
THIRD READING

Bill No: AB 1568
Author: Committee on Emergency Management
Amended: 2/8/22 in Senate
Vote: 27 - Urgency

SENATE GOVERNMENTAL ORG. COMMITTEE: 15-0, 7/6/21
AYES: Dodd, Nielsen, Allen, Archuleta, Becker, Borgeas, Bradford, Glazer,
Hueso, Jones, Kamlager, Melendez, Portantino, Rubio, Wilk

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/26/21
AYES: Portantino, Bates, Bradford, Jones, Kamlager, Laird, McGuire

ASSEMBLY FLOOR: 78-0, 6/2/21 - See last page for vote

SUBJECT: California Emergency Services Act: Office of Emergency Services:
donations system

SOURCE: Author

DIGEST: This bill requires the Office of Emergency Services (OES) to establish a statewide donations system for private businesses and nonprofit organizations that are interested in donating services, goods, labor, equipment, resources, or facilities to assist in disaster preparedness, as specified.

Senate Floor Amendments of 2/8/22 require that OES establish a statewide donations system, rather than a statewide donations portal, for private businesses and nonprofit organizations that are interested in donating services, goods, labor, equipment, resources, or dispensaries or other facilities, as specified.

Senate Floor Amendments of 1/3/22 require that OES establish a statewide donations portal, as specified, and provide that certain civil liability exemptions apply to private businesses and nonprofit organizations utilizing the donations portal.

ANALYSIS:

Existing law:

- 1) Establishes, under the California Emergency Services Act (ESA), OES and vests the office with responsibility for the state's emergency and disaster response services for natural, technological, or human-made disasters and emergencies, as specified.
- 2) Authorizes OES to establish a statewide registry of private businesses and nonprofit organizations that are interested in donating service, goods, labor, equipment, resources, or dispensaries or other facilities, as specified.
- 3) Provides that the Legislature finds and declares that the state can only truly be prepared for the next disaster if the public and private sector collaborate, as specified.
- 4) Provides certain exemptions from civil liability to private businesses and nonprofit organizations included on the statewide registry that voluntarily and without expectation and receipt of compensation donate services, goods, labor, equipment, resources, or dispensaries or other facilities during a declared state of war, state of emergency, or state of local emergency, as provided.

This bill:

- 1) Requires OES to establish a statewide donations system for private businesses and nonprofit organizations that are interested in donating service, goods, labor, equipment, resources, or dispensaries or other facilities, as specified.
- 2) Provides that existing exemptions from civil liability apply to private businesses and nonprofit organizations utilizing the donations system, as specified.
- 3) Includes an urgency clause to take effect immediately.

Comments

Purpose of this bill. According to the author's office, "the COVID-19 pandemic has made it clear that, in order to best prepare and protect the citizens of the state and ensure that we are prepared for and can respond to emergencies, government and the private sector need to work together. The public sector alone is incapable of meeting California's preparedness needs. The private and nonprofit sectors have vast stores of medical supplies, building and construction materials, food,

water and other goods, as well as services that would be essential following a catastrophic event.”

Further, the author’s office states that, “the private sector owns or has access to substantial response and support resources. Community Based Organizations or Non-Governmental Organizations also provide valuable resources before, during, and after a disaster. These resources can be effective assets before, during and after emergencies. We should make it as easy as possible for the private sector to donate their goods and services to enhance California’s disaster preparedness.”

Ongoing and complex disasters are the new normal. In recent written testimony provided to the House of Representatives Committee on Appropriations, California’s OES Director stated, “the State of California arguably faces the most complex and severe disaster conditions in the nation and these challenges and complexities grow in magnitude each year. In the past decade, California has experienced every conceivable type of natural and manmade disaster including drought, earthquake, flood, catastrophic wildfire, mudslides, dam failure, cyber security attacks, oil spills, natural gas leak, civil unrest, terrorism, and tsunami. However, the COVID-19 pandemic has put our emergency management system to the test.”

Emergency Preparedness and Response. OES is responsible for addressing natural, technological, or manmade disasters and emergencies, and preparing the State to prevent, respond to, quickly recover from, and mitigate the effects of both intentional and natural disasters. As part of their overall preparedness mission, OES is required to develop a State Emergency Plan (SEP), State Hazard Mitigation Plan (SHMP), and maintains Standardized Emergency Management System (SEMS) and the Emergency Management Mutual Aid System (EMMA). OES, in coordination with FEMA and local partners, has developed four Catastrophic Plans to augment the SEP.

Office of Private Sector and Non-Governmental Organization. In 2015, OES established the Office of Private Sector and Non-Governmental Organization (NGO) Coordination. This office designs, coordinates, and implements statewide outreach programs to foster relationships with businesses, associations, companies, academia, as well as non-profit and philanthropic organizations. It works within OES to maximize inclusion and effective use of private sector and NGO staff and resources in all phases of emergency management.

Existing law authorizes OES to establish a statewide registry of private businesses and nonprofit organizations that are interested in donating services, goods, labor, equipment, resources, or dispensaries or other facilities, as specified.

This bill instead *requires* OES to establish a statewide donations system for private businesses and nonprofit organizations that are interested in donating services, goods, labor, equipment, resources, or facilities to assist in disaster preparedness.

Related/Prior Legislation

AB 2796 (Nava, Chapter 363, Statutes of 2008) authorized OES to establish a statewide registry of private businesses and nonprofit organizations that are interested in donating services, goods, labor, equipment, resources, or dispensaries or other facilities to further collaboration between the private and public sector.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee, OES anticipates costs of approximately \$377,275 in the first year and \$227,275 ongoing for additional staff time to stand up the database, conduct outreach to private businesses and nonprofit organizations, and maintain the database (General Fund).

SUPPORT: (Verified 2/9/22)

None received

OPPOSITION: (Verified 2/9/22)

None received

ASSEMBLY FLOOR: 78-0, 6/2/21

AYES: Aguiar-Curry, Arambula, Bauer-Kahan, Bennett, Berman, Bloom, Boerner Horvath, Bryan, Burke, Calderon, Carrillo, Cervantes, Chau, Chen, Chiu, Choi, Cooley, Cooper, Cunningham, Megan Dahle, Daly, Davies, Flora, Fong, Frazier, Friedman, Gabriel, Gallagher, Cristina Garcia, Eduardo Garcia, Gipson, Lorena Gonzalez, Gray, Grayson, Holden, Irwin, Jones-Sawyer, Kalra, Kiley, Lackey, Lee, Levine, Low, Maienschein, Mathis, Mayes, McCarty, Medina, Mullin, Muratsuchi, Nazarian, Nguyen, O'Donnell, Patterson, Petrie-Norris, Quirk, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Seyarto, Smith, Stone, Ting, Valladares, Villapudua, Voepel, Waldron, Ward, Akilah Weber, Wicks, Wood, Rendon

NO VOTE RECORDED: Bigelow

Prepared by: Brian Duke / G.O. / (916) 651-1530

2/9/22 15:46:38

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