and proceedings heretofore taken by or  
4 on behalf of any public body under any law, or under color of any  
5 law, for, or in connection with, the authorization, issuance, sale,  
6 execution, delivery, or exchange of bonds of any public body for  
7 any public purpose are hereby authorized, confirmed, validated,  
8 and declared legally effective. This shall include all acts and  
9 proceedings of the governing board of public bodies and of any  
10 person, public officer, board, or agency heretofore done or taken  
11 upon the question of the authorization, issuance, sale, execution,  
12 delivery, or exchange of bonds.

13 (b) All bonds of, or relating to, any public body heretofore issued  
14 shall be, in the form and manner issued and delivered, the legal,  
15 valid, and binding obligations of the public body. All bonds of, or  
16 relating to, any public body heretofore awarded and sold to a  
17 purchaser and hereafter issued and delivered in accordance with  
18 the contract of sale and other proceedings for the award and sale  
19 shall be the legal, valid, and binding obligations of the public body.  
20 All bonds of, or relating to, any public body heretofore authorized  
21 to be issued by ordinance, resolution, order, or other action adopted  
22 or taken by or on behalf of the public body and hereafter issued  
23 and delivered in accordance with that authorization shall be the  
24 legal, valid, and binding obligations of the public body. All bonds  
25 of, or relating to, any public body heretofore authorized to be issued  
26 at an election and hereafter issued and delivered in accordance  
27 with that authorization shall be the legal, valid, and binding  
28 obligations of the public body. Whenever an election has heretofore  
29 been called for the purpose of submitting to the voters of any public  
30 body the question of issuing bonds for any public purpose, those  
31 bonds, if hereafter authorized by the required vote and in  
32 accordance with the proceedings heretofore taken, and issued and  
33 delivered in accordance with that authorization, shall be the legal,  
34 valid, and binding obligations of the public body.

35 SEC. 7. (a) This act shall operate to supply legislative  
36 authorization as may be necessary to authorize, confirm, and  
37 validate any acts and proceedings heretofore taken pursuant to  
38 authority the Legislature could have supplied or provided for in  
39 the law under which those acts or proceedings were taken.

1 (b) This act shall be limited to the validation of acts and  
2 proceedings to the extent that the same can be effectuated under  
3 the California Constitution and the United States Constitution.

4 (c) This act shall not operate to authorize, confirm, validate, or  
5 legalize any act, proceeding, or other matter being legally contested  
6 or inquired into in any legal proceeding now pending and  
7 undetermined or that is pending and undetermined during the  
8 period of 30 days from and after the effective date of this act.

9 (d) This act shall not operate to authorize, confirm, validate, or  
10 legalize any act, proceeding, or other matter that has heretofore  
11 been determined in any legal proceeding to be illegal, void, or  
12 ineffective.

13 (e) This act shall not operate to authorize, confirm, validate, or  
14 legalize a contract between any public body and the United States.

15 SEC. 8. Any action or proceeding contesting the validity of  
16 any action or proceeding heretofore taken under any law, or under  
17 color of any law, for the formation, organization, or incorporation  
18 of any public body, or for any annexation thereto, detachment or  
19 exclusion therefrom, or other change of boundaries thereof, or for  
20 the consolidation, merger, or dissolution of any public bodies, or  
21 for, or in connection with, the authorization, issuance, sale,  
22 execution, delivery, or exchange of bonds thereof upon any ground  
23 involving any alleged defect or illegality not effectively validated  
24 by the prior provisions of this act and not otherwise barred by any  
25 statute of limitations or by laches shall be commenced within six  
26 months of the effective date of this act, otherwise each and all of  
27 those matters shall be held to be valid and in every respect legal  
28 and incontestable. This act shall not extend the period allowed for  
29 legal action beyond the period that it would be barred by any  
30 presently existing valid statute of limitations.

31 SEC. 9. Nothing contained in this act shall be construed to  
32 render the creation of any public body, or any change in the  
33 boundaries of any public body, effective for purposes of assessment  
34 or taxation unless the statement, together with the map or plat,  
35 required to be filed pursuant to Chapter 8 (commencing with  
36 Section 54900) of Part 1 of Division 2 of Title 5 of the Government  
37 Code, is filed within the time and substantially in the manner  
38 required by those sections.

39 SEC. 10. This act is an urgency statute necessary for the  
40 immediate preservation of the public peace, health, or safety within

1 the meaning of Article IV of the Constitution and shall go into  
2 immediate effect. The facts constituting the necessity are:  
3 In order to validate the organization, boundaries, acts,  
4 proceedings, and bonds of public bodies as soon as possible, it is  
5 necessary that this act take immediate effect.

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**Introduced by Committee on Local Government (Senators Durazo (Chair), Arreguín, Cabaldon, Choi, Laird, Seyarto, and Wiener)**

February 21, 2025

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An act relating to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 736, as introduced, Committee on Local Government. Validations.

This bill would enact the Second Validating Act of 2025, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. This act shall be known, and may be cited, as the  
2     Second Validating Act of 2025.

3     SEC. 2. As used in this act:

4     (a) "Public body" means all of the following:

5     (1) The state and all departments, agencies, boards,  
6     commissions, and authorities of the state. Except as provided in  
7     paragraph (2), "public body" also means all cities, counties, cities

- 1 and counties, districts, authorities, agencies, boards, commissions,
- 2 and other entities, whether created by a general statute or a special
- 3 act, including, but not limited to, the following:
- 4 Agencies, boards, commissions, or entities constituted or
- 5 provided for under or pursuant to the Joint Exercise of Powers Act
- 6 (Chapter 5 (commencing with Section 6500) of Division 7 of Title
- 7 1 of the Government Code).
- 8 Affordable housing authorities.
- 9 Air pollution control districts of any kind.
- 10 Air quality management districts.
- 11 Airport districts.
- 12 Assessment districts, benefit assessment districts, and special
- 13 assessment districts of any public body.
- 14 Bridge and highway districts.
- 15 California water districts.
- 16 Citrus pest control districts.
- 17 City maintenance districts.
- 18 Climate resilience districts.
- 19 Community college districts.
- 20 Community development commissions in their capacity to act
- 21 as a housing authority for other community development purposes
- 22 of the jurisdiction in which the commission operates, except for
- 23 any action taken with respect to the commission's authority to act
- 24 as a community redevelopment agency.
- 25 Community facilities districts.
- 26 Community rehabilitation districts.
- 27 Community revitalization and investment authorities.
- 28 Community services districts.
- 29 Conservancy districts.
- 30 Cotton pest abatement districts.
- 31 County boards of education.
- 32 County drainage districts.
- 33 County flood control and water districts.
- 34 County free library systems.
- 35 County maintenance districts.
- 36 County sanitation districts.
- 37 County service areas.
- 38 County transportation commissions.
- 39 County water agencies.
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- 1 County water districts.
- 2 County waterworks districts.
- 3 Department of Water Resources and other agencies acting
- 4 pursuant to Part 3 (commencing with Section 11100) of Division
- 5 6 of the Water Code.
- 6 Distribution districts of any public body.
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- 1 Metropolitan transportation commissions.
- 2 Metropolitan water districts.
- 3 Mosquito abatement and vector control districts.
- 4 Multifamily improvement districts.
- 5 Municipal improvement districts.
- 6 Municipal utility districts.
- 7 Municipal water districts.
- 8 Nonprofit corporations.
- 9 Nonprofit public benefit corporations.
- 10 Open-space maintenance districts.
- 11 Parking and business improvement areas.
- 12 Parking authorities.
- 13 Parking districts.
- 14 Permanent road divisions.
- 15 Pest abatement districts.
- 16 Police protection districts.
- 17 Port districts.
- 18 Property and business improvement areas.
- 19 Protection districts.
- 20 Public cemetery districts.
- 21 Public utility districts.
- 22 Rapid transit districts.
- 23 Reclamation districts.
- 24 Recreation and park districts.
- 25 Regional housing finance authorities.
- 26 Regional justice facility financing agencies.
- 27 Regional park and open-space districts.
- 28 Regional planning districts.
- 29 Regional transportation commissions.
- 30 Resort improvement districts.
- 31 Resource conservation districts.
- 32 River port districts.
- 33 Road maintenance districts.
- 34 Sanitary districts.
- 35 School districts of any kind or class.
- 36 School facilities improvement districts.
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- 38 Service authorities for freeway emergencies.
- 39 Sewer districts.
- 40 Sewer maintenance districts.



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- 4 Storm drain maintenance districts.
- 5 Storm drainage districts.
- 6 Storm drainage maintenance districts.
- 7 Storm water districts.
- 8 Toll tunnel authorities.
- 9 Traffic authorities.
- 10 Transit development boards.
- 11 Transit districts.
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- 13 Vehicle parking districts.
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- 15 Water authorities.
- 16 Water conservation districts.
- 17 Water districts.
- 18 Water replenishment districts.
- 19 Water storage districts.
- 20 Watermaster districts.
- 21 Wine grape pest and disease control districts.
- 22 Zones, improvement zones, or service zones of any public body.
- 23 (2) Notwithstanding paragraph (1), a "public body" does not
- 24 include any of the following:
  - 25 (A) A community redevelopment agency formed pursuant to
  - 26 the Community Redevelopment Law (Part 1 (commencing with
  - 27 Section 33000) of Division 24 of the Health and Safety Code).
  - 28 (B) A community development commission, with respect to its
  - 29 exercise of the powers of a community redevelopment agency.
  - 30 (C) A joint powers authority that includes a community
  - 31 redevelopment agency or a community development commission
  - 32 as a member, with respect to its exercise of the powers of a
  - 33 community redevelopment agency.
- 34 (3) "Public body" includes both of the following:
  - 35 (A) The successor agency to the Redevelopment Agency of the
  - 36 City and County of San Francisco, solely for the purpose of issuing
  - 37 bonds or incurring other indebtedness pursuant to the provisions
  - 38 of Section 34177.7 of the Health and Safety Code.
  - 39 (B) A successor agency, as defined in subdivision (j) of Section
  - 40 34171 of the Health and Safety Code, solely for the purpose of

1 issuing bonds or incurring other indebtedness pursuant to the  
2 provisions of Section 34177.5 of the Health and Safety Code.

3 (b) “Bonds” means all instruments evidencing an indebtedness  
4 of a public body incurred or to be incurred for any public purpose,  
5 all leases, installment purchase agreements, or similar agreements  
6 wherein the obligor is one or more public bodies, all instruments  
7 evidencing the borrowing of money in anticipation of taxes,  
8 revenues, or other income of that body, all instruments payable  
9 from revenues or special funds of those public bodies, all  
10 certificates of participation evidencing interests in the leases,  
11 installment purchase agreements, or similar agreements, and all  
12 instruments funding, refunding, replacing, or amending any thereof  
13 or any indebtedness.

14 (c) “Hereafter” means any time subsequent to the effective date  
15 of this act.

16 (d) “Heretofore” means any time prior to the effective date of  
17 this act.

18 (e) “Now” means the effective date of this act.

19 SEC. 3. All public bodies heretofore organized or existing  
20 under any law, or under color of any law, are hereby declared to  
21 have been legally organized and to be legally functioning as those  
22 public bodies. Every public body, heretofore described, shall have  
23 all the rights, powers, and privileges, and be subject to all the duties  
24 and obligations, of those public bodies regularly formed pursuant  
25 to law.

26 SEC. 4. The boundaries of every public body as heretofore  
27 established, defined, or recorded, or as heretofore actually shown  
28 on maps or plats used by the assessor, are hereby confirmed,  
29 validated, and declared legally established.

30 SEC. 5. All acts and proceedings heretofore taken by any public  
31 body or bodies under any law, or under color of any law, for the  
32 annexation or inclusion of territory into those public bodies or for  
33 the annexation of those public bodies to any other public body or  
34 for the detachment, withdrawal, or exclusion of territory from any  
35 public body or for the consolidation, merger, or dissolution of any  
36 public bodies are hereby confirmed, validated, and declared legally  
37 effective. This shall include all acts and proceedings of the  
38 governing board of any public body and of any person, public  
39 officer, board, or agency heretofore done or taken upon the question  
40 of the annexation or inclusion or of the withdrawal or exclusion

1 of territory or the consolidation, merger, or dissolution of those  
2 public bodies.

3 SEC. 6. (a) All acts and proceedings heretofore taken by or  
4 on behalf of any public body under any law, or under color of any  
5 law, for, or in connection with, the authorization, issuance, sale,  
6 execution, delivery, or exchange of bonds of any public body for  
7 any public purpose are hereby authorized, confirmed, validated,  
8 and declared legally effective. This shall include all acts and  
9 proceedings of the governing board of public bodies and of any  
10 person, public officer, board, or agency heretofore done or taken  
11 upon the question of the authorization, issuance, sale, execution,  
12 delivery, or exchange of bonds.

13 (b) All bonds of, or relating to, any public body heretofore issued  
14 shall be, in the form and manner issued and delivered, the legal,  
15 valid, and binding obligations of the public body. All bonds of, or  
16 relating to, any public body heretofore awarded and sold to a  
17 purchaser and hereafter issued and delivered in accordance with  
18 the contract of sale and other proceedings for the award and sale  
19 shall be the legal, valid, and binding obligations of the public body.  
20 All bonds of, or relating to, any public body heretofore authorized  
21 to be issued by ordinance, resolution, order, or other action adopted  
22 or taken by or on behalf of the public body and hereafter issued  
23 and delivered in accordance with that authorization shall be the  
24 legal, valid, and binding obligations of the public body. All bonds  
25 of, or relating to, any public body heretofore authorized to be issued  
26 at an election and hereafter issued and delivered in accordance  
27 with that authorization shall be the legal, valid, and binding  
28 obligations of the public body. Whenever an election has heretofore  
29 been called for the purpose of submitting to the voters of any public  
30 body the question of issuing bonds for any public purpose, those  
31 bonds, if hereafter authorized by the required vote and in  
32 accordance with the proceedings heretofore taken, and issued and  
33 delivered in accordance with that authorization, shall be the legal,  
34 valid, and binding obligations of the public body.

35 SEC. 7. (a) This act shall operate to supply legislative  
36 authorization as may be necessary to authorize, confirm, and  
37 validate any acts and proceedings heretofore taken pursuant to  
38 authority the Legislature could have supplied or provided for in  
39 the law under which those acts or proceedings were taken.

1 (b) This act shall be limited to the validation of acts and  
2 proceedings to the extent that the same can be effectuated under  
3 the California Constitution and the United States Constitution.

4 (c) This act shall not operate to authorize, confirm, validate, or  
5 legalize any act, proceeding, or other matter being legally contested  
6 or inquired into in any legal proceeding now pending and  
7 undetermined or that is pending and undetermined during the  
8 period of 30 days from and after the effective date of this act.

9 (d) This act shall not operate to authorize, confirm, validate, or  
10 legalize any act, proceeding, or other matter that has heretofore  
11 been determined in any legal proceeding to be illegal, void, or  
12 ineffective.

13 (e) This act shall not operate to authorize, confirm, validate, or  
14 legalize a contract between any public body and the United States.

15 SEC. 8. Any action or proceeding contesting the validity of  
16 any action or proceeding heretofore taken under any law, or under  
17 color of any law, for the formation, organization, or incorporation  
18 of any public body, or for any annexation thereto, detachment or  
19 exclusion therefrom, or other change of boundaries thereof, or for  
20 the consolidation, merger, or dissolution of any public bodies, or  
21 for, or in connection with, the authorization, issuance, sale,  
22 execution, delivery, or exchange of bonds thereof upon any ground  
23 involving any alleged defect or illegality not effectively validated  
24 by the prior provisions of this act and not otherwise barred by any  
25 statute of limitations or by laches shall be commenced within six  
26 months of the effective date of this act, otherwise each and all of  
27 those matters shall be held to be valid and in every respect legal  
28 and incontestable. This act shall not extend the period allowed for  
29 legal action beyond the period that it would be barred by any  
30 presently existing valid statute of limitations.

31 SEC. 9. Nothing contained in this act shall be construed to  
32 render the creation of any public body, or any change in the  
33 boundaries of any public body, effective for purposes of assessment  
34 or taxation unless the statement, together with the map or plat,  
35 required to be filed pursuant to Chapter 8 (commencing with  
36 Section 54900) of Part 1 of Division 2 of Title 5 of the Government  
37 Code, is filed within the time and substantially in the manner  
38 required by those sections.

39 SEC. 10. This act shall become operative on September 1,  
40 2025.

1     SEC. 11. This act is an urgency statute necessary for the  
2 immediate preservation of the public peace, health, or safety within  
3 the meaning of Article IV of the Constitution and shall go into  
4 immediate effect. The facts constituting the necessity are:

5     In order to validate the organization, boundaries, acts,  
6 proceedings, and bonds of public bodies as soon as possible, it is  
7 necessary that this act take immediate effect.

