



LEGISLATIVE UPDATE - APRIL 28, 2025

SENATE

SB 72 (Caballero) California Water Plan: long-term supply targets

Summary: Existing law mandates the Department of Water Resources to update "The California Water Plan" every five years to manage the state's water resources effectively. The plan must discuss water supply strategies such as water storage, conservation, recycling, desalination, conjunctive use, and transfers to meet future needs. This bill requires setting an interim water supply planning target of nine million-acre-feet by 2050.

Status: Approved in the Sen. Natural Resources Committee and pending in the Sen. Appropriations Committee.

Position: Support

SB 279 (McNerney) Solid waste: compostable materials

Summary: Provides the ability to compost larger amounts of ag products/ag waste onsite rather than shipping it to an offsite facility. SB 279 proposes that the onsite compost amount for excluded activities that do not require a permit be increased from 100 to 500 cubic yards. The bill allows small-scale operations to accept a certain percentage of food material without needing a full permit within five years. Additionally, the bill allows some composting operations to distribute or sell up to 5,000 cubic yards of compost annually, instead of the current limit of 1,000 cubic yards. This measure is particularly important with the near complete ban on ag burning in place in the San Joaquin Valley.

Status: Passed Sen. Environmental Quality Committee and awaits action in the Sen. Appropriations Committee.

Position: Support

SB 310 (Wiener) Failure to pay wages: penalties

Summary: Existing law imposes a penalty on individuals who fail to pay employee wages. This penalty can be recovered as a statutory penalty by the employee or as a civil penalty by the Labor Commissioner. This bill introduces an additional option, allowing the penalty to be recovered through an independent civil action. As a result, SB 310 upends the 2024 PAGA reforms by providing trial attorneys a method to file wage and hour cases against employers of any size. SB 310 will increase litigation when there are already mechanisms in place to address the failure to pay wages.

Status: Passed by the Sen. Labor, Public Employment and Retirement Committee

and the Sen. Judiciary Committee and awaits consideration in Appropriations Committee.

Position: Oppose

SB 464 (Smallwood-Cuevas) Employer pay data

Summary: Existing law requires private employers with 100 or more employees to submit an annual pay data report detailing employee demographics, such as race, ethnicity, and sex, within certain job categories and pay bands, including median and mean hourly rates. Employers must collect demographic information separately from personnel records, expanding to include data on sexual orientation, if voluntarily disclosed. Under SB 464, courts must impose civil penalties on employers that fail to submit the required reports. SB 464 also allows the state to publish private employer reports if it can prevent data from being associated with any individual. If SB 464 becomes law, it will encourage litigation over the published data.

Status: Passed by the Sen. Labor, Public Employment and Retirement Committee and awaits a hearing in the Senate Judiciary Committee.

Position: Oppose

SB 601 (Allen) Water: waste discharge

Summary: Adds new water quality permit requirements for dischargers, creates a new category of waters under the highly litigated term “nexus waters” (non-navigable waters), increases penalties and contains a private right of action. The bill removes economic considerations relating to permit restrictions. This measure is strongly opposed by Ag Council and others.

Status: Passed Sen. Environmental Quality Committee and awaits consideration in the Sen. Judiciary Committee.

Position: Oppose

SB 628 (Grove) Tax credit - agricultural employees – NOT MOVING FORWARD

Summary: Allows employers to claim a tax credit for overtime wages paid to certain agricultural employees. This credit must be claimed on their quarterly reports or through electronic funds transfer, and the total credit cannot exceed the amount that would otherwise be remitted for employee withholdings for that quarter.

Status: Bill failed to pass on a vote in the Sen. Labor, Public Employment and Retirement Committee and did not move forward.

Position: Support

SB 667 (Archuleta) Railroads: safety: train length

Summary: This bill mandates railroad companies install wayside detector systems on tracks used by freight trains. In addition, SB 667 restricts freight trains over 7,500 feet from certain rail lines and mandates clearing at-grade crossings for

emergency vehicles. Violations incur fines ranging from \$5,000 for an initial offense to \$25,000 for repeated offenses. Ag Council opposes SB 667 given it would hamper the supply chain and the ability for agriculture to move goods.

