



Department of Pesticide Regulation
Office of Legislation and Policy

2013 Legislative Summary

December 2013

STATE OF CALIFORNIA

Edmund G. Brown
Governor

Matthew Rodriguez
Secretary for Environmental Protection
California Environmental Protection Agency

DEPARTMENT OF PESTICIDE REGULATION

Brian Leahy, Director

California Department of Pesticide Regulation

2013 Annual Legislative Summary

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Introduction

The Department of Pesticide Regulation (DPR) is an agency within the California Environmental Protection Agency (CalEPA). CalEPA was created in 1991 to combine environmental programs previously administered by six separate state agencies. The five environmental agencies within CalEPA include DPR, the Department of Toxic Substances Control, the State Water Resources Control Board, the Air Resources Board, and the Office of Environmental Health Hazard Assessment.

DPR is charged with the responsibility of administering California's statewide pesticide regulatory program--the largest of its kind in the nation. Before a pesticide can be possessed, sold, or used in California, the pesticide must be registered by DPR. Prior to registration, DPR's scientific staff reviews each product to ensure that it meets stringent standards, as prescribed in the laws (Food and Agricultural Code) and regulations (California Code of Regulations) governing pesticides in California. Reviews of data include, but are not limited to, potential human health effects, environmental fate, and the chemical properties of the product, intended use patterns, and efficacy. The laws and regulations governing the possession, sale, and use of pesticides are enforced by DPR in cooperation with the office of the county agricultural commissioner (CAC) within each county.

This summary contains brief descriptions of the legislation followed by DPR's Office of Legislation and Policy during the 2013 Legislative Session.

Urgency bills signed by the Governor took effect immediately upon his signature. Other legislation signed by the Governor in 2013 will take effect on January 1, 2014.

For an electronic version of this summary, please refer to the link below:

<http://www.cdpr.ca.gov/docs/legbills/reports/summaries/summaries.htm>.

Acronyms

AB	Assembly Bill
ACA	Assembly Constitutional Amendment
CAC	County Agricultural Commissioner
CalEPA	California Environmental Protection Agency
CDFA	California Department of Food and Agriculture
CEQA	California Environmental Quality Act
DPR	Department of Pesticide Regulation
DTSC	Department of Toxic Substances Control
IPM	Integrated Pest Management
OEHHA	Office of Environmental Health Hazard Assessment
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SPCB	Structural Pest Control Board
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminant
U.S. EPA	U. S. Environmental Protection Agency
VOC	Volatile Organic Compound

Bills by Subject

SUBJECT	AUTHOR	TITLE	STATUS
Administration			
AB 25	Campos D	Employment: social media.	2 YEAR
AB 117	Cooley D	State government: financial and administrative accountability.	CHAPTERED
AB 172	Weber D	State agency contracts: microbusiness preference.	DEAD
AB 208	Gorell R	State employees: additional compensation.	DEAD
AB 218	Dickinson D	Employment applications: criminal history.	CHAPTERED
AB 245	Grove R	California Global Warming Solutions Act of 2006: public meetings.	DEAD
AB 258	Chávez R	State agencies: veterans.	CHAPTERED
AB 855	Brown D	State employees: absence without leave: reinstatement.	VETOED
AB 1017	Gomez D	Incoming telephone calls: messages.	DEAD
AB 1317	Frazier D	State government operations.	CHAPTERED
SB 44	Yee D	State Internet Web sites: online voter registration.	CHAPTERED
SB 46	Corbett D	Personal information: privacy.	CHAPTERED
SB 916	Correa D	Biosynthetic lubricants: procurement: sale.	GOVERNMENT ORGANIZATION
Ag Labor			
AB 326	Morrell R	Occupational safety and health: reporting requirements.	LABOR & INDUSTRIAL RELATIONS
SB 25	Steinberg D	Agricultural labor relations: contract dispute resolution.	2 YEAR
SB 168	Monning D	Farm labor contractors: successors: wages and penalties.	CHAPTERED

SUBJECT	AUTHOR	TITLE	STATUS
Agriculture			
AB 57	Yamada D	Agricultural conservation easements.	DEAD
AB 199	Holden D	Institutional purchasers: sale of California produce.	VETOED
AB 224	Gordon D	Agricultural products: direct marketing: community-supported agriculture.	CHAPTERED
AB 571	Gatto D	Agricultural pest control: citrus disease prevention.	VETOED
AB 823	Eggman D	Environment: California Farmland Protection Act.	DEAD
SB 171	Hueso D	Drainage: Coachella Valley County Water District.	CHAPTERED
SB 348	Galgiani D	Agricultural seed: county seed enforcement subventions.	CHAPTERED
Air Quality			
AB 304	Williams D	Pesticides: toxic air contaminants: control measures.	CHAPTERED
Budget			
AB 77	Committee on Budget	Budget Act of 2013: public resources.	CONFERENCE COMMITTEE
AB 92	Committee on Budget	State government.	CHAPTERED
AB 101	Committee on Budget	Budget Act of 2013.	CHAPTERED
AB 102	Committee on Budget	Budget Act of 2013: public resources.	INACTIVE FILE
AB 108	Committee on Budget	State employees: memoranda of understanding.	INACTIVE FILE
AB 110	Blumenfield D	Budget Act of 2013.	CHAPTERED
AB 113	Committee on Budget	Budget Act of 2012.	CHAPTERED
SB 68	Committee on Budget and Fiscal Review	Budget Act of 2012.	CHAPTERED

SUBJECT	AUTHOR	TITLE	STATUS
SB 71	Committee on Budget and Fiscal Review	State government.	CHAPTERED
SB 72	Committee on Budget and Fiscal Review	Budget Act of 2013: public resources.	DESK
SB 84	Committee on Budget and Fiscal Review	Budget Act of 2013: public resources.	INACTIVE FILE
SB 86	Committee on Budget and Fiscal Review	State government.	BUDGET
SB 89	Committee on Budget and Fiscal Review	Budget Act of 2012: augmentation.	CHAPTERED
SB 95	Committee on Budget and Fiscal Review	Budget Act of 2013.	VETOED
SB 96	Committee on Budget and Fiscal Review	Budget Act of 2013: public resources.	CHAPTERED
SB 102	Committee on Budget and Fiscal Review	State employees: memoranda of understanding.	CHAPTERED
CAC			
AB 38	John A. Pérez D	The Office of Farm to Fork.	DEAD
CEQA			
AB 37	Perea D	Unemployment insurance: reporting requirements: status of funds.	2 YEAR
AB 52	Gatto D	Native Americans: California Environmental Quality Act.	2 YEAR
AB 380	Dickinson D	California Environmental Quality Act: notice requirements	2 YEAR
AB 515	Dickinson D	Environmental quality: California Environmental Quality Act: writ of mandate.	ENVIRONMENTAL QUALITY

SUBJECT	AUTHOR	TITLE	STATUS
AB 756	Melendez R	California Environmental Quality Act: judicial review: public works projects.	DEAD
AB 794	Gorell R	Environmental quality: California Environmental Quality Act: exemption: use of landfill and organic waste.	DEAD
AB 953	Ammiano D	California Environmental Quality Act.	DEAD
SB 167	Gaines R	Environmental quality: California Environmental Quality Act.	DEAD
SB 359	Corbett D	Vehicles: retirement and replacement.	CHAPTERED
SB 436	Jackson D	Port Hueneme Beach shoreline protection.	CHAPTERED
SB 617	Evans D	California Environmental Quality Act.	DEAD
SB 739	Calderon D	Environmental quality.	DEAD
SB 754	Evans D	California Environmental Quality Act.	DEAD
SB 787	Berryhill R	Environmental quality: the Sustainable Environmental Protection Act.	DEAD