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**Introduced by Committee on Local Government (Senators Durazo (Chair), Arreguín, Cabaldon, Choi, Laird, Seyarto, and Wiener)**

February 21, 2025

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An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced.

LEGISLATIVE COUNSEL'S DIGEST

SB 737, as introduced, Committee on Local Government. Validations.

This bill would enact the Third Validating Act of 2025, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. This act shall be known, and may be cited, as the
- 2 Third Validating Act of 2025.
- 3 SEC. 2. As used in this act:
- 4 (a) "Public body" means all of the following:
- 5 (1) The state and all departments, agencies, boards,
- 6 commissions, and authorities of the state. Except as provided in
- 7 paragraph (2), "public body" also means all cities, counties, cities
- 8 and counties, districts, authorities, agencies, boards, commissions,
- 9 and other entities, whether created by a general statute or a special
- 10 act, including, but not limited to, the following:

1 Agencies, boards, commissions, or entities constituted or  
2 provided for under or pursuant to the Joint Exercise of Powers Act  
3 (Chapter 5 (commencing with Section 6500) of Division 7 of Title  
4 1 of the Government Code).  
5 Affordable housing authorities.  
6 Air pollution control districts of any kind.  
7 Air quality management districts.  
8 Airport districts.  
9 Assessment districts, benefit assessment districts, and special  
10 assessment districts of any public body.  
11 Bridge and highway districts.  
12 California water districts.  
13 Citrus pest control districts.  
14 City maintenance districts.  
15 Climate resilience districts.  
16 Community college districts.  
17 Community development commissions in their capacity to act  
18 as a housing authority for other community development purposes  
19 of the jurisdiction in which the commission operates, except for  
20 any action taken with respect to the commission's authority to act  
21 as a community redevelopment agency.  
22 Community facilities districts.  
23 Community rehabilitation districts.  
24 Community revitalization and investment authorities.  
25 Community services districts.  
26 Conservancy districts.  
27 Cotton pest abatement districts.  
28 County boards of education.  
29 County drainage districts.  
30 County flood control and water districts.  
31 County free library systems.  
32 County maintenance districts.  
33 County sanitation districts.  
34 County service areas.  
35 County transportation commissions.  
36 County water agencies.  
37 County water authorities.  
38 County water districts.  
39 County waterworks districts.

1 Department of Water Resources and other agencies acting  
2 pursuant to Part 3 (commencing with Section 11100) of Division  
3 6 of the Water Code.  
4 Distribution districts of any public body.  
5 Districts acting pursuant to Section 53395.82 of the Government  
6 Code.  
7 Drainage districts.  
8 Enhanced infrastructure financing districts.  
9 Fire protection districts.  
10 Flood control and water conservation districts.  
11 Flood control districts.  
12 Garbage and refuse disposal districts.  
13 Garbage disposal districts.  
14 Geologic hazard abatement districts.  
15 Harbor districts.  
16 Harbor improvement districts.  
17 Harbor, recreation, and conservation districts.  
18 Health care authorities.  
19 Highway districts.  
20 Highway interchange districts.  
21 Highway lighting districts.  
22 Housing authorities.  
23 Improvement districts or improvement areas of any public body.  
24 Industrial development authorities.  
25 Infrastructure financing districts.  
26 Integrated financing districts.  
27 Irrigation districts.  
28 Joint highway districts.  
29 Levee districts.  
30 Library districts.  
31 Library districts in unincorporated towns and villages.  
32 Local agency formation commissions.  
33 Local health care districts.  
34 Local health districts.  
35 Local hospital districts.  
36 Local transportation authorities or commissions.  
37 Maintenance districts.  
38 Memorial districts.  
39 Metropolitan transportation commissions.  
40 Metropolitan water districts.



- 1 Mosquito abatement and vector control districts.
- 2 Multifamily improvement districts.
- 3 Municipal improvement districts.
- 4 Municipal utility districts.
- 5 Municipal water districts.
- 6 Nonprofit corporations.
- 7 Nonprofit public benefit corporations.
- 8 Open-space maintenance districts.
- 9 Parking and business improvement areas.
- 10 Parking authorities.
- 11 Parking districts.
- 12 Permanent road divisions.
- 13 Pest abatement districts.
- 14 Police protection districts.
- 15 Port districts.
- 16 Property and business improvement areas.
- 17 Protection districts.
- 18 Public cemetery districts.
- 19 Public utility districts.
- 20 Rapid transit districts.
- 21 Reclamation districts.
- 22 Recreation and park districts.
- 23 Regional housing finance authorities.
- 24 Regional justice facility financing agencies.
- 25 Regional park and open-space districts.
- 26 Regional planning districts.
- 27 Regional transportation commissions.
- 28 Resort improvement districts.
- 29 Resource conservation districts.
- 30 River port districts.
- 31 Road maintenance districts.
- 32 Sanitary districts.
- 33 School districts of any kind or class.
- 34 School facilities improvement districts.
- 35 Separation of grade districts.
- 36 Service authorities for freeway emergencies.
- 37 Sewer districts.
- 38 Sewer maintenance districts.
- 39 Small craft harbor districts.
- 40 Special municipal tax districts.

1 Stone and pome fruit pest control districts.  
2 Storm drain maintenance districts.  
3 Storm drainage districts.  
4 Storm drainage maintenance districts.  
5 Storm water districts.  
6 Toll tunnel authorities.  
7 Traffic authorities.  
8 Transit development boards.  
9 Transit districts.  
10 Unified and union school districts' public libraries.  
11 Vehicle parking districts.  
12 Water agencies.  
13 Water authorities.  
14 Water conservation districts.  
15 Water districts.  
16 Water replenishment districts.  
17 Water storage districts.  
18 Watermaster districts.  
19 Wine grape pest and disease control districts.  
20 Zones, improvement zones, or service zones of any public body.  
21 (2) Notwithstanding paragraph (1), a "public body" does not  
22 include any of the following:  
23 (A) A community redevelopment agency formed pursuant to  
24 the Community Redevelopment Law (Part 1 (commencing with  
25 Section 33000) of Division 24 of the Health and Safety Code).  
26 (B) A community development commission, with respect to its  
27 exercise of the powers of a community redevelopment agency.  
28 (C) A joint powers authority that includes a community  
29 redevelopment agency or a community development commission  
30 as a member, with respect to its exercise of the powers of a  
31 community redevelopment agency.  
32 (3) "Public body" includes both of the following:  
33 (A) The successor agency to the Redevelopment Agency of the  
34 City and County of San Francisco, solely for the purpose of issuing  
35 bonds or incurring other indebtedness pursuant to the provisions  
36 of Section 34177.7 of the Health and Safety Code.  
37 (B) A successor agency, as defined in subdivision (j) of Section  
38 34171 of the Health and Safety Code, solely for the purpose of  
39 issuing bonds or incurring other indebtedness pursuant to the  
40 provisions of Section 34177.5 of the Health and Safety Code.

(b) “Bonds” means all instruments evidencing an indebtedness of a public body incurred or to be incurred for any public purpose, all leases, installment purchase agreements, or similar agreements wherein the obligor is one or more public bodies, all instruments evidencing the borrowing of money in anticipation of taxes, revenues, or other income of that body, all instruments payable from revenues or special funds of those public bodies, all certificates of participation evidencing interests in the leases, installment purchase agreements, or similar agreements, and all instruments funding, refunding, replacing, or amending any thereof or any indebtedness.

(c) “Hereafter” means any time subsequent to the effective date of this act.

(d) “Heretofore” means any time prior to the effective date of this act.

(e) “Now” means the effective date of this act.

SEC. 3. All public bodies heretofore organized or existing under any law, or under color of any law, are hereby declared to have been legally organized and to be legally functioning as those public bodies. Every public body, heretofore described, shall have all the rights, powers, and privileges, and be subject to all the duties and obligations, of those public bodies regularly formed pursuant to law.

SEC. 4. The boundaries of every public body as heretofore established, defined, or recorded, or as heretofore actually shown on maps or plats used by the assessor, are hereby confirmed, validated, and declared legally established.

