

AMENDED IN ASSEMBLY AUGUST 21, 2003

AMENDED IN ASSEMBLY JULY 14, 2003

AMENDED IN ASSEMBLY JULY 2, 2003

AMENDED IN ASSEMBLY JUNE 26, 2003

AMENDED IN SENATE MAY 13, 2003

AMENDED IN SENATE MAY 7, 2003

AMENDED IN SENATE APRIL 24, 2003

SENATE BILL

No. 700

Introduced by Senators Florez and Sher

February 21, 2003

An act to amend Section 42310 of, and to add Sections 39011.5, 39023.3, 40724, 40724.5, ~~40731, 41511.5~~ 40724.6, 40731, 40732, 42301.16, 42301.17, and 44559.9 to, the Health and Safety Code, relating to air quality.

LEGISLATIVE COUNSEL'S DIGEST

SB 700, as amended, Florez. Air quality: emissions: stationary sources: agricultural operations.

(1) Existing law authorizes the board of every air quality management district and air pollution control district to establish a permit system that requires any person that uses certain types of equipment that may cause the emission of air contaminants to obtain a permit. Existing law exempts vehicles and certain types of equipment from those permit requirements.

This bill would eliminate that exemption for any equipment used in agricultural operations in the growing of crops or the raising of fowl or animals. To the extent that the bill would increase the number of permits that a district board, electing to establish a permit system prior to January 1, 2004, would be required to issue, the bill would impose a state-mandated local program.

(2) Existing law defines various terms governing the construction of air pollution control laws in the state, and authorizes the state board to revise those definitions to conform with federal law.

This bill would define the terms “agricultural stationary source of air pollution” and “fugitive emissions,” and would prohibit, notwithstanding the existing authority, the state board from revising those definitions.

(3) The existing federal Clean Air Act requires districts to adopt local programs for issuing operating permits to major stationary sources of air pollutants. The existing act defines a stationary source as any building, structure, facility, or installation that emits or may emit any air pollutant.

This bill would require each district that is designated a serious federal nonattainment area for particulate matter of 10 microns or less or for 2.5 microns or less to adopt, implement, and submit for inclusion in the state implementation plan, a rule or regulation requiring best available control measures (BACM) and best available retrofit control technology (BARCT) for agricultural practices at agricultural stationary sources of air pollution, and for precursor and fugitive emissions from those agricultural practices by the earliest feasible date, but not later than January 1, 2006, and would require each district subject to those requirements to comply with a schedule for public hearing, adoption, and implementation of the final rule.

The bill would require each district that is designated a moderate federal nonattainment area or a state nonattainment area for particulate matter of 10 microns or less or for 2.5 microns or less to adopt and implement control measures necessary to reduce emissions from agricultural practices at agricultural stationary sources of air pollution and from precursor and fugitive emissions from those activities by the earliest feasible date, *but no later than January 1, 2007*, unless the district determines that those sources do not significantly cause or contribute to a violation of state or federal standards. *The bill would require, by January 1, 2005, each district that is designated as a nonattainment area for ozone to adopt, implement, and submit for*



inclusion in the state implementation plan, a rule or regulation that requires the owner or operator of a large confined animal facility to obtain a permit to reduce air emissions.

The bill would require the *state board, in consultation with California Air Pollution Control Officers Association (CAPCOA), in consultation and cooperation with the state board* and other interested parties, to develop a clearinghouse of ~~suggested~~ *available* control measures *and strategies* for agricultural stationary sources of air pollution and emissions from agricultural operations ~~to reduce or eliminate emissions of regulated air pollutants or emissions of precursors that form regulated air pollutants. The bill would require the districts to submit suggested control measures for agricultural sources to CAPCOA, and would require that association to make those suggested control measures available to districts throughout the state.~~

~~This bill would require that an agricultural source of air pollution be regarded as a stationary source in the state for the purposes of the federal act. The bill would also require a district, when determining if an agricultural stationary source is a major stationary source of air pollution for the purposes of the federal act, to include, to the extent possible, precursor emissions from those sources, unless the state board or a district determines that the precursor does not cause or contribute to air pollution or the formation of air pollutants.~~

The additional duties for districts under the bill would impose a state-mandated local program.

(4) Existing law establishes the Capital Access Loan Program for Small Businesses, administered by the California Pollution Control Financing Authority, which provides loans through participating financial institutions to entities authorized to conduct business in the state and whose primary business location is in the state.

This bill would require the authority to expand the program to include outreach to financial institutions that service agricultural interests in the state for the purposes of funding air pollution control measures.

(5) Under existing law, any person who violates a rule, regulation, permit, or order of a district is guilty of a misdemeanor. Because this bill would increase the number of people who are subject to that provision, it would expand the scope of a crime, thereby imposing a state-mandated local program.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state.



Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for specified reasons.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:

3 (1) Agricultural operations necessary for growing crops or
4 raising fowl or animals are a significant source of directly emitted
5 particulates, and precursors of ozone and fine particulate matter.
6 These emissions have a significant adverse effect on the ability of
7 areas of the state, including, but not limited to, the San Joaquin
8 Valley, to achieve health-based state and federal ambient air
9 quality standards.

10 (2) Since 1999, the agriculture industry has reduced emissions
11 of oxides of nitrogen (NOx) by more than 2000 tons per year,
12 emissions of particulate matter of 10 microns in diameter (PM 10)
13 by more than 500 tons per year, and emissions of volatile organic
14 compounds (VOCs) from agricultural chemicals by more than 20
15 percent. According to the state board, however, agricultural
16 sources of air pollution still contribute twenty-six percent of the
17 smog-forming emissions in the San Joaquin Valley.

18 (3) In the San Joaquin Valley, a large portion of the sources of
19 PM 10 emissions are areawide sources whose emissions are
20 directly related to growth in population and the resulting vehicle
21 miles traveled. According to the ~~state board~~ *State Air Resources*
22 *Board*, however, agricultural sources of air pollution account for
23 over fifty percent of the *directly emitted* particulate air pollution
24 generated in the valley during the fall, amounting to over 170 tons
25 per day of emissions.

26 (4) All parties living or operating a business in an area that has
27 been classified as being a nonattainment area with respect to the
28 attainment of federal or state ambient air quality standards share
29 the responsibility of reducing emissions from all criteria
30 pollutants.



1 (5) The federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.)
2 prohibits the state from adopting emission standards or limitations
3 less stringent than those established under the federal act,
4 including limitations on emissions from agricultural sources.

5 (6) Division 26 (commencing with Section 39000) of the
6 Health and Safety Code establishes numerous policies and
7 programs to reduce air pollutants for the protection of public
8 health.

9 (7) The purpose of the act adding this section is to establish a
10 new program at the state and regional levels to reduce air emissions
11 from agricultural sources in order to protect public health and the
12 environment.

13 (b) It is therefore the intent of the Legislature to require the
14 State Air Resources Board and air quality management districts
15 and air pollution control districts in the state to regulate stationary,
16 mobile, and area sources of agricultural air pollution.

17 SEC. 2. Section 39011.5 is added to the Health and Safety
18 Code, to read:

19 39011.5. (a) “Agricultural stationary source of air
20 pollution” or “agricultural stationary source” means a source of
21 air pollution or a group of sources on contiguous property under
22 common ownership or control that meets any of the following
23 criteria:

24 (1) Is a confined animal facility, including, but not limited to,
25 any structure, building, installation, barn, corral, coop, feed
26 storage area, milking parlor, or system for the collection, storage,
27 treatment, and distribution of liquid and solid manure, if
28 domesticated animals, including, but not limited to, cattle, calves,
29 horses, sheep, goats, swine, rabbits, chickens, turkeys, or ducks are
30 corralled, penned, or otherwise cause to remain in restricted areas
31 for commercial agricultural purposes and feeding is by means
32 other than grazing.

33 (2) Is an internal combustion engine used in the production of
34 crops or the raising of fowl or animals, *including, but not limited*
35 *to, and engine subject to Article 1.5 (commencing with Section*
36 *41750) of Chapter 3 of Part 4* except an engine that is used to
37 propel implements of husbandry, as that term is defined in Section
38 36000 of the Vehicle Code, as that section existed on January 1,
39 2003. Notwithstanding subdivision (b) of Section 39601, the state



1 board may not revise this definition for the purposes of this
2 section.

3 (3) Is a Title V source, as that term is defined in Section
4 39053.5, or is a source that is otherwise subject to regulation by a
5 district pursuant to this division or the federal Clean Air Act (42
6 U.S.C. Sec. 7401 et seq.).

