

1991 Bill Text CA A.B. 937

Enrolled, March 4, 1991

**Reporter**

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**THE STATE OF CALIFORNIA BILL TEXT > CALIFORNIA 1991-92 REGULAR SESSION > ASSEMBLY BILL  
937**

**Synopsis**

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An act to add Sections 65944.5 and 65957.2 to the Government Code, relating to development projects.

**DIGEST:**

**LEGISLATIVE COUNSEL'S DIGEST**

AB 937, Roybal-Allard. Toxic developments: project site demographics.

(1) Under existing law, any public agency which is the lead agency for a development project is required to approve or disapprove the project within specified time limits depending on the required environmental documentation and is subject to specified requirements for determining the completeness of any application submitted to it for a development project.

This bill would prohibit the approval of a permit for a potentially high-impact development project, as defined, unless the application, if submitted on or after January 1, 1992, includes a description of the project site demographics, as prescribed. By imposing new duties on local agencies, the bill would impose a state-mandated local program.

The bill would prohibit a public agency from accepting as complete an application submitted on or after January 1, 1992, for a potentially high-impact development project unless a description of the project site demographics has been submitted. The bill would prescribe related requirements.

(2) 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 a specified reason.

**Text**

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

SECTION 1. Section 65944.5 is added to the Government Code, to read:

65944.5. A public agency shall not accept an application submitted on or after January 1, 1992, as complete for a potentially high-impact development project as defined in subdivision (b) of Section 65957.2 unless a description of the project site demographics has been submitted as required pursuant to subdivision (a) of Section 65957.2.

SEC. 2. Section 65957.2 is added to the Government Code, to read:

65957.2. (a) For an application submitted on or after January 1, 1992, no permit for a potentially high-impact development project may be approved unless a description of the "project site demographics" has been submitted as required by this section. The project site demographics description shall be prepared using only the most recently publicly available federal census data provided by the United States Census Bureau, and shall include, if provided in

the census data, a breakdown of population by race and ethnicity, percentages under five years of age and over 65 years of age, the percent below the poverty level, and the primary languages spoken. The project site demographics description may be in the form of a one-page chart and shall include the breakdown for (1) the census tract in which the project is located, (2) all contiguous census tracts, (3) the municipality, if any, in which the project is located, (4) the county in which the project is located, and (5) the State of California. The project site demographics description shall be submitted to the lead agency by the applicant on or before the submission of any applicable environmental impact report, mitigated negative declaration, or negative declaration. A notice issued pursuant to subdivision (a) of Section 21092 of the Public Resources Code, relating to the affected project shall indicate that a project site demographics statement has been submitted and is available for public review.

(b) For purposes of this section, a potentially "high-impact development project" is a project regulated under any of the following:

(1) Section 25200 of the Health and Safety Code, except those facilities which are authorized by the department to operate pursuant to a permit by regulation.

(2) Part 6 (commencing with Section 44300 of Division 26 of the Health and Safety Code.

(3) Article 1 (commencing with Section 44001 of Chapter 3 of Part 4 of Division 30 of the Public Resources Code.

(c) For the purposes of Section 65943, no application submitted on or after January 1, 1992, for a permit for a potentially high-impact development project shall be deemed complete unless the project site demographics description required by this section is submitted by the applicant.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act. Notwithstanding Section 17580 of the Government Code, unless otherwise specified in this act, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

Approved \_\_\_\_\_, 1988

\_\_\_\_\_  
Governor

## History

ASSEMBLY BILL NO. 937

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PASSED THE ASSEMBLY SEPTEMBER 13, 1991

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CHIEF CLERK OF THE ASSEMBLY

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PASSED THE SENATE SEPTEMBER 3, 1991

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SECRETARY OF THE SENATE

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THIS BILL WAS RECEIVED BY THE GOVERNOR THIS \_\_\_\_\_

DAY OF \_\_\_\_\_, 1988, AT \_\_\_\_\_ O'CLOCK \_\_\_\_ M.

\_\_\_\_\_  
PRIVATE SECRETARY OF THE GOVERNOR

CHAPTER \_\_\_\_\_

## **Sponsor(s)**

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Roybal-Allard

## **Classification**

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**Subject:** CENSUS (92%); ENVIRONMENTAL IMPACT ASSESSMENT (74%); ETHNICITY (72%); ENVIRONMENT (69%)

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