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**SB-1255 Single-use products waste reduction: Dishwasher Grant Program for Waste Reduction in K–12 Schools.** (2021-2022)

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CALIFORNIA LEGISLATURE— 2021–2022 REGULAR SESSION

**SENATE BILL**

**NO. 1255**

**Introduced by Senator Portantino  
(Coauthor: Senator Umberg)**

**February 17, 2022**

An act to add Chapter 12.3 (commencing with Section 42610) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1255, Portantino. Single-use products waste reduction: Dishwasher Grant Program for Waste Reduction in K–12 Schools.

Existing law requires the State Department of Education to take specified actions relating to the construction of school facilities, including to establish standards for use by school districts to ensure that the design and construction of school facilities are educationally appropriate and promote school safety and provide school districts with flexibility in designing instructional facilities. Existing law requires the department to provide information relating to the impact or potential impact upon a schoolsite of, among other things, hazardous substances and solid waste.

This bill would establish the Dishwasher Grant Program for Waste Reduction in K–12 Schools, to be administered by the State Department of Education, to provide grants to school districts and charter schools for the purchase and installation of commercial dishwashers in school kitchens, as specified. The bill would require the department to award grants of up to \$40,000 per kitchen of a school of an applicant school district or charter school, as specified. The bill would require the department to develop administrative guidelines for implementation of the program, as specified. The bill would require the department to develop materials and conduct outreach to those local educational agencies about the program, as provided. The bill would authorize, for purposes of the program, the department to enter into interagency agreements with other state agencies. The bill would make the

implementation of these provisions contingent on an appropriation being made for its purposes by the Legislature in the annual Budget Act or another statute.

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

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

**SECTION 1.** Chapter 12.3 (commencing with Section 42610) is added to Part 3 of Division 30 of the Public Resources Code, to read:

### **CHAPTER 12.3. Dishwasher Grant Program for Waste Reduction In K–12 Schools**

#### **Article 1. Legislative Findings and Declarations**

**42610.** (a) The Legislature finds and declares all of the following:

(1) There is no program in California dedicated to stemming the single-use waste stream coming from K–12 school cafeterias. Disposable, nonrecyclable or noncompostable, single-use food service ware such as trays, plates, bowls, cups, and utensils are contaminants when discarded with recycling or composting containers and pose health risks to pupils in our state. The low-quality plastic and harmful chemicals used in single-use items can leach into our water supply and soil.

(2) Transitioning K–12 schools to safe, reusable food service ware designed for repeated use and sanitizing is a solution that will result in less waste and reduced hauling and litter cleanup costs, and alleviate these burdens on schools.

(3) Installing commercial dishwashers at K–12 schools will enable schools to switch to less costly reusable food service ware. Commercial dishwashers use little water, heat to high temperatures for complete sanitation, dry quickly, and are fast and energy efficient.

(b) Therefore, it is the intent of the Legislature to establish a state-sponsored incentive program in the form of grants for the purchase and installation of commercial dishwashers in public K–12 schools.

(c) The program established under this chapter is intended to be in addition to, rather than to supplant, any other existing program.

#### **Article 2. General Provisions**

**42611.** (a) The Dishwasher Grant Program for Waste Reduction in K–12 Schools is hereby established, to be administered by the State Department of Education, to provide incentive grants to public K–12 schools to enable them to transition to less costly and environmentally healthy reusable food service ware.

(b) As used in this chapter, the following definitions apply:

(1) "Charter school" means a school established pursuant to Part 26.8 (commencing with Section 47600) of Division 4 of Title 2 of the Education Code, including any governing body operating a charter school.

(2) "Commercial dishwasher" means a nonresidential dishwasher that meets the Energy Star Product Specification criteria for Commercial Dishwashers, Version 2.0, any revision to those criteria published by the United States Environmental Protection Agency that is adopted by the State Energy Resources Conservation and Development Commission, or other standards established by the State Energy Resources Conservation and Development Commission.

(3) "Department" means the State Department of Education.

(4) "District" means a school district or charter school.

(5) "School district" means a school district established pursuant to Part 21 (commencing with Section 35000) of Division 3 of Title 2 of the Education Code, maintaining schools for kindergarten, or any of grades 1 to 12, inclusive.

#### **Article 3. Grants**

**42612.** (a) A program grant shall be in an amount of up to forty thousand dollars (\$40,000) per kitchen of a school of an applicant district, not to exceed the following amounts:

(1) Twenty-five thousand dollars (\$25,000) per kitchen of a school of an applicant district for the purchase of a commercial dishwasher and its installation by the manufacturer.

(2) Fifteen thousand dollars (\$15,000) per kitchen of a school of an applicant district for costs directly related to the installation, such as necessary electrical and plumbing upgrades, new outlets or appliance relocation, kitchen counter modification, modification of work areas to accommodate a new layout or function of the space, and venting and heat booster equipment and installation.

(b) Grant funds shall not be used for the purchase of reusable food service ware or long-term dishwasher maintenance costs.

**42613.** As a condition of the receipt of grant funding, a district shall agree to all of the following:

(a) Grant funds will be used only for the purposes described in Section 42612.

(b) Grant funds will be used within two years of receipt for the purchase and installation of at least one commercial dishwasher.

(c) The commercial dishwasher will be installed by the manufacturer or the manufacturer's designated installer and will be properly maintained and serviced when necessary.

(d) Training will be provided for staff to operate and properly maintain the machine, as necessary.

(e) The department may conduct an onsite inspection at any school of the district for which a grant was awarded and the district will provide any documents and information requested by the department related to the grant.

**42614.** (a) (1) The department shall develop administrative procedures and guidelines for the program that are consistent with this chapter.

(2) Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, the adoption of procedures and program guidelines for the awarding of grants pursuant to this article is not the adoption of a regulation and is exempt from the requirements of that chapter.

(b) The department may enter into interagency agreements with other state agencies for purposes of the grant program.

**42615.** (a) Eligibility for a grant is limited to both of the following:

(1) A school district applying on behalf of one or more schools in its jurisdiction that maintains kindergarten, or any of grades 1 to 12, inclusive.

(2) A charter school applying on behalf of one or more schools under its charter that maintains kindergarten or any of grades 1 to 12, inclusive.

(b) Except as provided in subdivisions (a) and (c), eligibility and priority for grants shall not be based on the characteristics of the pupils at a school or the district's eligibility for any federal or state funding program.

(c) (1) An applicant district may propose grant funding from the program over more than one fiscal year, and the department may make multiyear funding commitments.

(2) The department shall determine a cap on grants that may be awarded to a district in any given year. The cap may be based on the number of schools or pupils in the applicant district. The annual cap may be scaled over time.

#### **Article 4. Miscellaneous**

**42616.** In implementing this chapter, the department shall also do both of the following:

(a) Develop and maintain information about the program on the department's internet website, including a list of environmentally preferable commercial dishwashers and information about any organizations that may donate or sell reusable service ware products.

(b) Issue notices to districts to inform them of the program and the department's internet website with additional information about the program, and to invite the districts to submit applications for grants.

**42617.** The implementation of this chapter shall be contingent on an appropriation being made for its purposes by the Legislature in the annual Budget Act or another statute.