7 (b) Nothing in this section limits the authority of a district to
8 regulate a source over which it otherwise has jurisdiction pursuant
9 to this division, *or to exempt an agricultural stationary source*
10 *from any requirement otherwise applicable under Sections 40724*
11 *or 42301.16, based upon a finding by the district in a public*
12 *hearing that is based upon substantial evidence in the record, that*
13 *the aggregate emissions from that source do not exceed a de*
14 *minimus level of more than one ton of particulate matter, nitrogen*
15 *oxides or volatile organic compounds per year.*

16 SEC. 3. Section 39023.3 is added to the Health and Safety
17 Code, to read:

18 39023.3. “Fugitive emissions” mean those emissions that
19 cannot *reasonably* pass through a stack, chimney, vent, or other
20 functionally equivalent opening. Notwithstanding subdivision (b)
21 of Section 39601, the state board may not revise this definition for
22 the purposes of this section.

23 SEC. 4. Section 40724 is added to the Health and Safety Code,
24 to read:

25 40724. (a) Each district that is designated *as* a serious federal
26 nonattainment area for particulate matter of 10 microns or less or
27 for 2.5 microns or less shall adopt, implement, and submit for
28 inclusion in the state implementation plan, a rule or regulation
29 requiring best available control measures (BACM) and best
30 available retrofit control technology (BARCT) ~~for~~ *to reduce*
31 *particulate matter emissions, and precursor and fugitive emissions*
32 *associated with those emissions, from agricultural practices at*
33 *agricultural stationary sources of air pollution, including, but not*
34 *limited to, tilling, discing, cultivation, and raising of fowl or*
35 *animals, and for precursor and fugitive emissions from those*
36 *agricultural practices by the earliest feasible date, but not later than*
37 *January 1, 2006. Each district that is subject to this subdivision*
38 *shall comply with the following schedule with respect to the rule*
39 *or regulation imposing BACM and BARCT:*



1 (1) On or before ~~March~~ *September* 1, 2004, notice and hold at
2 least one public workshop for the ~~purposes~~ *purpose* of accepting
3 public testimony on the *proposed* rule or regulation.

4 (2) On or before ~~January~~ *July* 1, 2005, adopt the final rule or
5 regulation *at a noticed public hearing*.

6 (3) On or before January 1, 2006, commence implementation
7 of the rule or regulation.

8 (b) Nothing in this section shall delay or otherwise affect any
9 action taken by a district to reduce emissions of air contaminants
10 from agricultural sources, or any other requirements imposed on
11 a district or a source of air pollution pursuant to the federal Clean
12 Air Act (42 U.S.C. Sec. 7401 et seq.).

13 SEC. 5. Section 40724.5 is added to the Health and Safety
14 Code, to read:

15 40724.5. (a) ~~Each~~ *By the earliest feasible date, but no later*
16 *than January 1, 2007, each* district that is designated a moderate
17 federal nonattainment area or a state nonattainment area for
18 particulate matter of 10 microns or less or for 2.5 microns or less
19 and that is not subject to the requirements of Section 40724, shall
20 adopt and implement control measures necessary to reduce
21 emissions from agricultural practices at agricultural stationary
22 sources of air pollution, including, but not limited to, tilling,
23 discing, cultivation, and raising of fowl or animals, and from
24 precursor and fugitive emissions from those activities by the
25 earliest feasible date, unless the district finds and determines at a
26 public hearing, based upon substantial evidence, that those sources
27 do not significantly cause or contribute to a violation of state or
28 federal standards.

29 (b) Nothing in this section shall delay or otherwise affect any
30 action taken by a district to reduce emissions of air contaminants
31 from agricultural sources, or any requirements imposed on a
32 district or a source of air pollution pursuant to the federal Clean Air
33 Act (42 U.S.C. Sec. 7401 et seq.).

34 SEC. 6. *Section 40724.6 is added to the Health and Safety*
35 *Code to read:*

36 40724.6. (a) *On or before January 1, 2005, each district that*
37 *is designated as a state or federal nonattainment area for ozone*
38 *shall adopt, implement, and submit for inclusion in the state*
39 *implementation plan, a rule or regulation that requires the owner*
40 *or operator of a large confined animal facility, as defined by the*



1 state board, to obtain from the district a permit to reduce, to the
2 maximum extent feasible, air emissions emitted from the facility,
3 except as provided in subdivision (e).