SEC. 5. All acts and proceedings heretofore taken by any public body or bodies under any law, or under color of any law, for the annexation or inclusion of territory into those public bodies or for the annexation of those public bodies to any other public body or for the detachment, withdrawal, or exclusion of territory from any public body or for the consolidation, merger, or dissolution of any public bodies are hereby confirmed, validated, and declared legally effective. This shall include all acts and proceedings of the governing board of any public body and of any person, public officer, board, or agency heretofore done or taken upon the question of the annexation or inclusion or of the withdrawal or exclusion of territory or the consolidation, merger, or dissolution of those public bodies.

SEC. 6. (a) All acts and proceedings heretofore taken by or on behalf of any public body under any law, or under color of any law, for, or in connection with, the authorization, issuance, sale, execution, delivery, or exchange of bonds of any public body for any public purpose are hereby authorized, confirmed, validated, and declared legally effective. This shall include all acts and proceedings of the governing board of public bodies and of any person, public officer, board, or agency heretofore done or taken upon the question of the authorization, issuance, sale, execution, delivery, or exchange of bonds.

(b) All bonds of, or relating to, any public body heretofore issued shall be, in the form and manner issued and delivered, the legal, valid, and binding obligations of the public body. All bonds of, or relating to, any public body heretofore awarded and sold to a purchaser and hereafter issued and delivered in accordance with the contract of sale and other proceedings for the award and sale shall be the legal, valid, and binding obligations of the public body. All bonds of, or relating to, any public body heretofore authorized to be issued by ordinance, resolution, order, or other action adopted or taken by or on behalf of the public body and hereafter issued and delivered in accordance with that authorization shall be the legal, valid, and binding obligations of the public body. All bonds of, or relating to, any public body heretofore authorized to be issued at an election and hereafter issued and delivered in accordance with that authorization shall be the legal, valid, and binding obligations of the public body. Whenever an election has heretofore been called for the purpose of submitting to the voters of any public body the question of issuing bonds for any public purpose, those bonds, if hereafter authorized by the required vote and in accordance with the proceedings heretofore taken, and issued and delivered in accordance with that authorization, shall be the legal, valid, and binding obligations of the public body.

SEC. 7. (a) This act shall operate to supply legislative authorization as may be necessary to authorize, confirm, and validate any acts and proceedings heretofore taken pursuant to authority the Legislature could have supplied or provided for in the law under which those acts or proceedings were taken.

(b) This act shall be limited to the validation of acts and proceedings to the extent that the same can be effectuated under the California Constitution and the United States Constitution.

1 (c) This act shall not operate to authorize, confirm, validate, or  
2 legalize any act, proceeding, or other matter being legally contested  
3 or inquired into in any legal proceeding now pending and  
4 undetermined or that is pending and undetermined during the  
5 period of 30 days from and after the effective date of this act.

6 (d) This act shall not operate to authorize, confirm, validate, or  
7 legalize any act, proceeding, or other matter that has heretofore  
8 been determined in any legal proceeding to be illegal, void, or  
9 ineffective.

10 (e) This act shall not operate to authorize, confirm, validate, or  
11 legalize a contract between any public body and the United States.

12 SEC. 8. Any action or proceeding contesting the validity of  
13 any action or proceeding heretofore taken under any law, or under  
14 color of any law, for the formation, organization, or incorporation  
15 of any public body, or for any annexation thereto, detachment or  
16 exclusion therefrom, or other change of boundaries thereof, or for  
17 the consolidation, merger, or dissolution of any public bodies, or  
18 for, or in connection with, the authorization, issuance, sale,  
19 execution, delivery, or exchange of bonds thereof upon any ground  
20 involving any alleged defect or illegality not effectively validated  
21 by the prior provisions of this act and not otherwise barred by any  
22 statute of limitations or by laches shall be commenced within six  
23 months of the effective date of this act, otherwise each and all of  
24 those matters shall be held to be valid and in every respect legal  
25 and incontestable. This act shall not extend the period allowed for  
26 legal action beyond the period that it would be barred by any  
27 presently existing valid statute of limitations.

28 SEC. 9. Nothing contained in this act shall be construed to  
29 render the creation of any public body, or any change in the  
30 boundaries of any public body, effective for purposes of assessment  
31 or taxation unless the statement, together with the map or plat,  
32 required to be filed pursuant to Chapter 8 (commencing with  
33 Section 54900) of Part 1 of Division 2 of Title 5 of the Government  
34 Code, is filed within the time and substantially in the manner  
35 required by those sections.

119TH CONGRESS  
1ST SESSION

# S. 322

To improve the lead time, accuracy, and dissemination of forecasts of atmospheric rivers throughout the United States, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 29, 2025

Mr. PADILLA (for himself and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To improve the lead time, accuracy, and dissemination of forecasts of atmospheric rivers throughout the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Improving Atmos-  
5 pheric River Forecasts Act”.

6 **SEC. 2. ATMOSPHERIC RIVERS FORECAST IMPROVEMENT**  
7 **PROGRAM.**

8 (a) IN GENERAL.—The Under Secretary, in collabo-  
9 ration with the weather enterprise in the United States

1 and institutions of higher education, shall establish an at-  
2 mospheric river forecast improvement program (in this  
3 section referred to as the “program”).

4 (b) PROGRAM ELEMENTS.—In carrying out the pro-  
5 gram, the Under Secretary shall seek to reduce the loss  
6 of life and property and economic losses from atmospheric  
7 rivers through the development and extension of, and re-  
8 search on, accurate, effective, and actionable forecasts and  
9 warnings, including by—

10 (1) establishing quantitative atmospheric river  
11 forecast skill metrics that include the benefits of dy-  
12 namical modeling, data assimilation, and machine  
13 learning improvements in the probabilistic forecasts  
14 of landfall location, extreme wind and precipitation,  
15 and cascading impacts;

16 (2) developing an atmospheric river forecast  
17 system within a unified forecast system, and advanc-  
18 ing next-generation coupled modeling systems, with  
19 the capability of providing seasonal to short-range  
20 atmospheric river forecasts that include forecasts of  
21 snow accumulation and other hydrologic compo-  
22 nents;

23 (3) advancing scientific understanding of the  
24 roles of atmospheric rivers in subseasonal-to-sea-

1       sonal precipitation and probabilistic predictions at  
 2       subseasonal and seasonal scales;

3           (4) developing tools and improved forecast  
 4       products to predict periods of active or inactive at-  
 5       mospheric river landfalls and inland penetration over  
 6       the United States with a focus on addressing stake-  
 7       holder and public needs related to perceiving, com-  
 8       prehending, and responding to atmospheric river  
 9       forecast improvements;

10          (5) enhancing the transition of research to op-  
 11       erations through the testbeds of the National Oce-  
 12       anic and Atmospheric Administration, including the  
 13       evaluation of physical and social science, technology,  
 14       and other research to develop products and services  
 15       for implementation and use by relevant stakeholders;  
 16       and

17          (6) incorporating social, behavioral, risk, com-  
 18       munication, and economic sciences, including by col-  
 19       lecting voluntary data regarding hazardous weather  
 20       or water events.

21       (c) INNOVATIVE OBSERVATIONS, DATA ASSIMILA-  
 22       TION, AND MODELING.—The Under Secretary shall en-  
 23       sure the program periodically examines, tests, and evalu-  
 24       ates the value of incorporating innovative observations,  
 25       such as observations from radar, observations from crewed



1 or uncrewed aircraft, novel airborne and satellite-based  
 2 measurements, data from ocean buoys, data from soil  
 3 moisture monitoring systems, reservoir storage data, ob-  
 4 servations from mesonets, or any observations, measure-  
 5 ments, or data from other emerging technologies, with re-  
 6 spect to the improvement of atmospheric river analyses,  
 7 modeling, forecasts, predictions, and warnings.

8 (d) IMPROVED MODELING.—

9 (1) IN GENERAL.—Under the program, the  
 10 Under Secretary may improve modeling for precipi-  
 11 tation forecasts, with an emphasis on forecasting for  
 12 complex terrain.

13 (2) IMPROVED PRECIPITATION FORECASTS.—  
 14 Improved precipitation forecasts pursuant to im-  
 15 proved modeling under paragraph (1) should support  
 16 improved water resource management and resilience  
 17 to extreme water-related events, from floods to  
 18 drought, which may include the use of enhanced  
 19 streamflow prediction.

