

AMENDED IN ASSEMBLY APRIL 19, 2021

AMENDED IN ASSEMBLY APRIL 8, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

**ASSEMBLY BILL**

**No. 418**

---

---

**Introduced by Assembly Member Valladares**

February 4, 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, as amended, 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 ~~energy~~ resiliency in response to ~~deenergization events and to mitigate the loss of electricity occurring from any other event, as provided.~~ *power outage events, as provided.* The bill would authorize the office to allocate specified sums, 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,~~

~~Cities,~~ ~~special districts~~ *districts*, and tribes would be eligible, under the provisions of this bill, to apply for competitive grants, 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 ~~certain committees~~ of 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 and would require the office to administer the program.

The bill would specify that the Legislature intends to enact future legislation to transfer \$100,000,000 from the General Fund to the Office of Emergency Services for the program.

The bill would specify sums that would be allocated to the entities if the Legislature enacts future legislation to allocate only \$50,000,000 to the office for the program.

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

4  
5 Article 16.7. Community Power Resiliency Program

6  
7 8654.15. (a) The Community Power Resiliency Program is  
8 hereby established, to be administered by the office, to support  
9 local government efforts to improve ~~energy~~ resiliency in response  
10 to ~~deenergization events by electrical corporations or local publicly~~  
11 ~~owned electric utilities and to mitigate the loss of electricity~~  
12 ~~occurring from any other event.~~ *power outage events.*

13 (b) The office shall also provide competitive and noncompetitive  
14 grant funding through the program to local governments, special  
15 districts, and tribes to plan and deploy ~~energy~~ resiliency projects  
16 that maintain ~~energy services during a deenergization event or~~  
17 ~~other power outage.~~ *service during power outage events.*

1 8654.16. (a) The office shall allocate funds, pursuant to any  
2 future appropriation by the ~~Legislature, to~~ *Legislature for the*  
3 *purposes of this article, as follows:*

4 (1) *To* counties on a noncompetitive basis, to be divided between  
5 all counties based upon the population. Counties shall use grant  
6 funds to improve local ~~power~~ resilience to ensure that local  
7 operations and critical facilities and infrastructure can continue to  
8 operate during a ~~deenergization event or other power outage.~~ *power*  
9 *outage events.*

10 ~~(b) The office shall allocate funds, pursuant to any future~~  
11 ~~appropriation by the Legislature, to~~

12 (2) *To* cities on a competitive basis. Cities shall be eligible for  
13 grants of up to three hundred thousand dollars (\$300,000). The  
14 office shall give preference points to cities that did not receive a  
15 grant award from the 2019 Community Power Resiliency  
16 appropriation or the 2020 Community Power Resiliency  
17 appropriation.

18 ~~(c) The office shall allocate funds, pursuant to any future~~  
19 ~~appropriation by the Legislature, to~~

20 (3) *To* special districts on a competitive basis. Special districts  
21 shall be eligible to apply for grants of up to three hundred thousand  
22 dollars (\$300,000) to improve the energy resiliency of a critical  
23 facility or infrastructure operated by the special district.

24 ~~(d) The office shall allocate funds, pursuant to any future~~  
25 ~~appropriation by the Legislature, to~~

26 (4) *To* California federally recognized tribes on a competitive  
27 basis. Tribes are eligible to apply for grants of up to two hundred  
28 thousand dollars (\$200,000) without specification of prioritization  
29 of funding. The office shall give preference points to tribes that  
30 did not receive a grant award from the 2019 Community Power  
31 Resiliency appropriation or the 2020 Community Power Resiliency  
32 appropriation.

33 ~~(e)~~

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

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

39 (2) Confirm that power outages, whether resulting from power  
40 shutoff events or for any other reason, will be included the next

1 time the local or tribal government revises any portion of its  
2 emergency plan.

3 ~~(f)~~

4 (c) The office shall provide an annual report to the ~~Assembly~~  
5 ~~Committee on Emergency Management and the Senate Committee~~  
6 ~~on Governmental Organization detailing, Legislature, including,~~  
7 at a minimum, all of the following:

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

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

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

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

14 ~~(g) (1) The~~

15 (d) *The* office shall monitor, track, and report to the Legislature  
16 specific projects, per established protocols, to ensure timely and  
17 effective utilization of allocated funds and staff resources for the  
18 purpose of building resiliency to ~~public safety power shutoff events~~  
19 ~~or other power outages. in response to power outage events.~~

20 ~~(2)~~

21 (e) The office shall submit the ~~report~~ *reports* to the Legislature  
22 required by this ~~chapter~~ *article* in compliance with Section 9795  
23 of the Government Code.

24 8654.17. The office may retain up to 3 percent of any  
25 appropriation to administer the program, including the competitive  
26 grant resource allocation, approval determination, and procedures  
27 for allocating preference points.

28 SEC. 2. It is the intent of the Legislature to enact future  
29 legislation to transfer one hundred million dollars (\$100,000,000)  
30 to the office to support the Community Power Resiliency Program  
31 as described in Section 1 of this act. If the Legislature transfers  
32 one hundred million dollars (\$100,000,000) to the office, the office  
33 shall allocate the funds based on Section 1 of this act and the  
34 following:

35 (a) Thirty million dollars (\$30,000,000) to counties.

36 (b) Thirty million dollars (\$30,000,000) to cities.

37 (c) Thirty million dollars (\$30,000,000) to special districts.

38 (d) Seven million dollars (\$7,000,000) to tribes.

39 SEC. 3. If the Legislature enacts future legislation to transfer  
40 fifty million dollars (\$50,000,000) to the office to support the

- 1 Community Power Resiliency Program as described in Section 1  
2 of this act, the office shall allocate the funds based on Section 1  
3 of this act and the following:
- 4 (a) Twenty million dollars (\$20,000,000) to counties.
  - 5 (b) Thirteen million dollars (\$13,000,000) to cities.
  - 6 (c) Thirteen million dollars (\$13,000,000) to special districts.
  - 7 (d) Two million five hundred thousand dollars (\$2,500,000) to  
8 tribes.

O