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SB-708 Water shortage emergencies: declarations: deenergization events. (2021-2022)

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Date Published: 07/12/2021 09:00 PM

Senate Bill No. 708

CHAPTER 68

An act to amend Section 351 of the Water Code, relating to water.

[Approved by Governor July 09, 2021. Filed with Secretary of State July 09, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

SB 708, Melendez. Water shortage emergencies: declarations: deenergization events.

Existing law requires the governing body of a public water supplier to declare a water shortage emergency condition if the supplier makes certain findings. Existing law requires a public water supplier that declares the existence of an emergency condition of water shortage to adopt regulations and restrictions on the delivery and consumption of water to conserve the water supply for the greatest public benefit. Existing law requires the declaration to be made only after a public hearing except in the event of a wildfire or a breakage or failure of a dam, pump, pipeline, or conduit causing an immediate emergency.

This bill would additionally authorize the governing body of a public water supplier to declare a water shortage emergency condition without holding a public hearing in the event of a deenergization event, as defined.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 351 of the Water Code is amended to read:

351. (a) Except in the event of a wildfire, deenergization event, or a breakage or failure of a dam, pump, pipeline, or conduit causing an immediate emergency, the governing body of a public water supplier shall make a declaration pursuant to Section 350 only after a public hearing at which consumers of the water supply shall have an opportunity to be heard to protest the declaration and to present their respective needs to the governing board.

(b) For purposes of this section, a "deenergization event" means a planned power outage, undertaken by an electrical corporation, as defined in Section 218 of the Public Utilities Code, to reduce the risk of wildfires caused by utility equipment, pursuant to Public Utilities Commission Resolution ESRB-8 and any decisions issued by the commission, the Wildfire Safety Division, as set forth in Section 326 of the Public Utilities Code, the Office of Energy Infrastructure Safety, or any other agency with authority over electrical corporations. A deenergization event commences when an electrical corporation provides notice to any state agency or political subdivision of the potential need to initiate a planned deenergization of the electrical grid, and ceases when the electrical corporation restores electrical services to all deenergized customers, or at such time as the electrical corporation cancels the deenergization event for some or all of its affected customers, and rescinds the notice of the potential need to initiate the deenergization event. A deenergization event does not include any planned outages in connection with regular utility work.