20 (3) ELEMENTS.—In improving modeling under  
 21 paragraph (1), the Under Secretary may—

22 (A) develop, test, and operationalize proto-  
 23 type high-resolution Atmospheric River Analysis  
 24 and Forecasting System models through a re-  
 25 search and operations partnership with partners

outside the National Oceanic and Atmospheric Administration;

(B) enhance data assimilation of current and new satellite and ocean observations;

(C) improve data processing techniques;

(D) use artificial intelligence and machine learning methods as applicable;

(E) ensure the surface and subsurface observations of the ocean meet the needs of atmospheric river analysis and forecasting predictions on time scales from days, to weeks, to months, to seasons; and

(F) improve or establish baseline weather monitoring service in areas that have historically experienced, or are predicted to experience, atmospheric rivers.

(e) ATMOSPHERIC RIVER RECONNAISSANCE.—

(1) IN GENERAL.—The Under Secretary shall acquire and sustain adequate crewed and uncrewed aircraft, scientific equipment, and personnel necessary to meet mission requirements annually from November 1 through March 31 to—

(A) ensure atmospheric river air reconnaissance observations are available throughout the expected seasons of atmospheric rivers;

1 (B) meet air reconnaissance and research  
2 mission requirements of the National Oceanic  
3 and Atmospheric Administration, including with  
4 respect to tropical cyclones, high-impact weath-  
5 er, sea ice, atmospheric chemistry, climate, air  
6 quality for public health, fire weather research  
7 and operations, and other missions, including  
8 marine animal surveys, post-damage surveys,  
9 and coastal erosion reconnaissance;

10 (C) ensure data and information collected  
11 by the aircraft are made available to all users  
12 for research and operations purposes;

13 (D) participate in the research and oper-  
14 ations partnership that guides flight planning  
15 and uses research methods to improve and ex-  
16 pand the capabilities and effectiveness of atmos-  
17 pheric river reconnaissance over time;

18 (E) develop data management strategies to  
19 ensure that data and metadata are adequately  
20 stewarded, maintained, and archived in accord-  
21 ance with collective benefit, authority to control,  
22 responsibility, and ethics principles (commonly  
23 known as “CARE” principles), findable, acces-  
24 sible, interoperable, and reusable principles  
25 (commonly known as “FAIR” principles), and

the Foundations for Evidence-Based Policy-making Act of 2018 (Public Law 115–435; 132 Stat. 5529) and the amendments made by that Act, and preserve and curate such data and metadata in accordance with chapter 31 of title 44, United States Code (commonly known as the “Federal Records Act of 1950”);

(F) maintain or establish within the Office of Oceanic and Atmospheric Research not fewer than one atmospheric river observatory, which shall include water vapor flux analyses and forecasts, radar and disdrometer precipitation analyses, and snow level radars in all States along the West Coast of the United States, including Alaska, to ensure equal and comprehensive coverage of that region; and

(G) undertake such other additional activities as the Under Secretary, in consultation with the Secretary of the Air Force, considers appropriate to improve and grow the atmospheric river reconnaissance mission.

(f) IMPROVED ATMOSPHERIC RIVER HAZARD COMMUNICATION.—Under the program, the Under Secretary shall consider research and development activities to—

1           (1) as appropriate, develop and refine methods  
 2           to categorize the intensity of atmospheric rivers on  
 3           a quantitative scale and the impacts of such a scale  
 4           in hazard communication;

5           (2) develop best practices for communication of  
 6           atmospheric river events and hazards across regions  
 7           of the United States;

8           (3) gather information from areas prone to at-  
 9           mospheric rivers regarding levels of knowledge and  
 10          preparedness, including responses to early forecasts  
 11          and warnings by the National Oceanic and Atmos-  
 12          pheric Administration; and

13          (4) explore strategies and effectiveness of com-  
 14          municating that atmospheric river events are bene-  
 15          ficial at lower intensities versus hazardous at higher  
 16          intensities.

17          (g) PROGRAM PLAN.—Not later than 270 days after  
 18          the date of the enactment of this Act, the Under Sec-  
 19          retary, in consultation with the Secretary of the Air Force  
 20          or the Commander of the 53rd Weather Reconnaissance  
 21          Squadron of the Air Force Reserve Command, shall—

22               (1) develop a plan that details the specific re-  
 23               search, development, data acquisition, partnerships  
 24               with institutions of higher education, and technology  
 25               transfer activities, as well as corresponding resources

1 and timelines, necessary to achieve the goals of the  
 2 program under subsection (b);

3 (2) submit that plan to the Committee on Com-  
 4 merce, Science, and Transportation of the Senate  
 5 and the Committee on Science, Space, and Tech-  
 6 nology of the House of Representatives; and

7 (3) make that plan available to the public.

8 (h) DEFINITIONS.—In this section:

9 (1) INSTITUTION OF HIGHER EDUCATION.—The  
 10 term “institution of higher education” has the  
 11 meaning given that term in section 101(a) of the  
 12 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

13 (2) SEASONAL; SUBSEASONAL; UNDER SEC-  
 14 RETARY; WEATHER ENTERPRISE.—The terms “sea-  
 15 sonal”, “subseasonal”, “Under Secretary”, and  
 16 “weather enterprise” have the meanings given those  
 17 terms in section 2 of the Weather Research and  
 18 Forecasting Innovation Act of 2017 (15 U.S.C.  
 19 8501).

○

**Introduced by Committee on Local Government (Senators Durazo (Chair), Arreguín, Cabaldon, Choi, Laird, Seyarto, and Wiener)**

March 12, 2025

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An act to amend Sections 25103, 25105, 26802.5, and 53601 of the Government Code, and to amend Section 11865 of the Public Utilities Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 858, as introduced, Committee on Local Government. Local Government Omnibus Act of 2025.

(1) Existing law authorizes a county board of supervisors, by resolution, to authorize the use of a facsimile signature of the chairperson of the board on all papers, documents, or instruments requiring the signature of the chairperson, as provided, if certain requirements are met relating to the personal signature of the chairperson. Under existing law, if those requirements are met, the papers, documents, or instruments bearing the facsimile signature are accorded the same force and effect as though personally signed by the chairperson.

This bill would remove the requirement for that authorization to occur by resolution of the board. The bill would authorize the board, in addition to authorizing a facsimile signature, to authorize the use of an electronic signature of the chairperson on all papers, documents, or instruments requiring the signature of the chairperson. Under the bill, a document bearing the electronic signature of the chairperson would have the same force and effect as if personally signed by the chairperson.

(2) Existing law authorizes a county board of supervisors to authorize the use of photographs, microphotographs, electronic data processing records, optical disks, or any other medium that is a trusted system and

that does not permit additions, deletions, or changes to the original document, or photocopies of all records, books, and minutes of the board. Under existing law, if the documents are signed using a digital signature, the reproduced documents are considered authenticated if the reproduced documents are created by a trusted system, as defined in pertinent digital signature regulations.

This bill would provide that if the documents are signed using an electronic or digital signature, the reproduced documents are considered authenticated if the reproduced documents are created by a trusted system, as defined in pertinent digital signature regulations, or in compliance with the Uniform Electronic Transactions Act.

(3) Existing law authorizes a registrar of voters to be appointed by the board of supervisors in specified counties to discharge all duties vested by law in the county clerk that relate to and are a part of election procedure.

This bill would include the County of Kern among those counties in which the board of supervisors is authorized to appoint a registrar of voters.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Kern.

(4) Existing law regulates the investment of public funds by local agencies, as defined. Existing law authorizes the legislative body of a local agency, as specified, that has money in a sinking fund or in its treasury not required for immediate needs to invest the money as it deems wise or expedient in certain securities and financial instruments. In this regard, existing law authorizes investment in prime quality commercial paper issued by entities meeting certain criteria, if the eligible commercial paper has a maximum maturity of 270 days or less.

This bill would revise the maximum maturity periods for the investments in prime quality commercial paper to 397 days.

(5) Existing law, the Municipal Utility District Act, governs the formation and governance of municipal utility districts. The act provides that the government of every district is vested in a board of 5 or 7 directors and specifies procedures for filling a vacancy on a board. Those procedures authorize the remaining board members to fill a vacancy by appointment until the next district general election that is scheduled 90 or more days after the effective date of the vacancy, as provided.

This bill would require the person appointed to fill a vacancy to hold office until the person elected at the next district general election that



is scheduled 90 or more days after the effective date of the vacancy has been qualified and takes office.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) This act shall be known, and may be cited,  
2 as the Local Government Omnibus Act of 2025.

