



Assembly Bill No. 205

CHAPTER 61

An act to add Article 13 (commencing with Section 16429.8) to Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code, to amend Sections 25403.2 and 25806 of, to add Chapter 6.2 (commencing with Section 25545), Chapter 7.4 (commencing with Section 25640), and Chapter 8.9 (commencing with Section 25790) to Division 15 of, and to add and repeal Section 25216.8 of, the Public Resources Code, to amend Sections 381, 739.1, 739.9, and 2827.1 of the Public Utilities Code, to add and repeal Section 17131.20 of the Revenue and Taxation Code, and to add Division 29 (commencing with Section 80700) to the Water Code, relating to energy, and making an appropriation therefor, to take effect immediately, bill related to the budget.

[Approved by Governor June 30, 2022. Filed with Secretary of State June 30, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 205, Committee on Budget. Energy.

(1) Existing law, until January 1, 2026, establishes the California Arrearage Payment Program (CAPP) within the Department of Community Services and Development. Existing law requires the department to survey utility applicants to obtain data pertaining to the total number of residential and commercial customer accounts in arrears to determine the total statewide energy utility arrearage and to develop an allocation formula for determining an individual utility applicant's share of CAPP funds. Existing law authorizes specified utilities to apply for CAPP funds on behalf of their customers, and requires the utility to use any funds received to offset customer arrearages that were incurred during the COVID-19 pandemic bill relief period, as specified. Existing law prohibits service from being discontinued due to nonpayment for those customers included in a utility's CAPP application while the department reviews and approves all pending CAPP applications, and requires the utility applicant to waive any associated late fees and accrued interest for customers who are awarded CAPP benefits. Existing law requires the department to report specified data to the Legislature and on its public-facing internet website relating to distribution of CAPP benefits.

This bill would, upon appropriation, establish the 2022 California Arrearage Payment Program (2022 CAPP) within the Department of Community Services and Development. The bill would require the department to release program notices and post program notices related to 2022 CAPP administration on its public-facing internet website. The bill would require the department to make available an online application for utility applicants to request 2022 CAPP funding for residential customers.

(SKIP TO PAGE 21, ITEM 25545.8, HIGHLIGHTED IN YELLOW)

immediate environment and the cultural practices that build on that knowledge, including California Native American tribes' intimate and detailed knowledge of plants, animals, and natural phenomena, the development and use of appropriate technologies for hunting, fishing, trapping, agriculture, and forestry, and a holistic knowledge or worldview that parallels the scientific discipline of ecology.

(b) Within five days after the application is deemed complete pursuant to Section 25545.4, the commission shall submit the application to all California Native American tribes that are culturally and traditionally associated with the geographic area of the proposed site and initiate consultation with those tribes pursuant to Sections 21080.3.1, 21080.3.2, and 21082.3.

(c) The commission shall take feasible measures to avoid or minimize adverse impacts to tribal cultural resources.

(d) During the consultation process, the commission shall solicit the traditional ecological knowledge of the California Native American tribes and, where feasible, incorporate the California Native American tribes' traditional ecological knowledge into the environmental impact report for the application.

(e) Where feasible, the commission shall invite tribal historic preservation officers of, or other cultural monitors designated by, California Native American tribes that are culturally or traditionally associated with the geographic area of the proposed site to observe and monitor activities at the site during the environmental review and certification process.

25545.7.6. (a) No sooner than 30 days and no later than 60 days after the issuance of the notice of availability of the draft environmental impact report, the commission shall hold at least one public meeting on the draft environmental impact report as close as practicable to the proposed site.

(b) Notwithstanding subdivision (a) of Section 21091, the public review and comment period for the draft environmental impact report for an application shall be at least 60 days.

(c) No sooner than 30 days after the completion of the final environmental impact report, the commission shall consider the certification of the environmental impact report of the application at a public meeting.

(d) This chapter does not limit the commission from holding additional public meetings.

25545.8. (a) For the consideration of an application and the issuance of a certification under this chapter, the commission shall comply with the requirements of subdivisions (a), (d), (e), (g), and (h), inclusive, of Section 25523.

(b) Subdivisions (f), (g), (j) and (k) of Section 25519, and Sections 25525, 25527, and 25538 apply to an application submitted pursuant to this chapter.

25545.9. The commission shall not certify a site and related facility under this chapter unless the commission finds that the construction or operation of the facility will have an overall net positive economic benefit to the local government that would have had permitting authority over the

ACTON TAKES ACTION EDITOR'S NOTE:

**Chapter 61, Section 4 of AB 205– 25545.8 (on page 21) states that the CEC must comply with the requirements in statutes 25523(d) and 25525 of the Warren-Alquist Act. This section of AB205 is 48 pages so we have only kept page 1 of Chapter 61 and page 21 with the relevant section in this pdf. For the full document please use the document link before

Link to this portion of CA Bill AB205 –

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB205