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HEALTH AND SAFETY CODE - HSC

DIVISION 45. HAZARDOUS SUBSTANCE RESPONSE [78000 - 81050] (*Division 45 added by Stats. 2022, Ch. 257, Sec. 2.*)

PART 2. HAZARDOUS SUBSTANCE ACCOUNT [78000 - 81050] (*Part 2 added by Stats. 2022, Ch. 257, Sec. 2.*)

CHAPTER 2. Financial Provisions [78200 - 78370] (*Chapter 2 added by Stats. 2022, Ch. 257, Sec. 2.*)

ARTICLE 6. Revolving Loans Fund [78360 - 78365] (*Article 6 added by Stats. 2022, Ch. 257, Sec. 2.*)

78360. Unless the context otherwise requires, the following definitions govern the construction of this article:

- (a) "Brownfield site" has the same meaning as defined in Section 101 of the federal act (42 U.S.C. Sec. 9601).
- (b) "Brownfield law" means the federal Small Business Liability Relief and Brownfields Revitalization Act (Public Law 107-118) as amending the federal act.
- (c) "Federal Trust Fund" means the Federal Trust Fund established pursuant to Section 16360 of the Government Code.
- (d) "Fund" means the Revolving Loans Fund established pursuant to this article.

(*Added by Stats. 2022, Ch. 257, Sec. 2. (AB 2293) Effective January 1, 2023. Operative January 1, 2024, pursuant to Sec. 4 of Stats. 2022, Ch. 257.*)

78365. (a) The Revolving Loans Fund is hereby created in the State Treasury. Notwithstanding Section 13340 of the Government Code, all moneys in the fund shall be continuously appropriated, without regard to fiscal year, to the department for expenditure in accordance with this part. The department is the state agency responsible for administering the fund.

(b) All of the following moneys shall be deposited in the fund:

- (1) Notwithstanding Section 25173.6, moneys received pursuant to the brownfield law and transferred to the fund from the Federal Trust Fund.
- (2) The amounts collected for loan services.
- (3) Interest payments.
- (4) Principal repayments.
- (5) Notwithstanding Section 16475 of the Government Code, any interest earned upon the moneys deposited in the fund.

(c) The department may expend the moneys in the fund only for the purposes authorized by the brownfield law, as specified in Section 104(k) of the federal act (42 U.S.C. Sec. 9604(k)), including providing financial assistance for both of the following:

- (1) Issuing loans for response actions to eligible brownfield sites.
- (2) Making subgrants for response actions to eligible brownfield sites.

(d) Any repayment of fund moneys, including interest payments, and all interest earned on, or accruing to, any moneys in the fund, that are deposited in the fund, as provided in subdivision (b), shall be available, in perpetuity, for expenditure for the purposes and uses authorized by the brownfield law.

(*Added by Stats. 2022, Ch. 257, Sec. 2. (AB 2293) Effective January 1, 2023. Operative January 1, 2024, pursuant to Sec. 4 of Stats. 2022, Ch. 257.*)