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ENROLLED SEPTEMBER 08, 2021

PASSED IN SENATE SEPTEMBER 03, 2021

PASSED IN ASSEMBLY JUNE 01, 2021

AMENDED IN ASSEMBLY MAY 24, 2021

AMENDED IN ASSEMBLY APRIL 19, 2021

AMENDED IN ASSEMBLY APRIL 08, 2021

CALIFORNIA LEGISLATURE— 2021–2022 REGULAR SESSION

ASSEMBLY BILL**NO. 418****Introduced by Assembly Member Valladares****February 04, 2021**

An act to add Article 16.7 (commencing with Section 8654.15) to Chapter 7 of Division 1 of Title 2 of the Government Code, relating to emergency services.

LEGISLATIVE COUNSEL'S DIGEST

AB 418, Valladares. Emergency services: grant program.

Existing law, the California Emergency Services Act, establishes the Office of Emergency Services in the office of the Governor and provides that the office is responsible for the state's emergency and disaster response services for natural, technological, or manmade disasters and emergencies.

This bill would establish the Community Power Resiliency Program (program), to be administered by the Office of Emergency Services, to support local governments' efforts to improve resiliency in response to power outage events, as provided. The bill would require the office to allocate funds, pursuant to an appropriation by the Legislature, to local governments, special districts, and tribes for various purposes relating to power resiliency, and would require certain entities, in order to be eligible for funding, to either describe the portion of their emergency plan that includes power outages or confirm that power outages will be included when the entity revises any portion of their emergency plan.

Cities, special districts, and tribes would be allocated funds on a competitive basis, under the provisions of this bill, while counties would be allocated a noncompetitive amount to be divided between all counties based upon population. The bill would require the office to provide an annual report to the Legislature detailing specified information, and to monitor, track, and report to the Legislature information regarding specific projects. The bill would authorize the office to retain up to 3% of the total appropriation for administration of the program.

The bill would declare the intent of the Legislature to enact future legislation to transfer funds to the Office of Emergency Services for the program.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Article 16.7 (commencing with Section 8654.15) is added to Chapter 7 of Division 1 of Title 2 of the Government Code, to read:

Article 16.7. Community Power Resiliency Program

8654.15. (a) The Community Power Resiliency Program is hereby established, to be administered by the office, to support local government efforts to improve resiliency in response to power outage events.

(b) The office shall also provide competitive and noncompetitive grant funding through the program to local governments, special districts, and tribes to plan and deploy resiliency projects that maintain service during power outage events.

8654.16. (a) The office shall allocate funds, pursuant to any future appropriation by the Legislature for the purposes of this article, as follows:

(1) To counties on a noncompetitive basis, to be divided between all counties based upon the population. Counties shall use grant funds to improve local resilience to ensure that local operations and critical facilities and infrastructure can continue to operate during power outage events.

(2) To cities on a competitive basis. The office shall give preference points to cities that did not receive a grant award from the 2019 Community Power Resiliency appropriation or the 2020 Community Power Resiliency appropriation.

(3) To special districts on a competitive basis. Special districts shall be eligible to apply for grants to improve the energy resiliency of a critical facility or infrastructure operated by the special district.

(4) To California federally recognized tribes on a competitive basis. The office shall give preference points to tribes that did not receive a grant award from the 2019 Community Power Resiliency appropriation or the 2020 Community Power Resiliency appropriation.

(b) Before being eligible to receive funding, all entities who are required to have an emergency plan shall do either of the following:

(1) Describe the portion of their emergency plan that includes power outages, whether resulting from power shutoff events or for any other reason.

(2) Confirm that power outages, whether resulting from power shutoff events or for any other reason, will be included the next time the local or tribal government revises any portion of its emergency plan.

(c) The office shall provide an annual report to the Legislature, including, at a minimum, all of the following:

(1) The number of applications received under this program to date.

(2) The total amount requested by eligible entities to date.

(3) How the eligible entities invested grants under this program.

(4) The effectiveness and performance metrics used in carrying out this program.

(d) The office shall monitor, track, and report to the Legislature specific projects, per established protocols, to ensure timely and effective utilization of allocated funds and staff resources for the purpose of building resiliency in response to power outage events.

(e) The office shall submit the reports to the Legislature required by this article in compliance with Section 9795 of the Government Code.

8654.17. The office may retain up to 3 percent of any appropriation to administer the program, including the competitive grant resource allocation, approval determination, and procedures for allocating preference points.

SEC. 2. It is the intent of the Legislature to enact future legislation to transfer funds to the office to support the Community Power Resiliency Program as described in Section 1 of this act. If the Legislature transfers funds to the office, the office shall allocate the funds based on Section 1 of this act to counties, cities, special districts, and tribes.

SEC. 3. If the Legislature enacts future legislation to transfer funds to the office to support the Community Power Resiliency Program as described in Section 1 of this act, the office shall allocate the funds based on Section 1 of this act to counties, cities, special districts, and tribes.