4 (b) The rule or regulation shall require the owner or operator
5 of the facility to submit an application for a permit that includes
6 the following:

7 (1) An inventory of all regulated air pollutants emitted from the
8 operation, including precursors and fugitive emissions, using
9 emission factors approved by the state board.

10 (2) An emissions mitigation plan which demonstrates that the
11 facility will use reasonably available control technology in
12 moderate and serious nonattainment areas, and best available
13 control technology in severe and extreme nonattainment areas, to
14 reduce emissions of pollutants which contribute to the
15 nonattainment of any ambient air quality standard, and which the
16 district otherwise has the authority to regulate.

17 (c) The rule or regulation shall require the owner or operator
18 to implement the plan approved by the district, and shall establish
19 a reasonable period, not to exceed three years, after which a permit
20 shall be reviewed by the district and updated to reflect changes in
21 the operation or the feasibility of mitigation measures.

22 (d) The rule or regulation shall establish a compliance
23 schedule for facilities to implement control measures within one
24 year of the date on which the permit is approved by the district, and
25 shall provide for 30 days public notice and comment on any draft
26 permit.

27 (e) Notwithstanding subdivision (a), a district that is
28 designated as having achieved attainment for the state and federal
29 ambient air standard for ozone shall adopt a rule or regulation as
30 described in that subdivision but subject to the following
31 conditions:

32 (1) The regulation shall be adopted no later than July 1, 2006,
33 unless a district board makes a finding in a public hearing, based
34 on substantial scientific evidence in the record, that confined
35 animal facilities will not contribute to a violation of any state or
36 federal standard.

37 (2) The regulation shall not be submitted for inclusion in the
38 state implementation plan.

39 (f) Nothing in this section shall delay or otherwise affect any
40 action taken by a district to reduce emissions of air contaminants



1 *from agricultural sources, or any other requirements imposed on*
2 *a district or a source of air pollution pursuant to the federal Clean*
3 *Air Act (42 U.S.C. Sec. 7401 et. seq.)*

4 SEC. 7. Section 40731 is added to the Health and Safety Code,
5 to read:

6 ~~40731. The California Air Pollution Control Officers~~
7 ~~Association (CAPCOA), in consultation and cooperation with the~~
8 ~~state board and other interested parties, shall develop a~~
9 ~~clearinghouse of suggested control measures for agricultural~~
10 ~~stationary sources of air pollution and emissions from agricultural~~
11 ~~operations to reduce or eliminate emissions of regulated air~~
12 ~~pollutants or emissions of precursors that form regulated air~~
13 ~~pollutants. Each district shall submit suggested control measures~~
14 ~~to CAPCOA, and CAPCOA shall make available to all districts,~~
15 ~~suggested control measures for all of the following in the~~
16 ~~clearinghouse:~~

17 (a) ~~Operations that create fugitive dust emissions, including,~~
18 ~~but not limited to, discing, tilling, material handling and storage,~~
19 ~~and travel on unpaved roads.~~

20 (b) ~~Confined animal facilities, including, but not limited to,~~
21 ~~any structure, building, installation, barn, corral, coop, feed~~
22 ~~storage area, or milking parlor, including, but not limited to, a~~
23 ~~system for the collection, storage, treatment, and distribution of~~
24 ~~solid manure from domestic animals, including, but not limited to,~~
25 ~~cattle, calves, horses, sheep, goats, swine, rabbits, chickens,~~
26 ~~turkeys, or ducks, if those animals are corralled, penned, or~~
27 ~~otherwise caused to remain in restricted areas for commercial~~
28 ~~agricultural purposes, and feeding is by means other than grazing.~~

29 (c) ~~Internal combustion engines used in the production of crops~~
30 ~~or the raising of animals or fowl, except an engine that is used to~~
31 ~~propel implements of husbandry, as that term is defined in Section~~
32 ~~36000 of the Vehicle Code, as that section existed on January 1,~~
33 ~~2003. Notwithstanding subdivision (b) of Section 39601, the state~~
34 ~~board may not revise that definition for the purposes of this~~
35 ~~section.~~