Enforcement

AB 1330	John A. Pérez D	Environmental justice.	2 YEAR
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Environment

AB 158	Levine D	Solid waste: single-use carryout bags.	DEAD
AB 467	Stone D	Prescription drugs: collection and distribution program.	DESK
AB 763	Buchanan D	Aquatic invasive plants: control and eradication.	CHAPTERED
SB 405	Padilla D	Solid waste: single-use carryout bags.	DEAD

Environmental Justice

AB 1330	John A. Pérez D	Environmental justice.	2 YEAR
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Farming

AB 38	John A. Pérez D	The Office of Farm to Fork.	DEAD
AB 467	Stone D	Prescription drugs: collection and distribution	DESK

SUBJECT	AUTHOR	TITLE	STATUS
Fracking			
AB 7	Wieckowski D	Oil and gas: hydraulic fracturing.	DEAD
AB 288	Levine D	California Coastal Commission: meeting notices.	NATURAL RESOURCES AND WATER DEAD
AB 649	Nazarian D	Oil and gas: hydraulic fracturing.	DEAD
AB 982	Williams D	Oil and gas: hydraulic fracturing.	DEAD
AB 1301	Bloom D	Oil and gas: hydraulic fracturing.	DEAD
AB 1323	Mitchell D	Oil and gas: hydraulic fracturing.	DEAD
SB 4	Pavley D	Oil and gas: well stimulation.	CHAPTERED
SB 395	Jackson D	Hazardous waste: wells.	DEAD
SB 665	Wolk D	Oil and gas: drilling: indemnity bonds: wells.	CHAPTERED
SB 802	Evans D	Oil and gas: trade secrets.	DEAD
Green			
Buildings			
AB 627	Gorell R	State government.	DEAD
Greenhouse			
Gases			
AB 26	Bonilla D	California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund.	2 YEAR
AB 245	Grove R	California Global Warming Solutions Act of 2006: public meetings.	DEAD
Land Use			
AB 551	Ting D	Local government: urban agriculture incentive zones.	CHAPTERED
Organic			
AB 467	Stone D	Prescription drugs: collection and distribution program.	DESK

SUBJECT	AUTHOR	TITLE	STATUS
Other			
AB 1014	Williams D	Energy: electrical corporations: green tariff shared renewable program.	2 YEAR
SB 43	Wolk D	Electricity: Green Tariff Shared Renewables Program.	CHAPTERED
SB 254	Hancock D	Solid waste: used mattresses: recycling and recovery.	CHAPTERED
SB 270	Padilla D	Solid waste: single-use carryout bags.	RULES
SB 570	DeSaulnier D	Alcohol and other drug counselors.	2 YEAR
Pesticides			
AB 425	Atkins D	Pesticides: copper-based antifouling paint: leach rate determination: mitigation measure recommendations.	CHAPTERED
AB 896	Eggman D	Wildlife management areas: mosquito abatement.	NATURAL RESOURCE & WATER
SB 727	Jackson D	Medical waste: pharmaceutical product stewardship program.	DEAD
Pests			
AB 571	Gatto D	Agricultural pest control: citrus disease prevention.	VETOED
Public Employees			
AB 25	Campos D	Employment: social media.	2 YEAR
AB 55	Hernández, Roger D	State holidays: Native American Day.	DEAD
AB 160	Alejo D	California Public Employees' Pension Reform Act of 2013: exceptions.	DEAD
AB 208	Gorell R	State employees: additional compensation.	DEAD
AB 373	Mullin D	Public Employees' Long-Term Care Act.	CHAPTERED
AB 507	Garcia D	Public employees' retirement: postretirement death benefits.	DEAD

SUBJECT	AUTHOR	TITLE	STATUS
AB 695	Mansoor R	Public employees' health benefits.	DEAD
AB 872	Dickinson D	Public employees: rights.	DEAD
AB 1377	Committee on Public Employees, Retirement and Soci	State employees: memorandum of understanding.	CHAPTERED
SB 24	Walters R	Public employees' retirement: benefit plans.	DEAD
SB 165	Walters R	Public Employees' Retirement System: membership: exclusions.	DEAD
SB 217	Beall D	State employees: memorandum of understanding: State Bargaining Unit 9.	DEAD
SB 220	Beall D	California Public Employees' Pension Reform Act of 2013: administration.	CHAPTERED
SB 481	Huff R	California Public Employees' Pension Reform Act of 2013.	DEAD
SB 774	Walters R	State employees: postemployment benefits.	DEAD
SB 775	Walters R	State employees: postemployment benefits.	DEAD
SB 778	Nielsen R	Public employment: salary ranges.	DEAD

Public Records

AB 527	Gaines, Beth R	California Global Warming Solutions Act of 2006: Western Climate Initiative, Incorporated.	VETOED
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Regulatory Reform

AB 12	Cooley D	State government: Administrative Procedure Act: standardized regulatory impact analyses.	VETOED
AB 376	Donnelly R	Regulations: notice.	DEAD
AB 653	V. Manuel Pérez D	Economic development.	DEAD
AB 855	Brown D	State employees: absence without leave: reinstatement.	VETOED

SUBJECT	AUTHOR	TITLE	STATUS
AB 866	Linder R	Regulations.	DEAD
AB 887	Allen R	State government: regulations: economic analysis.	DEAD
ACA 1	Donnelly R	Administrative regulations: legislative approval.	DEAD
SB 176	Galgiani D	Administrative procedures.	2 YEAR
Schools			
AB 56	Weber D	School facilities: carbon monoxide devices.	CHAPTERED
Structural Pest Control			
AB 1177	Bocanegra D	Structural fumigation.	CHAPTERED
AB 1317	Frazier D	State government operations.	CHAPTERED
SB 662	Galgiani D	Structural pest control operators: financial responsibility.	CHAPTERED
SB 748	Galgiani D	Structural pest control operators.	DEAD
Toxics			
AB 227	Gatto D	Proposition 65: enforcement.	CHAPTERED
AB 304	Williams D	Pesticides: toxic air contaminant: control measures.	CHAPTERED
AB 597	Dahle R	Hazardous materials: chemicals of concern.	DEAD
AB 703	Hall D	Peace officers: firearms.	CHAPTERED
AB 1026	Quirk D	Toxic chemicals: listing.	DEAD
SB 54	Hancock D	Hazardous materials management: stationary sources: skilled and trained workforce.	CHAPTERED
SB 193	Monning D	Hazard evaluation system and information service.	2 YEAR
SB 395	Jackson D	Hazardous waste: wells.	DEAD
SB 399	Wright D	California Prompt Payment Act.	VETOED
SB 498	Lara D	Solid waste: biomass conversion.	DESK

