

AMENDED IN SENATE MAY 5, 2010

**SENATE BILL**

**No. 1433**

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**Introduced by Senator Leno**

February 19, 2010

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An act to add Section 42411 to the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 1433, as amended, Leno. Air pollution penalties: inflation adjustments.

Existing law establishes the State Air Resources Board, which is responsible for control of emissions from motor vehicles and is designated the air pollution control agency for all purposes set forth in federal law. Existing law vests air pollution control districts and air quality management districts with the primary responsibility for control of air pollution from all sources other than vehicular sources. Existing law establishes maximum criminal and civil penalties for any person that violates specified nonvehicular air pollution laws.

This bill would require the state board, on March 1, 2011, and annually thereafter, to adjust these maximum civil and criminal penalties for inflation, and to publish the inflation-adjusted maximum penalties on its Internet Web site.

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

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

- 1 SECTION 1. Section 42411 is added to the Health and Safety
- 2 Code, to read:

1 42411. (a) On March 1, 2011, and annually thereafter, the state  
2 board shall adjust the maximum penalties specified in Sections  
3 42400, 42400.1, 42400.2, 42400.3, 42400.3.5, 42400.4, 42401,  
4 42402, 42402.1, 42402.2, 42402.3, and 42402.4 for inflation based  
5 on the *California* Consumer Price Index released in January of  
6 that year by the ~~United States Bureau of Labor Statistics~~  
7 *Department of Industrial Relations*. The base year for the first  
8 inflation adjustment shall be 2010.  
9 (b) The state board shall publish the inflation-adjusted maximum  
10 penalties on its Internet Web site on March 1, 2011, and annually  
11 thereafter.