36 (d) ~~Other equipment, operations, or activities associated with~~
37 ~~the growing of crops or the raising of animals or fowl, that emit,~~
38 ~~or cause to be emitted, any regulated air pollutant, or any precursor~~
39 ~~to any regulated air pollutant.~~



1 ~~SEC. 7. Section 41511.5 is added to the Health and Safety~~
2 ~~Code, to read:~~

3 ~~41511.5. (a) An agricultural source of air pollution shall be~~
4 ~~regarded as a stationary source, as that term is defined in the~~
5 ~~federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.).~~

6 ~~(b) For the purpose of determining if an agricultural stationary~~
7 ~~source of air pollution is a major stationary source of air pollution,~~
8 ~~the state board and a district shall include, to the extent possible,~~
9 ~~precursor emissions, including, but not limited to, ammonia,~~
10 ~~nitrogen oxides, sulfur oxides, reactive organic gases, and fugitive~~
11 ~~emissions from those sources, unless the state board or a district~~
12 ~~determines, based upon clear and convincing scientific evidence,~~
13 ~~that the precursor does not cause or contribute to air pollution or~~
14 ~~the formation of air pollutants.~~

15 ~~(c) Nothing in this section shall limit or abridge the authority~~
16 ~~granted pursuant to this division to the state board or a district to~~
17 ~~regulate emissions of air contaminants from agricultural sources.~~

18 ~~SEC. 8.—~~

19 ~~40731. In order to assist in the development of the BACM and~~
20 ~~BARCT measures specified in Sections 40274 and 40724.5, and to~~
21 ~~reduce or eliminate emissions of regulated air pollutants and their~~
22 ~~precursors, the state board, in consultation with California Air~~
23 ~~Pollution Control Officers Association and other interested~~
24 ~~parties, shall develop, if funds are available for this purpose, a~~
25 ~~clearinghouse of available control measures and strategies for~~
26 ~~agricultural stationary sources of air pollution and emissions from~~
27 ~~agricultural operations, including, but not limited to, the~~
28 ~~following sources:~~

29 ~~(a) Operations that create fugitive dust emissions, including,~~
30 ~~but not limited to, discing, tilling, material handling and storage,~~
31 ~~and travel on unpaved roads.~~

32 ~~(b) Confined animal facilities, including, but not limited to, any~~
33 ~~structure, building, installation, barn, corral, coop, feed storage~~
34 ~~area, or milking parlor, including, but not limited to, a system for~~
35 ~~the collection, storage, treatment, and distribution of liquid or~~
36 ~~solid manure from domestic animals, including, but not limited to,~~
37 ~~cattle, calves, horses, sheep, goats, swine, rabbits, chickens,~~
38 ~~turkeys, or ducks, if those animals are corralled, penned, or~~
39 ~~otherwise caused to remain in restricted areas for commercial~~
40 ~~agricultural purposes, and feeding is by means other than grazing.~~



1 (c) *Internal combustion engines used in the production of crops*
2 *or the raising of animals or fowl, except an engine that is used to*
3 *propel an implement husbandry, as that term is defined in Section*
4 *36000 of the Vehicle Code, as that section existed on January 1,*
5 *2003.*

6 (d) *Other equipment, operations, or activities associated with*
7 *the growing of crops or the raising of fowl or animals, that emit,*
8 *or cause to be emitted, any regulated air pollutant, or any*
9 *precursor to any regulated air pollutant.*

10 *SEC. 8. Section 40732 is added to the Health and Safety Code*
11 *to read:*

12 *40732. Prior to the adoption of a regulation pertaining to*
13 *confined animal feeding operations, a district shall consult with,*
14 *and consider any recommendations made by, the State Water*
15 *Resources Control Board and the appropriate regional water*
16 *quality control board established pursuant to Division 7*
17 *(commencing with Section 13000) of the Water Code regarding the*
18 *potential effects of the proposed regulation on water quality.*

19 *SEC. 9. Section 42301.16 is added to the Health and Safety*
20 *Code, to read:*

21 *42301.16. In addition to complying with the requirements of*
22 *this chapter, a permit system established by a district pursuant to*
23 *Section 42300 shall ensure that any agricultural stationary source*
24 *that is required to obtain a permit pursuant to Title I (42 U.S.C.*
25 *Sec. 7401 et seq.) and Title V (42 U.S.C. Sec. 7661 et seq.) of the*
26 *federal Clean Air Act are required by district regulation to obtain*
27 *a permit in a manner that is consistent with the federal*
28 *requirements.*