SUBJECT	AUTHOR	TITLE	STATUS
Water			
AB 687	Hernández, Roger D	Electricity.	APPROP- RIATIONS
Water Quality			
AB 21	Alejo D	Safe Drinking Water Small Community Emergency Grant Fund.	CHAPTERED
AB 30	Perea D	Water quality.	CHAPTERED
AB 69	Perea D	Groundwater: drinking water: Nitrate at Risk Fund.	AGRICULTURE
AB 145	Perea D	State Water Resources Control Board: drinking water.	2 YEAR
AB 425	Atkins D	Pesticides: copper-based antifouling paint: leach rate determination: mitigation measure recommendations.	CHAPTERED
AB 467	Stone D	Prescription drugs: collection and distribution program.	DESK
AB 1223	Stone D	Safe drinking water act.	DEAD
AB 1393	Perea D	Safe Drinking Water State Revolving Fund.	2 YEAR
SB 117	Hueso D	Integrative cancer treatment.	DEAD
SB 395	Jackson D	Hazardous waste: wells.	DEAD
Wildlife			
AB 789	Williams D	Trapping.	CHAPTERED

Bills by Author

Assembly

AUTHOR	TITLE	STATUS
Alejo, Luis		
AB 21	Safe Drinking Water Small Community Emergency Grant Fund.	CHAPTERED
AB 160	California Public Employees' Pension Reform Act of 2013: exceptions.	DEAD
Allen, Travis		
AB 887	State government: regulations: economic analysis.	DEAD
Ammiano, Tom		
AB 953	California Environmental Quality Act.	DEAD
Atkins, Toni		
AB 425	Pesticides: copper-based antifouling paint: leach rate determination: mitigation measure recommendations.	CHAPTERED
Bloom, Richard		
AB 1301	Oil and gas: hydraulic fracturing.	DEAD
Blumenfield, Bob (Terminated)		
AB 73	2013-14 Budget.	DEAD
AB 91	Transportation.	INACTIVE FILE
AB 110	Budget Act of 2013.	CHAPTERED
Bocanegra, Raul		
AB 1177	Structural fumigation.	CHAPTERED
Bonilla, Susan		
AB 26	California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund.	2 YEAR
Brown, Cheryl		
AB 855	State employees: absence without leave: reinstatement.	VETOED
Buchanan, Joan		
AB 88	School finance: new pupil funding formula.	DEAD
AB 763	Aquatic invasive plants: control and eradication.	CHAPTERED

AUTHOR	TITLE	STATUS
Campos, Nora		
AB 25	Employment: social media.	2 YEAR
Chávez, Rocky		
AB 258	State agencies: veterans.	CHAPTERED
Committee on Budget		
AB 76	State government.	VETOED
AB 77	Budget Act of 2013: public resources.	CONFERENCE COMMITTEE
AB 92	State government.	CHAPTERED
AB 101	Budget Act of 2013.	CHAPTERED
AB 102	Budget Act of 2013: public resources.	INACTIVE FILE
AB 108	State employees: memoranda of understanding.	INACTIVE FILE
AB 113	Budget Act of 2012.	CHAPTERED
Committee on Public Employees, Retirement and Social Security		
AB 1377	State employees: memorandum of understanding.	CHAPTERED
Cooley, Ken		
AB 12	State government: Administrative Procedure Act: standardized regulatory impact analyses.	VETOED
AB 117	State government: financial and administrative accountability.	CHAPTERED
Dahle, Brian		
AB 597	Hazardous materials: chemicals of concern.	DEAD
Dickinson, Roger		
AB 218	Employment applications: criminal history.	CHAPTERED
AB 380	California Environmental Quality Act: notice requirements	2 YEAR
AB 515	Environmental quality: California Environmental Quality Act: writ of mandate.	ENVIRON- MENTAL QUALITY
AB 872	Public employees: rights.	DEAD
Donnelly, Tim		
AB 376	Regulations: notice.	DEAD
ACA 1	Administrative regulations: legislative approval.	DEAD

AUTHOR	TITLE	STATUS
Eggman, Susan		
AB 823	Environment: California Farmland Protection Act.	DEAD
AB 896	Wildlife management areas: mosquito abatement.	NATURAL RESOURCES & WATER
Frazier, Jim		
AB 1317	State government operations.	CHAPTERED
Gaines, Beth		
AB 527	California Global Warming Solutions Act of 2006: Western Climate Initiative, Incorporated.	VETOED
Garcia, Cristina		
AB 507	Public employees' retirement: postretirement death benefits.	DEAD
Gatto, Mike		
AB 52	Native Americans: California Environmental Quality Act.	2 YEAR
AB 227	Proposition 65: enforcement.	CHAPTERED
AB 571	Agricultural pest control: citrus disease prevention.	VETOED
Gomez, Jimmy		
AB 1017	Incoming telephone calls: messages.	DEAD
Gordon, Richard		
AB 224	Agricultural products: direct marketing: community-supported agriculture.	CHAPTERED
Gorell, Jeff		
AB 208	State employees: additional compensation.	DEAD
AB 627	State government.	DEAD
AB 794	Environmental quality: California Environmental Quality Act: exemption: use of landfill and organic waste.	DEAD
Grove, Shannon		
AB 245	California Global Warming Solutions Act of 2006: public meetings.	DEAD
Hall, Isadore		
AB 703	Peace officers: firearms.	CHAPTERED
Hernández, Roger		
AB 55	State holidays: Native American Day.	DEAD
AB 687	Electricity.	APPR.

AUTHOR	TITLE	STATUS
Holden, Chris		
AB 199	Institutional purchasers: sale of California produce.	VETOED
Levine, Marc		
AB 158	Solid waste: single-use carryout bags.	DEAD
AB 288	California Coastal Commission: meeting notices.	NATURAL RESOURCES & WATER
Linder, Eric		
AB 866	Regulations.	DEAD
Mansoor, Allan		
AB 695	Public employees' health benefits.	DEAD
Melendez, Melissa		
AB 756	California Environmental Quality Act: judicial review: public works projects.	DEAD
Mitchell, Holly (Terminated)		
AB 1323	Oil and gas: hydraulic fracturing.	DEAD
Morrell, Mike		
AB 326	Occupational safety and health: reporting requirements.	LABOR & INDUSTRIAL RELATIONS
Mullin, Kevin		
AB 373	Public Employees' Long-Term Care Act.	CHAPTERED
Nazarian, Adrin		
AB 649	Oil and gas: hydraulic fracturing.	DEAD
Perea, Henry		
AB 30	Water quality.	CHAPTERED
AB 37	Unemployment insurance: reporting requirements: status of funds.	2 YEAR
AB 69	Groundwater: drinking water: Nitrate at Risk Fund.	AGRICULTURE
AB 145	State Water Resources Control Board: drinking water.	2 YEAR
AB 1393	Safe Drinking Water State Revolving Fund.	2 YEAR

AUTHOR	TITLE	STATUS
Pérez, John		
AB 1330	Environmental justice.	2 YEAR
AB 38	The Office of Farm to Fork.	DEAD
AB 84	Corrections.	INACTIVE FILE
Quirk, Bill		
AB 1026	Toxic chemicals: listing.	DEAD
Stone, Mark		
AB 467	Prescription drugs: collection and distribution program.	DESK
AB 1223	Safe drinking water act.	DEAD
Ting, Philip		
AB 551	Local government: urban agriculture incentive zones.	CHAPTERED
Weber, Shirley		
AB 56	School facilities: carbon monoxide devices.	CHAPTERED
AB 172	State agency contracts: microbusiness preference.	DEAD
Wieckowski, Bob		
AB 7	Oil and gas: hydraulic fracturing.	DEAD
Williams, Das		
AB 304	Pesticides: toxic air contaminant: control measures.	CHAPTERED
AB 789	Trapping.	CHAPTERED
AB 982	Oil and gas: hydraulic fracturing.	DEAD
AB 1014	Energy: electrical corporations: green tariff shared renewable program.	2 YEAR
Yamada, Mariko		
AB 57	Agricultural conservation easements.	DEAD