Status: Approved by the Sen. Energy, Utilities & Communications Committee and awaits a hearing in the Sen. Transportation Committee.

Position: Oppose

SB 88 (Caballero) Air resources: carbon missions - biomass

Summary: Requires CARB and CalFire to quantify the avoided emissions from not burning agricultural and forestry biomass resources. The bill also requires CARB to create a carbon credit or offset protocol for the utilization of biochar or “other beneficial carbon-removal products” that result in fire avoidance.

Status: Passed in the Sen. Environmental Quality Committee and the Sen. Natural Resources Committee and awaits action in the Sen. Appropriations Committee.

Position: Support

ASSEMBLY

AB 411 (Papan) Livestock disposal: composting

Summary: Existing law restricts the transport of dead animals, allowing them only to be taken to certain facilities unless a waiver is granted by the State Veterinarian. This bill permits composting of livestock carcasses from routine mortality events or on-farm processing if certain conditions are met, specifically that the composting follows best management practices for livestock composting approved by the Sec. of Food and Ag.

Status: Approved in the Asm. Ag Committee and the Asm. Natural Resources Committee and currently pending in the Asm. Appropriations Committee.

Position: Support

AB 473 (Wilson) Environmental recyclability – NOT MOVING FORWARD

Summary: Current law prohibits selling or importing products in the state with deceptive recycling claims, primarily using symbols like the chasing arrows unless they meet specific recyclability criteria. This bill allows continued use of recyclability markers/chasing arrows on packaging if the producer meets certain criteria, including participation in a producer responsibility organization. From January 1, 2027, to January 1, 2032, compliance with, SB 54 (packaging law) will also be required for a product to be considered recyclable. AB 473 is a pragmatic approach to allow those trending toward recyclability to comply with existing law.

Status: Bill was not set for a hearing due to opposition to the bill.

Position: Support

AB 732 (Macedo) Agriculture: neglected or abandoned crops - pests

Summary: Abandoned or neglected ag land can impact neighboring farms by causing pest and disease issues. Under the existing law, a neglected or abandoned plant or crop is considered a public nuisance if it harbors pests or conditions harmful to local agriculture. Such nuisances are prohibited, and county agricultural commissioners must notify property owners to remove or destroy these nuisance plants or crops. If the commissioner handles the removal, a lien on the property is recorded. Rather than a lien, the bill provides an alternative to ag commissioners: levying a civil penalty against individuals who maintain public nuisances. Those charged must be notified and given a chance to respond. If corrective actions occur within 15 days, the penalty is waived. Otherwise, penalties can be up to \$500 per acre, increasing to \$1000 per acre if not addressed within 30 days. The bill would sunset on January 1, 2035.

Status: Passed by the Asm. Ag Committee and the Asm. Judiciary Committee and awaits consideration in the Asm. Appropriations Committee.

Position: Support

AB 942 (Calderon) Net energy metering: eligible customer-generators

Summary: Alters the on-site solar generation contract terms for farmers and food processors by placing them on the current tariff, if they have been a customer-generator on Net Energy Metering (NEM) 1.0 or NEM 2.0 for more than 10 years. Ag community members used good faith to invest in solar and enter into 20-year contract terms, which frees up the grid for other uses. AB 942 undermines those contracts by moving them to the net billing tariff or the latest applicable tariff, after only 10 years. This change will increase the cost of energy for local food production.

Status: Awaits a hearing in the Asm. Utilities and Energy Committee.

Position: Oppose, unless amended

AB 1042 (Ransom) Managed Honeybee Health Program

Summary: This bill would establish the Managed Honeybee Health Program, at the Department of Food and Agriculture in California, to improve the health and well-being of managed honeybees, which are crucial for agricultural pollination. The program would be supported by an advisory committee and could provide incentives, grants, research, technical assistance, education, and outreach to projects that enhance bee health, subject to available funding. Additionally, the bill proposes the creation of the Managed Honeybee Health Account to manage funds, which would be raised from state, federal, and private sources and allocated to the program as appropriated by the Legislature. Implementation of the program is dependent on legislative appropriation.

