

AMENDED IN SENATE JUNE 13, 2017

AMENDED IN ASSEMBLY MAY 18, 2017

AMENDED IN ASSEMBLY APRIL 4, 2017

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 523

Introduced by Assembly Member Reyes
(Principal coauthor: Senator Lara)

February 13, 2017

An act to add Section 25711.6 to the Public Resources Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 523, as amended, Reyes. Electric Program Investment Charge: allocation.

The California Constitution establishes the Public Utilities Commission (PUC), with jurisdiction over all public utilities, as defined. Existing decisions of the PUC institute an Electric Program Investment Charge (EPIC) to fund renewable energy and research, development, and demonstration programs.

Existing law creates in the State Treasury the Electric Program Investment Charge Fund to be administered by the State Energy Resources Conservation and Development Commission (Energy Commission) and requires the PUC to forward to the Energy Commission at least quarterly moneys for those EPIC programs the PUC has determined should be administered by the Energy Commission for deposit in the fund.

Existing law requires the Energy Commission, in administering moneys in the fund for research, development, and demonstration

programs, to develop and implement the EPIC program for the purpose of awarding funds to projects that may lead to technological advancement and breakthroughs to overcome barriers that prevent the achievement of the state's statutory energy goals and that may result in a portfolio of projects that are strategically focused and sufficiently narrow to make advancement on the most significant technological challenges.

This bill would require the Energy Commission to allocate at least 25% of the moneys in the fund for technology demonstration and deployment at sites located in, and benefiting, disadvantaged communities, as defined. The bill would require the Energy Commission to allocate at least an additional 10% of the moneys in the fund for technology demonstration and deployment at sites located in, and benefiting, low-income communities, as defined. The bill would require the Energy Commission to give preference for funding to clean energy projects under the EPIC program that benefit residents of low-income or disadvantaged communities.

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 25711.6 is added to the Public Resources
- 2 Code, to read:
- 3 25711.6. (a) The commission shall give preference for funding
- 4 pursuant to this chapter to clean energy projects that benefit
- 5 residents of low-income or disadvantaged communities.
- 6 (b) The commission shall expend at least 25 percent of the
- 7 moneys appropriated from the fund for technology demonstration
- 8 and deployment at sites located in, and benefiting, disadvantaged
- 9 communities.
- 10 (c) The commission shall expend at least 10 percent of the
- 11 moneys appropriated from the fund for technology demonstration
- 12 and deployment at sites located in, and benefiting, low-income
- 13 communities located in the state.
- 14 (d) Moneys allocated pursuant to subdivision (b) shall not count
- 15 toward the allocation made pursuant to subdivision (c).
- 16 (e) *The commission shall, if applicable, give the fullest possible*
- 17 *consideration to an applicant's analysis identifying potential*
- 18 *adverse localized health impacts.*

1 (e)

2 (f) For purposes of this section, the following definitions apply:

3 (1) “Disadvantaged communities” means communities identified
4 pursuant to Section 39711 of the Health and Safety Code.

5 (2) “Low-income communities” means communities within
6 census tracts with median household incomes at or below either
7 of the following levels:

8 (A) Eighty percent of the statewide median income.

9 (B) The applicable low-income threshold listed in the state
10 income limits updated by the Department of Housing and
11 Community Development and filed with the Office of
12 Administrative Law pursuant to subdivision (c) of Section 50093
13 of the Health and Safety Code.

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