3 (b) The Legislature finds and declares that Californians want  
4 their governments to be run efficiently and economically and that  
5 public officials should avoid waste and duplication whenever  
6 possible. The Legislature further finds and declares that it desires  
7 to control its own costs by reducing the number of separate bills.  
8 Therefore, it is the intent of the Legislature in enacting this act to  
9 combine several minor, noncontroversial statutory changes relating  
10 to the common theme, purpose, and subject of local government  
11 into a single measure.

12 SEC. 2. Section 25103 of the Government Code is amended  
13 to read:

14 25103. (a) The records and minutes of the board, acting in  
15 any capacity, shall be signed by the chairperson and the clerk. The  
16 board may ~~by resolution~~ authorize the use of a facsimile *or*  
17 *electronic* signature of the chairperson of the board acting in any  
18 capacity, where the board sits as the governing body, agency, or  
19 entity on all papers, documents, or instruments requiring the  
20 signature of the chairperson of the board, including all resolutions,  
21 orders, ordinances, contracts, minutes, notices, deeds, leases, papers  
22 and records of the board except ~~that that, in the case of a facsimile~~  
23 *signature*, the original copy thereof, or the copy thereof filed in  
24 the office of the clerk of the board, shall bear the personal signature  
25 of the chairperson or shall have been delivered to ~~him or her, the~~  
26 *chairperson*, and those papers, documents, or instruments bearing  
27 the facsimile signature shall be accorded the same force and effect  
28 as though personally signed by the chairperson. A certificate by  
29 the clerk that a copy of that document has been delivered to the  
30 chairperson of the board shall be prima facie evidence of the  
31 delivery. *A document bearing the electronic signature of the*  
32 *chairperson shall have the same force and effect as if personally*  
33 *signed by the chairperson.*

1 If,

2 (b) *If*, in order to be recorded by the county recorder, the paper,  
3 document, or instrument requires the acknowledgement or  
4 verification of the person by whom it is executed, then it shall be  
5 recordable when the clerk acknowledges ~~his or her~~ *the person's*  
6 signature upon the certificate ~~which~~ *that* indicates that a copy of  
7 the paper, document, or instrument has been delivered to the  
8 chairperson.

9 In

10 (c) *In* the case of a public security or any instrument of payment,  
11 ~~the provisions of the Uniform Facsimile Signature of Public~~  
12 ~~Officials Act (Chapter 6 (commencing with Section 5500) of~~  
13 ~~Division 6 of Title 1 of the Government Code) 1)~~ shall govern.

14 If

15 (d) *If* the facsimile signature of the chairperson of the board of  
16 supervisors is affixed to any document prior to November 23,  
17 1970, the document shall have the same force and effect from the  
18 time of affixing as if the facsimile signature had been affixed after  
19 that date.

20 SEC. 3. Section 25105 of the Government Code is amended  
21 to read:

22 25105. The board of supervisors may authorize the use of  
23 photographs, microphotographs, electronic data processing records,  
24 optical disks, or any other medium that is a trusted system and that  
25 does not permit additions, deletions, or changes to the original  
26 document, or photocopies of all records, books, and minutes of  
27 the board.

28 (a) Each photograph, microphotograph, or photocopy shall be  
29 made in a manner and on paper ~~which~~ *that* will comply with  
30 Section 12168.7 for recording of permanent records or  
31 nonpermanent records, whichever applies. Every reproduction  
32 shall be deemed and considered an ~~original~~; *a original*. A transcript,  
33 exemplification, or certified copy of any reproduction shall be  
34 deemed and considered a transcript, exemplification, or certified  
35 copy, as the case may be, of the original. Each roll of microfilm  
36 shall be deemed and constitute a book and shall be designated and  
37 numbered, and provision shall be made for preserving, examining,  
38 and using it. A duplicate of each roll of microfilm shall be made  
39 and kept in a safe and separate place.

1 (b) Electronic data processing records, records recorded on  
2 optical disk, and records recorded on any other medium shall  
3 comply with Section 12168.7. A duplicate copy of any record  
4 reproduced in compliance with Section 12168.7 for recording of  
5 permanent records or nonpermanent records, whichever applies,  
6 shall be deemed an original.

7 (c) In the event the authorization provided herein is granted, the  
8 personal signatures required by Section 25103, if technically  
9 feasible, may be reproduced by the authorized process, and the  
10 reproduced signatures shall be deemed to satisfy the requirement  
11 of Section 25103. If the documents are signed using ~~a~~ *an electronic*  
12 *or* digital signature, reproduced documents shall be considered  
13 authenticated if the reproduced documents are created by a trusted  
14 system, as defined in pertinent digital signature ~~regulations~~  
15 *regulations, or in compliance with the Uniform Electronic*  
16 *Transactions Act (Title 2.5 (commencing with Section 1633.1) of*  
17 *Part 2 of Division 3 of the Civil Code).*

18 SEC. 4. Section 26802.5 of the Government Code is amended  
19 to read:

20 26802.5. In the Counties of El Dorado, Imperial, *Kern*, Kings,  
21 Lake, Marin, Merced, Modoc, Monterey, Napa, Riverside, San  
22 Joaquin, Solano, Sonoma, and Tulare, a registrar of voters may be  
23 appointed by the board of supervisors in the same manner as other  
24 county officers are appointed. In those counties, the county clerk  
25 is not ex officio registrar of voters, and the registrar of voters shall  
26 discharge all duties vested by law in the county elections official  
27 that relate to and are a part of the election procedure.

28 SEC. 5. Section 53601 of the Government Code, as amended  
29 by Section 6 of Chapter 187 of the Statutes of 2023, is amended  
30 to read:

31 53601. This section shall apply to a local agency that is a city,  
32 a district, or other local agency that does not pool money in  
33 deposits or investments with other local agencies, other than local  
34 agencies that have the same governing body. However, Section  
35 53635 shall apply to all local agencies that pool money in deposits  
36 or investments with other local agencies that have separate  
37 governing bodies. The legislative body of a local agency having  
38 moneys in a sinking fund or moneys in its treasury not required  
39 for the immediate needs of the local agency may invest any portion  
40 of the moneys that it deems wise or expedient in those investments

1 set forth below. A local agency purchasing or obtaining any  
2 securities prescribed in this section, in a negotiable, bearer,  
3 registered, or nonregistered format, shall require delivery of the  
4 securities to the local agency, including those purchased for the  
5 agency by financial advisers, consultants, or managers using the  
6 agency's funds, by book entry, physical delivery, or by third-party  
7 custodial agreement. The transfer of securities to the counterparty  
8 bank's customer book entry account may be used for book entry  
9 delivery.

10 For purposes of this section, "counterparty" means the other  
11 party to the transaction. A counterparty bank's trust department  
12 or separate safekeeping department may be used for the physical  
13 delivery of the security if the security is held in the name of the  
14 local agency. Where this section specifies a percentage limitation  
15 for a particular category of investment, that percentage is applicable  
16 only at the date of purchase. For purposes of compliance with this  
17 section, an investment's term or remaining maturity shall be  
18 measured from the settlement date to final maturity. A security  
19 purchased in accordance with this section shall not have a forward  
20 settlement date exceeding 45 days from the time of investment.  
21 Where this section does not specify a limitation on the term or  
22 remaining maturity at the time of the investment, no investment  
23 shall be made in any security, other than a security underlying a  
24 repurchase or reverse repurchase agreement or securities lending  
25 agreement authorized by this section, that at the time of the  
26 investment has a term remaining to maturity in excess of five years,  
27 unless the legislative body has granted express authority to make  
28 that investment either specifically or as a part of an investment  
29 program approved by the legislative body no less than three months  
30 prior to the investment:

31 (a) Bonds issued by the local agency, including bonds payable  
32 solely out of the revenues from a revenue-producing property  
33 owned, controlled, or operated by the local agency or by a  
34 department, board, agency, or authority of the local agency.

35 (b) United States Treasury notes, bonds, bills, or certificates of  
36 indebtedness, or those for which the faith and credit of the United  
37 States are pledged for the payment of principal and interest.

38 (c) Registered state warrants or treasury notes or bonds of this  
39 state, including bonds payable solely out of the revenues from a

1 revenue-producing property owned, controlled, or operated by the  
2 state or by a department, board, agency, or authority of the state.

3 (d) Registered treasury notes or bonds of any of the other 49  
4 states in addition to California, including bonds payable solely out  
5 of the revenues from a revenue-producing property owned,  
6 controlled, or operated by a state or by a department, board, agency,  
7 or authority of any of the other 49 states, in addition to California.

