

LEGAL ALERTS | AUG 29, 2016

# Legislature Passes Pair of Significant New Climate Change Bills

Gov. Brown Expected to Sign Laws that Will Have CEQA Implications



In the final days of its session, the California Legislature passed two climate change bills that expand existing laws aimed at reducing statewide greenhouse gas emissions. Senate Bill 32 (Fran Pavley, D-Agoura Hills) expands California's GHG emissions reduction program and Assembly Bill 197

(Eduardo Garcia, D-Coachella) increases legislative oversight of the California Air Resources Board.

SB 32 builds upon AB 32, California's 2006 landmark climate change law, and codifies an additional target first identified by Gov. Jerry Brown in a 2015 executive order. SB 32 adds section 38566 to the Health and Safety Code, requiring that CARB ensure that statewide GHG emissions are reduced to at least 40 percent below 1990 levels no later than Dec. 31, 2030. This 2030 target will serve as a concrete, legislatively approved goal for public agencies to consider when developing California Environmental Quality Act thresholds for GHG analysis. Additionally, the 2030 target will assist public agencies in their preparation of up-to-date climate action plans - plans that can streamline GHG analysis in CEQA documents.

AB 197 establishes a Joint Legislative Committee on Climate Change Policies, comprised of members from both the Assembly and Senate. The new committee will study climate change policies, make recommendations to the Legislature and most significantly, provide greater oversight of CARB. Specifically, AB 197 also adds two members of the Legislature as ex-officio, non-voting members to CARB and establishes six-year terms for all voting CARB members.

The two bills are "double-joined" and become operative only if both are enacted and become effective on or before Jan. 1, 2017. Brown indicated he will sign both bills, stating, "With these bills, California's charting a clear path on climate beyond 2020." Brown has until Sept. 30 to sign SB 32 and AB 197 into law.

## People



**Michelle Ouellette**

PARTNER

(951) 826-8373



**Charity B. Schiller**

PARTNER

(951) 826-8223



**Sarah E. Owsowitz**

OF COUNSEL

(925) 977-3308

## Related Practices

[California Environmental Quality Act \(CEQA\)](#)

[Environmental Law & Natural Resources](#)

If you have any questions about these new laws or how it may impact your organization, please contact the attorney authors of this Legal Alert listed to the right in the firm's [Environmental Law & Natural Resources](#) practice group, or your [BB&K attorney](#).

Please feel free to share this Legal Alert or subscribe by [clicking here](#). Follow us on Twitter [@BBKlaw](#).

*Disclaimer: BB&K Legal Alerts are not intended as legal advice. Additional facts or future developments may affect subjects contained herein. Seek the advice of an attorney before acting or relying upon any information in this communiqué.*