Senate

AUTHOR	TITLE	STATUS
Beall, Jim		
SB 217	State employees: memorandum of understanding: State Bargaining Unit 9.	DEAD
SB 220	California Public Employees' Pension Reform Act of 2013: administration.	CHAPTERED
Berryhill, Tom		
SB 787	Environmental quality: the Sustainable Environmental Protection Act.	DEAD
Calderon, Ron		
SB 739	Environmental quality.	DEAD
Committee on Budget and Fiscal Review		
SB 68	Budget Act of 2012.	CHAPTERED
SB 71	State government.	CHAPTERED
SB 72	Budget Act of 2013: public resources.	DESK
SB 84	Budget Act of 2013: public resources.	INACTIVE
SB 86	State government.	FILE
SB 89	Budget Act of 2012: augmentation.	BUDGET
SB 95	Budget Act of 2013.	CHAPTERED
SB 96	Budget Act of 2013: public resources.	VETOED
SB 102	State employees: memoranda of understanding.	CHAPTERED
Corbett, Ellen		
SB 46	Personal information: privacy.	CHAPTERED
SB 359	Vehicles: retirement and replacement.	CHAPTERED
DeSaulnier, Mark		
SB 570	Alcohol and other drug counselors.	2 YEAR
Evans, Noreen		
SB 617	California Environmental Quality Act.	DEAD
SB 754	California Environmental Quality Act.	DEAD
SB 802	Oil and gas: trade secrets.	DEAD
Gaines, Ted		
SB 167	Environmental quality: California Environmental Quality Act.	DEAD

AUTHOR	TITLE	STATUS
Galgiani, Cathleen		
SB 90	Economic development: taxation: credits: exemption.	CHAPTERED
SB 176	Administrative procedures.	2 YEAR
SB 348	Agricultural seed: county seed enforcement subventions.	CHAPTERED
SB 662	Structural pest control operators: financial responsibility.	CHAPTERED
SB 748	Structural pest control operators.	DEAD
Hancock, Loni		
SB 54	Hazardous materials management: stationary sources: skilled and trained workforce.	CHAPTERED
SB 254	Solid waste: used mattresses: recycling and recovery.	CHAPTERED
Hueso, Ben		
SB 117	Integrative cancer treatment.	DEAD
SB 171	Drainage: Coachella Valley County Water District.	CHAPTERED
Huff, Bob		
SB 481	California Public Employees' Pension Reform Act of 2013.	DEAD
Jackson, Hannah-Beth		
SB 395	Hazardous waste: wells.	DEAD
SB 436	Port Hueneme Beach shoreline protection.	CHAPTERED
SB 727	Medical waste: pharmaceutical product stewardship program.	DEAD
Lara, Ricardo		
SB 498	Solid waste: biomass conversion.	DESK
Leno, Mark		
SB 65	2013-14 Budget.	DEAD
Monning, William		
SB 168	Farm labor contractors: successors: wages and penalties.	CHAPTERED
SB 193	Hazard evaluation system and information service.	2 YEAR
Nielsen, Jim		
SB 778	Public employment: salary ranges.	DEAD
Padilla, Alex		
SB 270	Solid waste: single-use carryout bags.	RLS.
SB 405	Solid waste: single-use carryout bags.	DEAD
Pavley, Fran		
SB 4	Oil and gas: well stimulation.	CHAPTERED
Roth, Richard		
SB 69	Local government finance: property tax revenue allocation: vehicle license fee adjustments.	2 YEAR

AUTHOR	TITLE	STATUS
Steinberg, Darrell		
SB 25	Agricultural labor relations: contract dispute resolution.	2 YEAR
SB 105	Corrections.	CHAPTERED
Walters, Mimi		
SB 24	Public employees' retirement: benefit plans.	DEAD
SB 165	Public Employees' Retirement System: membership: exclusions.	DEAD
SB 774	State employees: postemployment benefits.	DEAD
SB 775	State employees: postemployment benefits.	DEAD
Wolk, Lois		
SB 43	Electricity: Green Tariff Shared Renewables Program.	CHAPTERED
SB 665	Oil and gas: drilling: indemnity bonds: wells.	CHAPTERED
Wright, Roderick		
SB 399	California Prompt Payment Act.	VETOED
Yee, Leland		
SB 44	State Internet Web sites: online voter registration.	CHAPTERED
SB 335	Expenditures: service contracts.	CHAPTERED

2013 Pesticide Related Bill Summaries

<u>AB 304</u>	Williams	Pesticides: Toxic Air Contaminants Summary: Sets a two-year deadline for the Director of the Department of Pesticide Regulation (DPR) to adopt control measures to protect human health on any pesticide determined by the Director to be a toxic air contaminant (TAC).	Chaptered
<u>AB 425</u>	Atkins	Pesticides: Copper Antifouling Paint Summary: Requires the Department of Pesticide Regulation (DPR), no later than February 1, 2014, to determine a leach rate for copper-based antifouling paint used on recreational vessels and make recommendations for appropriate mitigation measures that may be implemented to protect aquatic environments from the effects of exposure to that paint if it is registered as a pesticide.	Chaptered
<u>AB 1177</u>	Bocanegra	Structural Fumigation Enforcement Program Summary: Extends the sunset date for the Structural Fumigation Enforcement Program (SFEP) under the Department of Pesticide Regulation (DPR) for Los Angeles, Orange, Santa Clara and San Diego Counties to January 1, 2018; increases fees paid under the program from \$5 to \$8; revises specified reporting requirements; and authorizes a county agricultural commissioner to require payment of delinquent fees as specified.	Chaptered
<u>AB 1317</u>	Frazier	State Government Operations Existing law and the Governor's Reorganization Plan No. 2, effective July 3, 2012, and operative July 1, 2013, assigns and reorganizes the functions of state government among executive officers and agencies by creating the following general agency structure in the executive branch: Business, Consumer Services and Housing; Government Operations; Corrections and Rehabilitation; Labor and Workforce Development; California Health and Human Services; Environmental Protection; Natural Resources; and Transportation. This bill enacts the statutory changes necessary to reflect the changes in law made by the Governor's Reorganization Plan No. 2, and would also make additional conforming name changes to properly reflect the	Chaptered

assignment and reorganization of the functions of state government among the newly established executive officers and agencies.

SB 179	Galgiani	<p>Administrative Procedures</p> <p>Summary: Would require the Office of Administrative Law to allow electronic submission to the office by a state agency of notices required to be published and information required to be submitted pursuant to specified provisions of existing law. The bill would also expand the public discussion requirement to require a state agency proposing to adopt regulations, prior to publication of a notice of proposed adoption, amendment, or repeal of a regulation, to involve parties that would be subject to the proposed regulations in public discussions regarding those proposed regulations, without regard to the complexity or number of proposals. This bill contains other related provisions and other existing laws.</p>	Dead
SB 662	Galgiani	<p>Structural pest control operators: financial responsibility.</p> <p>Summary: Would delete the option of obtaining a bond, in order to be issued registration by the Structural Pest Control Board, to do business as a structural pest control operator. The bill would delete the requirement that written evidence of an insurance policy be filed, and increase the minimum limits for the insurance policy to \$500,000. Because the bill would expand the scope of a crime, it would create a state-mandated local program.</p>	Chaptered

Text of Pesticide Related Chaptered Bills

BILL NUMBER: AB 304 CHAPTERED

BILL TEXT

CHAPTER 584

INTRODUCED BY Assembly Member Das Williams

FEBRUARY 12, 2013

An act to amend Sections 14022, 14023, and 14024 of the Food and Agricultural Code, relating to pesticides.