8 (e) Bonds, notes, warrants, or other evidences of indebtedness  
9 of a local agency within this state, including bonds payable solely  
10 out of the revenues from a revenue-producing property owned,  
11 controlled, or operated by the local agency, or by a department,  
12 board, agency, or authority of the local agency.

13 (f) Federal agency or United States government-sponsored  
14 enterprise obligations, participations, or other instruments,  
15 including those issued by or fully guaranteed as to principal and  
16 interest by federal agencies or United States government-sponsored  
17 enterprises.

18 (g) Bankers' acceptances otherwise known as bills of exchange  
19 or time drafts that are drawn on and accepted by a commercial  
20 bank. Purchases of bankers' acceptances shall not exceed 180  
21 days' maturity or 40 percent of the agency's moneys that may be  
22 invested pursuant to this section. However, no more than 30 percent  
23 of the agency's moneys may be invested in the bankers'  
24 acceptances of any one commercial bank pursuant to this section.

25 This subdivision does not preclude a municipal utility district  
26 from investing moneys in its treasury in a manner authorized by  
27 the Municipal Utility District Act (Division 6 (commencing with  
28 Section 11501) of the Public Utilities Code).

29 (h) Commercial paper of "prime" quality of the highest ranking  
30 or of the highest letter and number rating as provided for by a  
31 nationally recognized statistical rating organization (NRSRO).  
32 The entity that issues the commercial paper shall meet all of the  
33 following conditions in either paragraph (1) or (2):

34 (1) The entity meets the following criteria:

35 (A) Is organized and operating in the United States as a general  
36 corporation.

37 (B) Has total assets in excess of five hundred million dollars  
38 (\$500,000,000).

1 (C) Has debt other than commercial paper, if any, that is rated  
2 in a rating category of “A” or its equivalent or higher by an  
3 NRSRO.

4 (2) The entity meets the following criteria:

5 (A) Is organized within the United States as a special purpose  
6 corporation, trust, or limited liability company.

7 (B) Has programwide credit enhancements including, but not  
8 limited to, overcollateralization, letters of credit, or a surety bond.

9 (C) Has commercial paper that is rated “A-1” or higher, or the  
10 equivalent, by an NRSRO.

11 Eligible commercial paper shall have a maximum maturity of  
12 ~~270~~ 397 days or less. Local agencies, other than counties or a city  
13 and county, may invest no more than 25 percent of their moneys  
14 in eligible commercial paper. A local agency, other than a county  
15 or a city and a county, may invest no more than 10 percent of its  
16 total investment assets in the commercial paper and the  
17 medium-term notes of any single issuer. Counties or a city and  
18 county may invest in commercial paper pursuant to the  
19 concentration limits in subdivision (a) of Section 53635.

20 (i) Negotiable certificates of deposit issued by a nationally or  
21 state-chartered bank, a savings association or a federal association  
22 (as defined by Section 5102 of the Financial Code), a state or  
23 federal credit union, or by a federally licensed or state-licensed  
24 branch of a foreign bank. Purchases of negotiable certificates of  
25 deposit shall not exceed 30 percent of the agency’s moneys that  
26 may be invested pursuant to this section. For purposes of this  
27 section, negotiable certificates of deposit do not come within  
28 Article 2 (commencing with Section 53630), except that the amount  
29 so invested shall be subject to the limitations of Section 53638.  
30 The legislative body of a local agency and the treasurer or other  
31 official of the local agency having legal custody of the moneys  
32 are prohibited from investing local agency funds, or funds in the  
33 custody of the local agency, in negotiable certificates of deposit  
34 issued by a state or federal credit union if a member of the  
35 legislative body of the local agency, or a person with investment  
36 decisionmaking authority in the administrative office manager’s  
37 office, budget office, auditor-controller’s office, or treasurer’s  
38 office of the local agency also serves on the board of directors, or  
39 any committee appointed by the board of directors, or the credit

1 committee or the supervisory committee of the state or federal  
2 credit union issuing the negotiable certificates of deposit.

3 (j) (1) Investments in repurchase agreements or reverse  
4 repurchase agreements or securities lending agreements of  
5 securities authorized by this section, as long as the agreements are  
6 subject to this subdivision, including the delivery requirements  
7 specified in this section.

8 (2) Investments in repurchase agreements may be made, on an  
9 investment authorized in this section, when the term of the  
10 agreement does not exceed one year. The market value of securities  
11 that underlie a repurchase agreement shall be valued at 102 percent  
12 or greater of the funds borrowed against those securities and the  
13 value shall be adjusted no less than quarterly. Since the market  
14 value of the underlying securities is subject to daily market  
15 fluctuations, the investments in repurchase agreements shall be in  
16 compliance if the value of the underlying securities is brought back  
17 up to 102 percent no later than the next business day.

18 (3) Reverse repurchase agreements or securities lending  
19 agreements may be utilized only when all of the following  
20 conditions are met:

21 (A) The security to be sold using a reverse repurchase agreement  
22 or securities lending agreement has been owned and fully paid for  
23 by the local agency for a minimum of 30 days prior to sale.

24 (B) The total of all reverse repurchase agreements and securities  
25 lending agreements on investments owned by the local agency  
26 does not exceed 20 percent of the base value of the portfolio.

27 (C) The agreement does not exceed a term of 92 days, unless  
28 the agreement includes a written codicil guaranteeing a minimum  
29 earning or spread for the entire period between the sale of a security  
30 using a reverse repurchase agreement or securities lending  
31 agreement and the final maturity date of the same security.

32 (D) Funds obtained or funds within the pool of an equivalent  
33 amount to that obtained from selling a security to a counterparty  
34 using a reverse repurchase agreement or securities lending  
35 agreement shall not be used to purchase another security with a  
36 maturity longer than 92 days from the initial settlement date of the  
37 reverse repurchase agreement or securities lending agreement,  
38 unless the reverse repurchase agreement or securities lending  
39 agreement includes a written codicil guaranteeing a minimum  
40 earning or spread for the entire period between the sale of a security

1 using a reverse repurchase agreement or securities lending  
2 agreement and the final maturity date of the same security.

3 (4) (A) Investments in reverse repurchase agreements, securities  
4 lending agreements, or similar investments in which the local  
5 agency sells securities prior to purchase with a simultaneous  
6 agreement to repurchase the security may be made only upon prior  
7 approval of the governing body of the local agency and shall be  
8 made only with primary dealers of the Federal Reserve Bank of  
9 New York or with a nationally or state-chartered bank that has or  
10 has had a significant banking relationship with a local agency.

11 (B) For purposes of this chapter, “significant banking  
12 relationship” means any of the following activities of a bank:

13 (i) Involvement in the creation, sale, purchase, or retirement of  
14 a local agency’s bonds, warrants, notes, or other evidence of  
15 indebtedness.

16 (ii) Financing of a local agency’s activities.

17 (iii) Acceptance of a local agency’s securities or funds as  
18 deposits.

19 (5) (A) “Repurchase agreement” means a purchase of securities  
20 by the local agency pursuant to an agreement by which the  
21 counterparty seller will repurchase the securities on or before a  
22 specified date and for a specified amount and the counterparty will  
23 deliver the underlying securities to the local agency by book entry,  
24 physical delivery, or by third-party custodial agreement. The  
25 transfer of underlying securities to the counterparty bank’s  
26 customer book-entry account may be used for book-entry delivery.

27 (B) “Securities,” for purposes of repurchase under this  
28 subdivision, means securities of the same issuer, description, issue  
29 date, and maturity.

30 (C) “Reverse repurchase agreement” means a sale of securities  
31 by the local agency pursuant to an agreement by which the local  
32 agency will repurchase the securities on or before a specified date  
33 and includes other comparable agreements.

34 (D) “Securities lending agreement” means an agreement under  
35 which a local agency agrees to transfer securities to a borrower  
36 who, in turn, agrees to provide collateral to the local agency.  
37 During the term of the agreement, both the securities and the  
38 collateral are held by a third party. At the conclusion of the  
39 agreement, the securities are transferred back to the local agency  
40 in return for the collateral.



1 (E) For purposes of this section, the base value of the local  
2 agency's pool portfolio shall be that dollar amount obtained by  
3 totaling all cash balances placed in the pool by all pool participants,  
4 excluding any amounts obtained through selling securities by way  
5 of reverse repurchase agreements, securities lending agreements,  
6 or other similar borrowing methods.

