

**ASSEMBLY BILL**

**No. 1532**

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**Introduced by Assembly Member John A. Pérez**

January 23, 2012

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An act to add Section 38575 to the Health and Safety Code, relating to greenhouse gas emissions.

LEGISLATIVE COUNSEL'S DIGEST

AB 1532, as introduced, John A. Pérez. California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Account.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020, and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emission reductions. The act authorizes the state board to include use of market-based compliance mechanisms. The act authorizes the state board to adopt a schedule of fees to be paid by the sources of greenhouse gas emissions regulated pursuant to the act, and requires the revenues collected pursuant to that fee schedule be deposited into the Air Pollution Control Fund and be available, upon appropriation by the Legislature, for the purposes of carrying out the act.

This bill would create the Greenhouse Gas Reduction Account within the Air Pollution Control Fund. The bill would require moneys, as specified, collected pursuant to a market-based compliance mechanism be deposited in this account. The bill also would require those moneys,

upon appropriation by the Legislature, be used for purposes of carrying out the California Global Warming Solutions Act of 2006. The bill would require the state board to award those moneys to measures and programs that meet specified criteria.

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. Section 38575 is added to the Health and Safety  
2 Code, to read:

3 38575. (a) The Greenhouse Gas Reduction Account is hereby  
4 created within the Air Pollution Control Fund.

5 (b) Notwithstanding Section 38597, all moneys, excluding  
6 penalties and fines, collected pursuant to this part shall be deposited  
7 in the Greenhouse Gas Reduction Account and shall be available,  
8 upon appropriation by the Legislature, for purposes of carrying  
9 out this division.

10 (c) The state board shall award the moneys in the Greenhouse  
11 Gas Reduction Account appropriated pursuant to subdivision (b)  
12 only for measures and programs that reduce greenhouse gas  
13 emissions consistent with this division to achieve any of the  
14 following:

15 (1) Clean and efficient energy, through energy efficiency, clean  
16 and renewable distributed energy generation, and related activities.

17 (2) Low-carbon transportation, through the development of  
18 state-of-the-art systems to move goods and freight, deploy  
19 advanced technology vehicles and vehicle infrastructure, produce  
20 and use advanced biofuels, and increase the availability of  
21 low-carbon and public transportation.

22 (3) Natural resource protection, through measures associated  
23 with water use and supply, land and natural resource conservation  
24 and management, and sustainable agriculture.

25 (4) Sustainable infrastructure development, through strategic  
26 planning and development of major infrastructure, including  
27 transportation and housing.

28 (d) The state board shall approve funding for a measure or  
29 program only after determining, based on the available evidence,  
30 that the use of moneys for that measure or program is consistent  
31 with the requirements for the use of moneys derived from valid

1 regulatory fees, as established by the California Supreme Court in  
2 *Sinclair Paint Co. v. State Bd. of Equalization* (1997) 15 Cal.4th  
3 866.

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