LEGISLATIVE COUNSEL'S DIGEST

AB 304, Williams. Pesticides: toxic air contaminant: control measures.

(1) Existing law requires the Director of Pesticide Regulation, upon completion of an evaluation of a pesticide, to prepare a report on the health effects of any pesticide determined to be a toxic air contaminant that poses a present or potential hazard to human health due to airborne emission from its use, as specified. Existing law requires this report to be made available to the public, as specified. Existing law also requires the director to determine, in consultation with specified agencies, the need for and appropriate degree of control measures for each pesticide listed as a toxic air contaminant. Existing law defines toxic air contaminant to include those pesticides that have been identified as hazardous air pollutants pursuant to federal law.

This bill would require the director's written determination regarding control measures for each pesticide and any formal written comments made by consulting agencies be made available to the public. The bill, for each pesticide for which a risk assessment has been completed that has been identified by the director as a toxic air contaminant based on its listing as a federally identified hazardous air pollutant, would require the director, in consultation with the Office of Environmental Health Hazard Assessment, the State Air Resources Board, and the air pollution control or air quality management districts in the affected counties, to determine the need for and appropriate degree of control measures, as specified. The bill would require the director's written determination and any formal written comments made by consulting agencies in regard to control measures for these pesticides to be made available to the public.

(2) Existing law requires, for those pesticides for which a need for control measures has been determined, the director, in consultation with specified agencies, to develop control measures designed to reduce emissions sufficiently so the source will not expose the public to the levels of exposure that may cause or contribute to significant adverse health effects. Existing law requires, after a public hearing, the director to adopt, by regulation, control measures, including application of the best practicable control techniques for those pesticides for which a need has been determined.

This bill would require the director to follow specified consultation procedures and would require the director, within 2 years of the determination of the need for control measures, as specified, to adopt control measures to protect human health. The bill, if the director is unable to adopt control measures to protect human health within 2 years of the determination of the need for control measures, would require the director to submit a specified report to the appropriate committees of the Legislature setting forth the reasons that requirement has not been met and to update that report, as specified. The bill would require, with respect to any pesticide for which a determination of the need for control measures was made before January 1, 2014, that the 2-year period described above commence on January 1, 2014.

(3) This bill also would make nonsubstantive changes to these provisions.

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

SECTION 1.

Section 14022 of the *Food and Agricultural Code* is amended to read:

14022.

(a) In consultation with the Office of Environmental Health Hazard Assessment and the State Air Resources Board, the director shall evaluate the health effects of pesticides that may be or are emitted into the ambient air of California and that may be determined to be a toxic air contaminant that poses a present or potential hazard to human health. Upon request of the State Air Resources Board, the director shall include a pesticide for evaluation.

(b) The director shall complete the evaluation of a pesticide within 90 days after receiving the scientific data specified in subdivision (c) from the Office of Environmental Health Hazard Assessment and the State Air Resources Board. The director may extend the 90-day deadline for a period not to exceed 30 days if the director transmits to the Assembly Committee on Rules and the Senate Committee on Rules, for transmittal to the appropriate standing, select, or joint committee of the Legislature, a statement of reasons for extension of the deadline.

(c) In conducting this evaluation, the director shall consider all available scientific data, including, but not limited to, relevant data provided by the Office of Environmental Health Hazard Assessment, the Occupational Safety and Health Division of the Department of Industrial Relations, international and federal health agencies, private industry, academic researchers, and public health and environmental

organizations. At the request of the director, the State Air Resources Board shall document the level of airborne emissions and the Office of Environmental Health Hazard Assessment shall provide an assessment of related health effects of pesticides that may be determined to pose a present or potential hazard and each agency shall provide technical assistance to the department as it conducts its evaluation.

(d) The director may request, and any person shall provide, information on any substance that is or may be under evaluation and that is manufactured, distributed, or used by the person to whom the request is made, in order to carry out his or her responsibilities pursuant to this chapter. Any person providing information pursuant to this subdivision shall identify, at the request of the director, that portion of the information submitted to the department that is a trade secret and, upon the request of the director, shall provide documentation to support the claim of the trade secret. Information supplied that is a trade secret, as specified in Section 6254.7 of the Government Code, and that is so marked at the time of submission shall not be released to the public by the director, except in accordance with Section 1060 of the Evidence Code and Section 21160 of the Public Resources Code.

(e) The director shall give priority to the evaluation and regulation of substances based on factors related to the risk of harm to public health, amount or potential amount of emissions, manner of usage of the pesticide in California, persistence in the atmosphere, and ambient concentrations in the community.

SEC. 2.

Section 14023 of the *Food and Agricultural Code* is amended to read:

14023.

(a) Upon completion of the evaluation conducted pursuant to Section 14022, the director shall, in consultation and with the participation of the Office of Environmental Health Hazard Assessment, prepare a report on the health effects of the pesticide that may be determined to be a toxic air contaminant that poses a present or potential hazard to human health due to airborne emission from its use. The report shall assess the availability and quality of data on health effects, including potency, mode of action, and other relevant biological factors, of the substance. The report shall also contain an estimate of the levels of exposure that may cause or contribute to adverse health effects and, in the case where there is no threshold of significant adverse health effects, the range of risk to humans, resulting from current or anticipated exposure. The report shall include the findings of the Office of Environmental Health Hazard Assessment. The report shall be made available to the public, subject to subdivision (d) of Section 14022.

(b) The report prepared pursuant to subdivision (a) shall be formally reviewed by the scientific review panel established according to Section 39670 of the Health and Safety Code. The director shall also make available the data deemed necessary to the scientific review panel, according to departmental procedures established to ensure confidentiality of proprietary information. The panel shall review, as appropriate, the scientific data on which the report is based, the scientific procedures and methods used to support the data, and the conclusions and assessments on which the report is based. The panel shall

submit its written findings to the director within 45 days after receiving the report, but it may petition the director for an extension of the deadline, which may not exceed 15 working days.

(c) If the scientific review panel determines that the health effects report is seriously deficient, the report shall be returned to the director who shall revise and resubmit the report, within 30 days following receipt of the panel's determination, to the panel before development of emission control measures.

(d) Within 10 working days following receipt of the findings of the scientific review panel pursuant to subdivision (b), the director shall prepare a hearing notice and a proposed regulation that shall include the proposed determination as to whether a pesticide is a toxic air contaminant. After conducting a public hearing pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the director shall list, by regulation, pesticides determined to be toxic air contaminants.

(e) The director shall determine, in consultation with the Office of Environmental Health Hazard Assessment, the State Air Resources Board, and the air pollution control districts or air quality management districts in the affected counties, the need for and appropriate degree of control measures for each pesticide listed as a toxic air contaminant pursuant to subdivision (d). Any person may submit written information for consideration by the director in making determinations on control measures. The director's written determination and any formal written comments made by the consulting agencies shall be made available to the public.