7 (F) For purposes of this section, the spread is the difference  
8 between the cost of funds obtained using the reverse repurchase  
9 agreement and the earnings obtained on the reinvestment of the  
10 funds.

11 (k) Medium-term notes, defined as all corporate and depository  
12 institution debt securities with a maximum remaining maturity of  
13 five years or less, issued by corporations organized and operating  
14 within the United States or by depository institutions licensed by  
15 the United States or any state and operating within the United  
16 States. Notes eligible for investment under this subdivision shall  
17 be rated in a rating category of "A" or its equivalent or better by  
18 an NRSRO. Purchases of medium-term notes shall not include  
19 other instruments authorized by this section and shall not exceed  
20 30 percent of the agency's moneys that may be invested pursuant  
21 to this section. A local agency, other than a county or a city and a  
22 county, may invest no more than 10 percent of its total investment  
23 assets in the commercial paper and the medium-term notes of any  
24 single issuer.

25 (l) (1) Shares of beneficial interest issued by diversified  
26 management companies that invest in the securities and obligations  
27 as authorized by subdivisions (a) to (k), inclusive, and subdivisions  
28 (m) to (q), inclusive, and that comply with the investment  
29 restrictions of this article and Article 2 (commencing with Section  
30 53630). However, notwithstanding these restrictions, a counterparty  
31 to a reverse repurchase agreement or securities lending agreement  
32 is not required to be a primary dealer of the Federal Reserve Bank  
33 of New York if the company's board of directors finds that the  
34 counterparty presents a minimal risk of default, and the value of  
35 the securities underlying a repurchase agreement or securities  
36 lending agreement may be 100 percent of the sales price if the  
37 securities are marked to market daily.

38 (2) Shares of beneficial interest issued by diversified  
39 management companies that are money market funds registered  
40 with the United States Securities and Exchange Commission under

1 the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 et  
2 seq.).

3 (3) If investment is in shares issued pursuant to paragraph (1),  
4 the company shall have met either of the following criteria:

5 (A) Attained the highest ranking or the highest letter and  
6 numerical rating provided by not less than two NRSROs.

7 (B) Retained an investment adviser registered or exempt from  
8 registration with the United States Securities and Exchange  
9 Commission with not less than five years' experience investing in  
10 the securities and obligations authorized by subdivisions (a) to (k),  
11 inclusive, and subdivisions (m) to (q), inclusive, and with assets  
12 under management in excess of five hundred million dollars  
13 (\$500,000,000).

14 (4) If investment is in shares issued pursuant to paragraph (2),  
15 the company shall have met either of the following criteria:

16 (A) Attained the highest ranking or the highest letter and  
17 numerical rating provided by not less than two NRSROs.

18 (B) Retained an investment adviser registered or exempt from  
19 registration with the United States Securities and Exchange  
20 Commission with not less than five years' experience managing  
21 money market mutual funds with assets under management in  
22 excess of five hundred million dollars (\$500,000,000).

23 (5) The purchase price of shares of beneficial interest purchased  
24 pursuant to this subdivision shall not include commission that the  
25 companies may charge and shall not exceed 20 percent of the  
26 agency's moneys that may be invested pursuant to this section.  
27 However, no more than 10 percent of the agency's funds may be  
28 invested in shares of beneficial interest of any one mutual fund  
29 pursuant to paragraph (1).

30 (m) Moneys held by a trustee or fiscal agent and pledged to the  
31 payment or security of bonds or other indebtedness, or obligations  
32 under a lease, installment sale, or other agreement of a local  
33 agency, or certificates of participation in those bonds, indebtedness,  
34 or lease installment sale, or other agreements, may be invested in  
35 accordance with the statutory provisions governing the issuance  
36 of those bonds, indebtedness, or lease installment sale, or other  
37 agreement, or to the extent not inconsistent therewith or if there  
38 are no specific statutory provisions, in accordance with the  
39 ordinance, resolution, indenture, or agreement of the local agency  
40 providing for the issuance.

(n) Notes, bonds, or other obligations that are at all times secured by a valid first priority security interest in securities of the types listed by Section 53651 as eligible securities for the purpose of securing local agency deposits having a market value at least equal to that required by Section 53652 for the purpose of securing local agency deposits. The securities serving as collateral shall be placed by delivery or book entry into the custody of a trust company or the trust department of a bank that is not affiliated with the issuer of the secured obligation, and the security interest shall be perfected in accordance with the requirements of the Uniform Commercial Code or federal regulations applicable to the types of securities in which the security interest is granted.

(o) (1) A mortgage passthrough security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable passthrough certificate, or consumer receivable-backed bond.

(2) For securities eligible for investment under this subdivision not issued or guaranteed by an agency or issuer identified in subdivision (b) or (f), the following limitations apply:

(A) The security shall be rated in a rating category of “AA” or its equivalent or better by an NRSRO and have a maximum remaining maturity of five years or less.

(B) Purchase of securities authorized by this paragraph shall not exceed 20 percent of the agency’s surplus moneys that may be invested pursuant to this section.

(p) Shares of beneficial interest issued by a joint powers authority organized pursuant to Section 6509.7 that invests in the securities and obligations authorized in subdivisions (a) to (r), inclusive. Each share shall represent an equal proportional interest in the underlying pool of securities owned by the joint powers authority. To be eligible under this section, the joint powers authority issuing the shares shall have retained an investment adviser that meets all of the following criteria:

(1) The adviser is registered or exempt from registration with the United States Securities and Exchange Commission.

(2) The adviser has not less than five years of experience investing in the securities and obligations authorized in subdivisions (a) to (q), inclusive.

(3) The adviser has assets under management in excess of five hundred million dollars (\$500,000,000).

(q) United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development, International Finance Corporation, or Inter-American Development Bank, with a maximum remaining maturity of five years or less, and eligible for purchase and sale within the United States. Investments under this subdivision shall be rated in a rating category of “AA” or its equivalent or better by an NRSRO and shall not exceed 30 percent of the agency’s moneys that may be invested pursuant to this section.

(r) Commercial paper, debt securities, or other obligations of a public bank, as defined in Section 57600.

~~This section shall become operative on January 1, 2026.~~

SEC. 6. Section 11865 of the Public Utilities Code is amended to read:

11865. Vacancies on the board shall be filled as provided in this section:

(a) *(1)* The remaining board members may fill the vacancy by ~~appointment until~~ *appointment. The person appointed to fill the vacancy shall hold office until the person elected at the next district general election that is scheduled 90 or more days after the effective date of the vacancy; vacancy has been qualified and takes office.* The appointment shall be made within a period of 60 days immediately subsequent to the effective date of ~~such~~ *the* vacancy. A notice of ~~such~~ *the* vacancy shall be posted in three or more conspicuous places in the district at least 15 days before the appointment is made.

~~In~~

*(2)* In lieu of making an appointment, the remaining members of the board may within 60 days of the vacancy call a special election to fill the vacancy. The person elected at ~~such~~ *the* special election shall hold office for the remainder of the term in which the vacancy occurred.

(b) If the vacancy is not filled by appointment as provided in *paragraph (1) of subdivision (a)*, or if the board has not called for ~~an a special~~ *a special* election within 60 days of the ~~vacancy~~, *vacancy as provided in paragraph (2) of subdivision (a)*, the board of supervisors of the county representing the larger portion of the district area in which the election to fill the vacancy will be held may fill the vacancy by appointment within 90 days of the effective

1 date of the vacancy or may order the district to call a special  
2 election to fill the vacancy.

3 (c) If within 90 days of the effective date of the vacancy, the  
4 remaining members of the board or the appropriate board of  
5 supervisors have not filled the vacancy by appointment and no  
6 election has been called for, the district shall call a special election  
7 to fill the vacancy.

8 (d) A person elected at an election to fill a position to which an  
9 appointment was made pursuant to this section shall take office  
10 immediately upon issuance of the certificate of election by the  
11 secretary of the district, after qualifying according to law, and shall  
12 hold office for the remainder of the term in which the vacancy  
13 occurs.

14 SEC. 7. The Legislature finds and declares, with respect to  
15 Section 4 of this act, that a special statute is necessary and that a  
16 general statute cannot be made applicable within the meaning of  
17 Section 16 of Article IV of the California Constitution because of  
18 the unique circumstances of the County of Kern. The facts  
19 constituting the special circumstances include the need to  
20 reorganize the structure and duties of county officers to reduce  
21 costs and increase productivity within the county government.

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