29 ~~*SEC. 9.—*~~

30 *SEC. 10. Section 42301.17 is added to the Health and Safety*
31 *Code, to read:*

32 *42301.17. (a) A district may adopt by regulation a program*
33 *under which the district does not require a permit to be obtained*
34 *by an agricultural stationary source of air pollution that the district*
35 *may otherwise require to obtain a permit if the owner or operator*
36 *of the source has taken the following actions to reduce emissions*
37 *from the source:*

38 (1) *Removed all internal combustion engines used in the*
39 *production of crops or the raising of fowl or animals, except an*
40 *engine that is used to propel implements of husbandry, at the*



1 source and replaced them with engines that meet or exceed the
2 most stringent standards adopted by the state board and the United
3 States Environmental Protection Agency for new internal
4 combustion engines.

5 (2) Reduced or mitigated emissions from all agricultural
6 activities, including, but not limited to, tilling, discing, cultivation,
7 the raising of livestock and fowl, and similar activities, to a level
8 that the district determines does not cause, or contribute to, a
9 violation of a state or federal ambient air standard, toxic air
10 contaminant, or other air emission limitation.

11 (3) Reduced or mitigated all emissions from any farm
12 equipment, underground petroleum fuel tanks, or other similar
13 equipment used in agricultural activities to a level that the district
14 determines does not cause or contribute to a violation of a state or
15 federal ambient air standard, toxic air contaminant, or other air
16 emission limitation.

17 (4) Complied with any other conditions required by state or
18 federal law or district rule or regulation for the source.

19 (b) Subdivision (a) does not apply to those permits required to
20 be issued pursuant to Title I (42 U.S.C. Sec. 7401 et seq.) or Title
21 V (42 U.S.C. Sec. 7661 et seq.).

22 ~~SEC. 10.—~~

23 *SEC. 11.* Section 42310 of the Health and Safety Code is
24 amended to read:

25 42310. A permit shall not be required for any of the following:

26 (a) Any vehicle.

27 (b) Any structure designed for and used exclusively as a
28 dwelling for not more than four families.

29 (c) An incinerator used exclusively in connection with a
30 structure described in subdivision (b).

31 (d) Barbecue equipment that is not used for commercial
32 purposes.

33 (e) (1) Repairs or maintenance not involving structural
34 changes to any equipment for which a permit has been granted.

35 (2) As used in this subdivision, maintenance does not include
36 operation.

37 (f) Nothing in this section shall affect any requirements
38 imposed on a district or a source of air pollution, including, but not
39 limited to, an agricultural stationary source, pursuant to the federal
40 Clean Air Act (42 U.S.C. Sec. 7401 et seq.).



1 ~~SEC. 11.~~

2 *SEC. 12.* Section 44559.9 is added to the Health and Safety
3 Code, to read:

4 44559.9. The authority shall expand the Capital Access Loan
5 Program established by this article to include outreach to financial
6 institutions that service agricultural interests in the state for the
7 purpose of funding air pollution control measures.

8 ~~SEC. 12.~~

9 *SEC. 13.* The provisions of the act adding this section are
10 severable. If any provision of this act or its application is held
11 invalid, that invalidity shall not affect other provisions or
12 applications that can be given effect without the invalid provision
13 or application.

14 ~~SEC. 13.~~

15 *SEC. 14.* No reimbursement is required by this act pursuant
16 to Section 6 of Article XIII B of the California Constitution for
17 certain costs that may be incurred by a local agency or school
18 district because in that regard this act creates a new crime or
19 infraction, eliminates a crime or infraction, or changes the penalty
20 for a crime or infraction, within the meaning of Section 17556 of
21 the Government Code, or changes the definition of a crime within
22 the meaning of Section 6 of Article XIII B of the California
23 Constitution.

24 In addition, no reimbursement is required by this act pursuant
25 to Section 6 of Article XIII B of the California Constitution for
26 certain other costs that may be incurred by a local agency or school
27 district because a local agency or school district has the authority
28 to levy service charges, fees, or assessments sufficient to pay for
29 the program or level of service mandated by this act, within the
30 meaning of Section 17556 of the Government Code.