(f) For each pesticide identified by the director as a toxic air contaminant based on its listing as a hazardous air pollutant pursuant to Section 7412 of Title 42 of the United States Code for which a risk assessment has been completed, the director, in consultation with the Office of Environmental Health Hazard Assessment, the State Air Resources Board, and the air pollution control or air quality management districts in the affected counties, shall determine the need for and appropriate degree of control measures. Any person may submit written information for consideration by the director in making determinations on control measures. The director's written determination and any formal written comments made by the consulting agencies shall be made available to the public.

SEC. 3.

Section 14024 of the *Food and Agricultural Code* is amended to read:

14024.

(a) For those pesticides for which a need for control measures has been determined pursuant to subdivision (e) or (f) of Section 14023 and pursuant to provisions of this code, the director, in consultation with the agricultural commissioners, air pollution control districts, and air quality management districts in the affected counties, shall develop control measures designed to reduce emissions sufficiently so that the source will not expose the public to the levels of exposure that may cause or contribute to significant adverse health effects. If no demonstrable safe level or threshold of significant adverse health effects has been established by the director, the control measures shall be

designed to adequately prevent an endangerment of public health through the application of best practicable control techniques.

(b) Best practicable control techniques may include, but are not limited to, the following:

(1) Label amendments.

(2) Applicator training.

(3) Restrictions on use patterns or locations.

(4) Changes in application procedures.

(5) Reclassification as a restricted material.

(6) Cancellation.

(c) (1) The director shall follow the consultation procedures set forth in subdivision (a) and, within two years of the determination of the need for control measures pursuant to subdivision (e) or (f) of Section 14023, shall adopt control measures to protect human health.

(2) (A) If the director is unable to adopt control measures to protect human health within two years of the determination of the need for control measures pursuant to paragraph (1), the director shall submit a report to the appropriate committees of the Legislature setting forth the reasons this requirement has not been met.

(B) The director shall update the report submitted to the appropriate committees of the Legislature pursuant to subparagraph (A) every two years until the control measures have been adopted.

(C) If the registration for the use of a particular pesticide is rescinded or if the director determines there has been a dramatic decline in the use of a particular pesticide so that control measures for that particular pesticide are no longer needed, the director shall include this information in the report submitted to the appropriate committees of the Legislature pursuant to subparagraph (A) and the director's obligations pursuant to paragraph (1) shall be deemed to have been met.

(d) For purposes of this section, with respect to any pesticide for which a determination of the need for control measures was made before January 1, 2014, the two-year period described in subdivision (c) shall commence on January 1, 2014.

(e) After conducting a public hearing pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the director shall adopt, by regulation, control measures, including application of the best practicable control techniques enumerated in subdivision (b)

or any other best applicable control technique, for those pesticides for which a need has been determined.

BILL NUMBER: AB 425 CHAPTERED

BILL TEXT

CHAPTER 587

INTRODUCED BY Assembly Member Toni Atkins

FEBRUARY 15, 2013

An act relating to pesticides.

LEGISLATIVE COUNSEL'S DIGEST

AB 425, Atkins. Pesticides: copper-based antifouling paint: leach rate determination: mitigation measure recommendations.

Existing law requires every manufacturer of, importer of, or dealer in any pesticide, except a person that sells any pesticide that has been registered by the manufacturer or wholesaler, to obtain a certificate of registration from the Department of Pesticide Regulation before the pesticide is offered for sale. This bill would require the department, no later than February 1, 2014, to determine a leach rate for copper-based antifouling paint used on recreational vessels and to make recommendations for appropriate mitigation measures that may be implemented to protect aquatic environments from the effects of exposure to that paint if it is registered as a pesticide.

The people of the state of California do enact as follows:

SECTION 1.

No later than February 1, 2014, the Department of Pesticide Regulation shall determine a leach rate for copper-based antifouling paint used on recreational vessels and make recommendations for appropriate mitigation measures that may be implemented to address the protection of aquatic environments from the effects of exposure to that paint if it is registered as a pesticide.

BILL NUMBER: AB 1177 CHAPTERED

BILL TEXT

CHAPTER 596

INTRODUCED BY Assembly Member Raul Bocanegra

FEBRUARY 22, 1013

An act to amend Sections 8698, 8698.1, 8698.3, and 8698.6 of, and to add Section 8698.4 to, the Business and Professions Code, and to add Section 15204.6 to the Food and Agricultural Code, relating to structural fumigation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1177, Bocanegra. Structural fumigation.

Existing law, until January 1, 2014, establishes a structural fumigation enforcement program that requires the Director of the Department of Pesticide Regulation to provide oversight for the program. Existing law authorizes the Los Angeles County Agricultural Commissioner, the Orange County Agricultural Commissioner, the Santa Clara County Agricultural Commissioner, and the San Diego County Agricultural Commissioner to perform increased structural fumigation, inspection, and enforcement activities, to be funded by a \$5 fee paid by any person who performs a structural fumigation in those counties, as specified. Existing law requires that the fees be accompanied by a copy of a monthly pesticide use report, as specified. Existing law authorizes the director to adopt regulations to carry out those provisions, and to levy a civil penalty against persons violating those provisions or regulations, as specified. Existing law provides that the funds collected from the fees shall be paid to the county and used for the sole purpose of funding enforcement and training activities directly related to the structural fumigation program.

This bill would increase the fee described above from \$5 to \$8, and would revise the reporting requirements, as specified. The bill would extend the operation of these provisions until January 1, 2018.

Existing law requires specified structural pest control licensees to annually register with the agricultural commissioner of a county prior to operating a structural pest control business in that county.

This bill would authorize a county agricultural commissioner to require full payment of any delinquent fees due to that county pursuant to the enforcement program described above as a condition to registering a structural pest control licensee to operate a structural pest control business in that county.

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

SECTION 1.

Section 8698 of the *Business and Professions Code* is amended to read:

8698.

The Director of the Department of Pesticide Regulation shall provide oversight for the purposes of carrying out Section 8698.1. The Los Angeles County Agricultural Commissioner, the Orange County Agricultural Commissioner, the Santa Clara County Agricultural Commissioner, and the San Diego County Agricultural Commissioner may perform increased structural fumigation, inspection, and enforcement activities, to be funded by the eight-dollar (\$8) fee collected pursuant to Section 8698.1.

SEC. 2.

Section 8698.1 of the *Business and Professions Code* is amended to read:

8698.1.

(a) Any company that performs a structural fumigation in Los Angeles County, Orange County, Santa Clara County, or San Diego County shall pay to the county agricultural commissioner a fee of eight dollars (\$8) for each fumigation conducted at a specific location.

(b) The fees shall be submitted by the 10th day of the month following the month in which the structural fumigation was performed. The fees shall be accompanied by report that lists the addresses of all locations in that county at which a structural fumigation was performed during the prior month.

SEC. 3.

Section 8698.3 of the *Business and Professions Code* is amended to read:

8698.3.

(a) The Director of the Department of Pesticide Regulation may levy a civil penalty against a person or company violating this chapter, including any regulation adopted pursuant to this chapter.

(b) Before a civil penalty is levied, the person charged with the violation shall receive notice of the nature of the violation and shall be given an opportunity to be heard, including the right to review the director's evidence and a right to present evidence on his or her own behalf.

(c) Review of the decision of the director may be sought by the person against whom the penalty was levied, within 30 days of receiving notice of the decision, pursuant to Section 1094.5 of the Code of Civil Procedure.

(d) After the exhaustion of the review procedure provided in this section, the director, or his or her representative, may file a certified copy of a final decision of the director that directs the payment of a

civil penalty and, if applicable, any order that denies a petition for a writ of administrative mandamus, with the clerk of the superior court of any county. Judgment shall be entered immediately by the clerk in conformity with the decision or order. No fees shall be charged by the clerk of the superior court for the performance of any official service required in connection with the entry of judgment pursuant to this section.