Status: Approved in Asm. Ag Committee and awaits action in the Asm. Appropriations Committee.

Position: Support

AB 1234 (Ortega) Employment: nonpayment of wages - complaints

Summary: Existing law allows the Labor Commissioner to investigate employee complaints, as well as hold hearings regarding wage recovery and related issues, and the Labor Commissioner penalizes employers who violate specific work regulations. This bill would revise and speed up the investigations and hearings. Among the bill's provisions, after a wage recovery hearing, any award granted will include a 30 percent administrative fee on employers, which goes into a newly created Wage Recovery Fund to support the Labor Commissioner's activities. We do not oppose the expedited claims language in the bill. However, Ag Council must oppose it given the 30 percent penalty is mandated whether or not the employer acted in good faith.

Status: Approved by the Asm. Labor & Employment Committee and the Asm. Judiciary Committee and awaits action in the Asm. Appropriations Committee.

Position: Oppose

AB 1264 (Gabriel) Pupil nutrition: ultra-processed food

Summary: Current law classifies some food additives as unsafe unless specific regulations exist. Violations are misdemeanors. This bill defines "ultra-processed food" and requires regulations to identify "particularly harmful ultra-processed food" by July 1, 2026. This process will involve the Office of Environmental Health Hazard Assessment (OEHHA) evaluating scientific evidence on health risks. Under AB 1264, schools are mandated to start eliminating these foods by 2028, and vendors are prohibited from supplying them to schools by 2032. Ag Council members produce, harvest and process nutritious, California grown food. However, by defining and regulating these terms, the unintended consequences of AB 1264 may include eliminating healthy food and beverages from school meals leading to fewer choices, in addition to increasing costs. Further, OEHHA does not have expertise in food and nutrition, and it is tasked with broad regulatory authority in the bill to make decisions about food.

Status: Passed the Asm. Education Committee and awaits consideration in the Asm. Environmental Safety & Toxic Materials Committee.

Position: Oppose

AB 1305 (Arambula) Air quality

Summary: Requires the state Office of Data and Innovation to create a standardized template for communicating complex and technical air permit data to the public, and this agency does not have expertise in local air quality issues. AB 1305 mandates air districts to use the template and publish detailed permit information on their websites. AB 1305 assumes businesses are not in compliance with air quality rules and that air districts are not enforcing the standards.

Status: Approved by the Asm. Natural Resources Committee and pending action in the Asm. Appropriations Committee.

Position: Oppose

AB 1331 (Elhawary) Workplace surveillance

Summary: Restricts how employers use workplace surveillance tools. The measure prohibits employers from monitoring employees in private, off-duty areas and mandates that surveillance tools be disabled during off-duty hours. Employers who violate this bill could face a \$500 civil penalty per employee for each violation, and both employees and public prosecutors are permitted to take enforcement actions.

Ag Council opposes AB 1331 because surveillance is used to protect the safety of both employees and employers, as well as property, and the bill undermines that purpose.

Status: Passed by the Asm. Labor & Employment Committee, the Asm. Privacy and Consumer Protection Committee and awaits action in the Asm. Appropriations Committee.

Position: Oppose

AB 1336 (Addis) Workers' compensation: farmworker benefits

Summary: Proposes a presumption that heat-related injuries in agricultural workers are work-related. If the employer cannot prove otherwise, the appeals board must side with the employee. Workers' compensation heat illness claims for farmworkers are not being denied under the current process, and Gov. Newsom vetoed the previous version of this measure citing existing state efforts to protect the health and safety of farmworkers.

Status: Approved by the Asm. Insurance Committee and awaits action in the Asm. Appropriations Committee.

Position: Oppose

**Please note, this is an abbreviated overview and is not a list of all legislation affecting food and agriculture.*