



# Fact Sheet

## **SAFER Program Legislative History**

*This document provides SAFER-related legislation in reverse chronological order.*

### **Chapter 120, Statutes of 2019 (Monning, SB 200)**

This bill establishes the Safe and Affordable Drinking Water Fund (SADWF) and provides that monies in the Fund are continuously appropriated to the State Water Board to help water systems provide an adequate and affordable supply of safe drinking water in both the near and long term. The bill annually deposits five percent of Greenhouse Gas Reduction Fund (GGRF) revenues, up to \$130 million, to the SADWF until June 30, 2030. The bill requires that, beginning with the 2023-24 fiscal year, if the transfer from the GGRF to the SADWF is less than \$130 million in any given year, the Department of Finance is to transfer an amount from the General Fund to make up the difference. The bill specifies the purposes for which SADWF may be used, and additionally requires the State Water Board to: (1) annually develop a Fund Expenditure Plan; and (2) develop a map of aquifers that are used or likely to be used as a source of drinking water for state small water systems or domestic wells and that are at high risk of containing contaminants that exceed safe drinking water standards. The bill also makes various technical changes to provisions of existing law that enhance the Board's ability to implement the Safe and Affordable Drinking Water Program and ensure the delivery of safe drinking water.

### **Chapter 2, Statutes of 2015 (AB 92, Committee on Budget)**

This bill established the Office of Sustainable Solutions within the State Water Board to promote permanent and sustainable drinking water and wastewater treatment solutions to ensure effective and efficient provision of safe, clean, affordable, and reliable drinking water and wastewater treatment services. This act authorizes the State Water Board, upon application by a public agency, specified tribal governments, or not-for-profit organizations serving disadvantaged communities, that have authority to clean up or abate the effects of a waste, to order monies in the account to be paid to the entity to assist in cleaning up the waste or abating its effects on waters. This bill requires, until July 1, 2018, the State Water Board to fund a community water system that serves a disadvantaged community and authorizes funding to be used to assist in addressing an urgent water need. The bill exempts projects using funding from state contracting and procurement requirements and authorizes the State Water Board to adopt guidelines for the allocation and administration of the account that is exempt from the Administrative Procedure Act.



## **Chapter 27, Statutes of 2015 (Committee on Budget and Fiscal Review, SB 88)**

This bill, the Drought Budget Trailer Bill, makes various changes to existing law pertaining to mitigation of drought impacts that are necessary to implement the 2015-16 Budget Act. Among its provisions, the bill: (1) allows the State Water Board to require certain public water systems that consistently fail to provide safe drinking water to consolidate with, or receive an extension of service from, another public water system, (2) requires water users diverting more than 10 acre-feet annually to install monitoring equipment and to report diversion data to the State Water Board, (3) authorizes the State Water Board to impose penalties for violations of water rights regulations, (4) expands local enforcement authority for violations of emergency conservation regulations to include penalties of up to \$10,000 per day, and (5) provides a CEQA exemption for the development and approval of building standards adopted by state agencies for recycled water systems, as well as the adoption of local ordinances prohibiting the drilling of new groundwater wells. The Water Boards related provisions of this bill were sponsored by the State Water Board.

## **Chapter 524, Statutes of 2012 (Eng, AB 685)**

This bill declares it to be the established policy of the State that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This bill requires all relevant state agencies, including the State Water Board, the Department of Water Resources, and the Department of Public Health to consider this state policy when revising, adopting, or establishing policies, regulations, and grant criteria relevant to this policy. The author's office indicates that by adding a provision to the Water Code which explicitly states that access to an amount of clean water necessary for basic human needs is a "right" of every Californian and by requiring state agencies to consider this policy in their development of regulations and grant criteria, the bill helps ensure that state agencies dealing with water resources will conform their programs and practices to this policy.

## **Additional Resources**

More information on the SAFER program can be found on [www.waterboards.ca.gov/safer](http://www.waterboards.ca.gov/safer)

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