SEC. 4.

Section 8698.4 is added to the *Business and Professions Code*, to read:

8698.4.

Pursuant to Section 15204.6 of the Food and Agricultural Code, a county agricultural commissioner may require full payment of any delinquent fees due to that county pursuant to Section 8698.1 as a condition to registering a structural pest control licensee to operate a structural pest control business in that county.

SEC. 5.

Section 8698.6 of the *Business and Professions Code* is amended to read:

8698.6.

This chapter shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, which is chaptered before January 1, 2018, deletes or extends that date.

SEC. 6.

Section 15204.6 is added to the *Food and Agricultural Code*, to read:

15204.6.

A commissioner may require full payment of any delinquent fees due to the county pursuant to Section 8698.1 of the Business and Professions Code as a condition of registering a structural pest control licensee to operate a structural pest control business in that county pursuant to Sections 15204 and 15204.5.

BILL NUMBER: AB 1317 CHAPTERED

BILL TEXT

CHAPTER 352

INTRODUCED BY Assembly Member Jim Frazier

FEBRUARY 22, 2013

An act to amend Sections associated with the Governor's Reorganization. Plan No.2

LEGISLATIVE COUNSEL'S DIGEST

AB 1317, Frazier. State government operations.

Existing law and the Governor's Reorganization Plan No. 2, effective July 3, 2012, and operative July 1, 2013, assigns and reorganizes the functions of state government among executive officers and agencies by creating the following general agency structure in the executive branch: Business, Consumer Services and Housing; Government Operations; Corrections and Rehabilitation; Labor and Workforce Development; California Health and Human Services; Environmental Protection; Natural Resources; and Transportation. This bill would enact the statutory changes necessary to reflect the changes in law made by the Governor's Reorganization Plan No. 2, and would also make additional conforming name changes to properly reflect the assignment and reorganization of the functions of state government among the newly established executive officers and agencies. This bill would reallocate certain duties of reorganized and abolished state entities and their officers to established state entities and officers, including, but not limited to, reallocating specified duties of the abolished Business, Transportation and Housing Agency and its secretary to the newly created Transportation Agency and its Secretary of Transportation, and reallocating specified duties to the newly created Department of Business Oversight and its commissioner. This bill would become operative, like the Governor's Reorganization Plan No. 2, on July 1, 2013, except as specifically provided. This bill would declare that it is to take effect immediately as an urgency statute.

This bill is 381 pages. The following text is an excerpt of the sections relevant to the DPR.

SEC. 9.

Section 8502 of the *Business and Professions Code* is amended to read:

8502. "Board" refers to the Structural Pest Control Board within the Department of Consumers Affairs.

SEC. 10.

Section 8520 of the *Business and Professions Code* is amended to read:

8520.

- (a) There is in the Department of Consumer Affairs a Structural Pest Control Board, which consists of seven members.
- (b) Subject to the jurisdiction conferred upon the director by Division 1 (commencing with Section 100), the board is vested with the power to and shall administer the provisions of this chapter.
- (c) It is the intent of the Legislature that consumer protection is the primary mission of the board.
- (d) This section shall remain in effect only until January 1, 2015, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2015, deletes or extends that date. The repeal of this section renders the board subject to the review required by Division 1.2 (commencing with Section 473).

SEC. 11.

Section 8520.2 of the *Business and Professions Code* is amended to read:

8520.2.

- (a) The Structural Pest Control Board is hereby transferred from the jurisdiction of the Department of Pesticide Regulation and placed under the jurisdiction of the Department of Consumer Affairs.
- (b) The registrar of the board under the jurisdiction of the Department of Pesticide Regulation shall remain as the registrar of the board under the jurisdiction of the Department of Consumer Affairs.
- (c) The members appointed to the board while under the jurisdiction of the Department of Pesticide Regulation shall remain as members of the board under the jurisdiction of the Department of Consumer Affairs.
- (d) All employees of the board under the jurisdiction of the Department of Pesticide Regulation are hereby transferred to the board under the jurisdiction of the Department of Consumer Affairs.
- (e) The duties, powers, purposes, responsibilities, and jurisdictions of the board under the jurisdiction of the Department of Pesticide Regulation shall remain with the board under the jurisdiction of the Department of Consumer Affairs.
- (f) For the performance of the duties and the exercise of the powers vested in the board under this chapter, the board shall have possession and control of all records, papers, offices, equipment, supplies, or other property, real or personal, held for the benefit or use by the board formerly within the jurisdiction of the Department of Pesticide Regulation.
- (g) Any reference to the board in this chapter or in any other provision of law or regulation shall be construed as a reference to the board under the jurisdiction of the Department of Consumer Affairs.

SEC. 12. Section 8525 of the *Business and Professions Code* is amended to read:

8525. (a) The board, subject to the approval of the director, may, in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the *Government Code*, adopt, amend, repeal, and enforce reasonably necessary rules and regulations relating to the practice of pest control and its various branches as established by Section 8560 and the administration of this chapter.
- (b) The board shall consult with the Department of Pesticide Regulation when developing or adopting regulations that may affect the Department of Pesticide Regulation or a county agricultural commissioner's responsibilities pursuant to Division 7 (commencing with Section 12500) of the *Food and Agricultural Code*.

SEC. 13.

Section 8674 of the *Business and Professions Code* is amended to read:

8674.

The fees prescribed by this chapter are the following: (a) A duplicate license fee of not more than two dollars (\$2).

- (b) A fee for filing a change of name of a licensee of not more than two dollars (\$2).
- (c) An operator's examination fee of not more than twenty-five dollars (\$25).
- (d) An operator's license fee of not more than one hundred fifty dollars (\$150).
- (e) An operator's license renewal fee of not more than one hundred fifty dollars (\$150).
- (f) A company registration fee of not more than one hundred twenty dollars (\$120).
- (g) A branch office registration fee of not more than sixty dollars (\$60).
- (h) A field representative's examination fee of not more than fifteen dollars (\$15).
- (i) A field representative's license fee of not more than forty-five dollars (\$45).
- (j) A field representative's license renewal fee of not more than forty-five dollars (\$45).
- (k) An applicator's examination fee of not more than fifteen dollars (\$15).
- (l) An applicator's license fee of not more than fifty dollars (\$50).
- (m) An applicator's license renewal fee of not more than fifty dollars (\$50).
- (n) An activity form fee, per property address, of not more than three dollars (\$3).
- (o) A fee for certifying a copy of an activity form of not more than three dollars (\$3).
- (p) A fee for filing a change of a registered company's name, principal office address, or branch office address, qualifying manager, or the names of a registered company's officers, or bond or insurance of not more than twenty-five dollars (\$25) for each change.
- (q) A fee for approval of continuing education providers of not more than fifty dollars (\$50).
- (r) A pesticide use report filing fee of not more than five dollars (\$5) for each pesticide use report or combination of use reports representing a registered structural pest control company's total county pesticide use for the month.
- (s) A fee for approval of continuing education courses of not more than twenty-five dollars (\$25).
- (t) (1) Any person who pays a fee pursuant to subdivision (r) shall, in addition, pay a fee of two dollars (\$2) for each pesticide use stamp purchased from the board. Notwithstanding any other provision of law, the fee established pursuant to this subdivision shall be deposited with a bank or other depository approved by the Department of Finance and designated by the Research Advisory Panel or into the Structural Pest Control Research Fund that is hereby continued in existence and continuously appropriated to be used only for structural pest control research. If the Research Advisory Panel designates that the fees be deposited in an account other than the Structural Pest Control Research Fund, any moneys in the fund shall be transferred to the designated account.
- (2) Prior to the deposit of any funds, the depository shall enter into an agreement with the Department of Consumer Affairs that includes, but is not limited to, all of the following requirements:
 - (A) The depository shall serve as custodian for the safekeeping of the funds.
 - (B) Funds deposited in the designated account shall be encumbered solely for the exclusive purpose of implementing and continuing the program for which they were collected.
 - (C) Funds deposited in the designated account shall be subject to an audit at least once every two years by an auditor selected by the Director of Consumer Affairs. A copy of the audit shall be provided to the director within 30 days of completion of the audit.

(D) The Department of Consumer Affairs shall be reimbursed for all expenses it incurs that are reasonably related to implementing and continuing the program for which the funds were collected in accordance with the agreement.

(E) A reserve in an amount sufficient to pay for costs arising from unanticipated occurrences associated with administration of the program shall be maintained in the designated account.

(3) A charge for administrative expenses of the board in an amount not to exceed 5 percent of the amount collected and deposited in the Structural Pest Control Research Fund may be assessed against the fund. The charge shall be limited to expenses directly related to the administration of the fund. (4) The board shall, by regulation, establish a five-member research advisory panel, including, but not limited to, representatives from each of the following: (A) the Structural Pest Control Board, (B) the structural pest control industry, (C) the Department of Pesticide Regulation, and (D) the University of California. The panel, or other entity designated by the board, shall solicit on behalf of the board all requests for proposals and present to the panel all proposals that meet the criteria established by the panel. The panel shall review the proposals and recommend to the board which proposals to accept. The recommendations shall be accepted upon a two-thirds vote of the board. The board shall direct the panel, or other entity designated by the board, to prepare and issue the research contracts and authorize the transfer of funds from the Structural Pest Control Research Fund to the applicants whose proposals were accepted by the board.

(5) A charge for requests for proposals, contracts, and monitoring of contracted research shall not exceed 5 percent of the research funds available each year and shall be paid from the Structural Pest Control Research Fund.

BILL NUMBER: SB 662 CHAPTERED

BILL TEXT

CHAPTER 218

INTRODUCED BY Senate Member Cathleen Galgiani

FEBRUARY 22, 1013

An act to amend Sections 8690, 8691, 8692, 8697, and 8697.3 of, and to repeal Sections 8693 and 8697.5 of, the Business and Professions Code, relating to structural pest control operators.

LEGISLATIVE COUNSEL'S DIGEST

SB 662, Galgiani. Structural pest control operators: financial responsibility.

Existing law requires, in order to be allowed to do business in this state, that structural pest control operators file with the Structural Pest Control Board written evidence of an insurance policy approved by the board or a bond, as specified, in effect at the time of the issuance of the company's registration by the board. The insurance policy is required to provide minimum limits of \$25,000 for any one loss due to bodily injury, sickness, or disease, including death, sustained by a person, and \$25,000 minimum for any one loss due to injury or destruction of property, including loss of use. A violation of the financial responsibility provisions for structural pest control operators is a crime.

This bill would delete the option of obtaining a bond, in order to be issued registration by the board, to do business as a structural pest control operator. The bill would delete the requirement that written evidence of an insurance policy be filed, and increase the minimum limits for the insurance policy to \$500,000. Because the bill would expand the scope of a crime, it would create a state-mandated local program.

Existing law requires structural pest control operators to maintain a surety bond in the amount of \$4,000 in order to maintain its license or company registration. If a structural pest control operator's license or company registration is suspended or revoked, on specified grounds, the registrar of the board shall require the applicant, licensee, or registered company, as a condition of the issuance, reissuance, or restoration of the license or company registration, to file a surety bond in a sum to be determined by the registrar based upon the seriousness of the violation, but not less than \$1,000 nor more than \$8,000.

This bill would raise the amount of the surety bond, needed to maintain the license or company registration, from \$4,000 to \$12,500, and would raise the upper limits of the amount of the surety bond required for an issuance, reissuance, or restoration of the license or company registration, after a suspension or revocation, from \$8,000 to \$25,000.

This bill would also make conforming changes.

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.

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

SECTION 1.

Section 8690 of the *Business and Professions Code* is amended to read:

8690.

The board shall not issue any company registration under this chapter unless the applicant shall have filed with the board on a form prescribed by the board evidence of an insurance policy approved by the board as specified in this article, being in effect at the time of the issuance of the company registration. This evidence shall include a provision that the board shall be given a 10-day notice by the insurance company should the policy be canceled or changed during the policy period in a manner as to affect the evidence. Another method of deposit, including a certificate of deposit, or other undertaking shall not satisfy this requirement.

SEC. 2.

Section 8691 of the *Business and Professions Code* is amended to read:

8691.

A registered company shall not engage in the practices for which it is required to be registered by this chapter unless it maintains an insurance policy as specified in this article.

SEC. 3.

Section 8692 of the *Business and Professions Code* is amended to read:

8692.

(a) An “insurance policy” as used in this article means a contract of liability insurance issued by an insurance company authorized to transact business in this state or one issued by a nonadmitted carrier whose activities in this state are controlled by the Surplus Line Association, which insures the policyholder against loss from legal liability for damages on property upon which work is being performed or has been completed, including third-party losses, as a result of an accident or occurrence due to participation in control, prevention, or repair activities that require a license under this chapter. The insurance policy shall provide minimum limits of five hundred thousand dollars (\$500,000) for any one loss due to bodily injury, sickness, or disease, including death at any time resulting therefrom, sustained by any person, and five hundred thousand dollars (\$500,000) minimum for any one loss due to injury or destruction of property, including the loss of use of the property.

(b) This section shall not be construed to require errors and omissions insurance for all activities relating to or during inspections, inspection reports, recommendations, estimates, and bids, whether oral or written.

SEC. 4.

Section 8693 of the *Business and Professions Code* is repealed.

SEC. 5.

Section 8697 of the *Business and Professions Code* is amended to read:

8697.

Each company registered under the provisions of this chapter shall maintain a bond executed by an admitted surety insurer in the amount of twelve thousand five hundred dollars (\$12,500). Another method of deposit, including a certificate of deposit, or other undertaking shall not satisfy this requirement.

SEC. 6.

Section 8697.3 of the *Business and Professions Code* is amended to read:

8697.3.

(a) If, after a hearing conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, a license or company registration is suspended or revoked upon the grounds set forth in Article 7 (commencing with Section 8620), the registrar shall require the applicant, licensee, or registered company, as a condition to the issuance, reissuance, or restoration of the license or company registration, to file a surety bond in the sum to be determined by the registrar based upon the seriousness of the violation, but the sum shall not be less than one thousand dollars (\$1,000) nor more than twenty-five thousand dollars (\$25,000).

(b) The bond required by this section shall be in addition to the bond required by Section 8697 of this article.

(c) Each applicant, licensee, or registered company required to maintain a bond of the type provided in this section shall post the bond with the registrar for a period of at least two years and during the additional time as there may be unsatisfied claims outstanding against the same.

SEC. 7.

Section 8697.5 of the *Business and Professions Code* is repealed.

SEC. 8.

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