

THE CALIFORNIA CLIMATE SOLUTIONS ACT OF 2024

This initiative measure amends and adds sections to the Health and Safety Code; existing provisions proposed to be deleted are printed in ~~strikeout~~ type and new provisions proposed to be added are printed in *italic* type to indicate that they are new.

Section 1. Title of Measure.

This measure shall be known and may be cited as "The California Climate Solutions Act of 2024."

Section 2. Findings and Declarations.

The people of California find and declare the following:

- (a) Most Californians support taking immediate action on climate change and view climate change as a serious threat to California's quality of life and future economy (according to polling by the Public Policy Institute of California).
- (b) Californians are already suffering the impacts of accelerating climate change, including extreme heat, devastating wildfires, and worsening air quality. Millions of Californians regularly breathe the most unhealthy air in the country, which disproportionately impacts lower income communities, communities of color, children and the elderly.
- (c) The burning of fossil fuels is the primary driver of climate change. As the world's 4th largest economy and a major oil producer for more than a century, California must take transformative action to rapidly phase out fossil fuels and accelerate the shift to clean energy.
- (d) Though known as a leader on climate, California is not on track to reduce greenhouse gas emissions (GHG) at the speed and scale of the climate crisis. More than 16 years of California emissions reductions were effectively wiped out in one year by the record-breaking 2020 wildfires (according to research from UCLA).
- (e) California's cap-and-trade program, the market-based emissions trading system that covers 80% of the State's GHG emissions, is currently not stringent enough to meet California's required 2030 emissions reduction target (according to a recent report by the Legislative Analyst Office). If existing programs are failing to reduce GHG pollution at the speed necessary to avoid the worst impacts of the climate crisis, it is critical that California regulators are authorized to mandate necessary emissions reductions.
- (f) To achieve our short-term and long-term emissions reductions targets, California must accelerate the deployment of readily-available clean energy technologies and emissions reductions measures. No miracles are needed, as most of the technology needed to transition to a clean energy economy already exists, according to Stanford researcher Mark Jacobson.

- (g) Carbon capture and removal technologies are not mature enough to achieve a 1.5° C or even 2.0° C pathway, according to the global consulting firm McKinsey & Company; as such, these technologies cannot be heavily relied on for achieving California's emissions reduction targets.

Section 3. Purpose and Intent.

It is the intent of the people of California in enacting this measure to:

- (a) Reduce pollution, improve air quality, and provide a healthy environment for all Californians, present and future.
- (b) Align the state's climate strategy with the speed and severity of the climate crisis.
- (c) Promote the rapid deployment of available, proven clean energy technologies and pollution reduction measures.
- (d) Prioritize direct emission reductions in the near-term.
- (e) Authorize regulatory agencies to increase enforcement against polluters.
- (f) Ensure the state has a realistic path to carbon neutrality by 2045.

Section 4. Greenhouse Gas Emissions Reductions.

California Health and Safety Code Section 38562.2(c)(2) is amended to read as follows:

38562.2(c)(2) Ensure that by 2045, statewide anthropogenic greenhouse gas emissions are reduced to at least ~~85~~ 95 percent below the statewide greenhouse gas emissions limit established pursuant to Section 38550.

Section 5. Regulation of Emissions from Petroleum Refineries and Oil and Gas Production Facilities.

California Health and Safety Code Section 38592.5(a)(1) is amended to read as follows:

(a)(1) No later than January 1, 2018, the state board shall update the scoping plan, prepared pursuant to Section 38561, to achieve the greenhouse gas emissions reductions required pursuant to Section 38566. ~~The state board shall designate the market-based compliance mechanism adopted pursuant to subdivision (c) of Section 38562 as the rule for petroleum refineries and oil and gas production facilities to achieve their greenhouse gas emissions reductions. The state board shall adopt regulations that achieve the maximum feasible and cost-effective reduction of greenhouse gas emissions from petroleum refineries and oil and gas production facilities.~~

Section 6. Local Regulation of Greenhouse Gas Emissions.

California Health and Safety Code Section 38594(b) is amended to read as follows:

(b) A district ~~shall not~~ *may* adopt or implement an emission reduction rule for carbon dioxide from stationary sources that are also subject to a market-based compliance mechanism adopted by the state board pursuant to subdivision (c) of Section 38562.

Section 7. Legal Defense by the Attorney General.

The California Attorney General shall protect and defend this measure from any and all challenges in the courts of any jurisdiction to final judgment, including all levels of appellate review.

Section 8. Liberal Construction.

This measure shall be liberally construed to effectuate its purpose and intent.

Section 9. Conflicting Measures.

(a) In the event that this measure and another measure relating to the reduction and regulation of greenhouse gas emissions shall appear on the same statewide election ballot, the provisions of the other measure or measures shall be deemed to conflict with this measure. In the event that this measure received a greater number of affirmative votes than a measure deemed to conflict with it, the provisions of this measure shall prevail in their entirety, and the other measure or measures shall be null and void.

(b) If this measure is approved by the voters but superseded by law by any other conflicting ballot measure approved by the voters at the same election, and the conflicting measure is later held invalid, this measure shall be self-executing and given the force of law.

Section 10. Severability.

If any provision of this measure, or part thereof, is for any reason held to be invalid or unconstitutional, the remaining provisions shall not be affected but shall remain in full force and effect. To this end, the provisions of this measure are severable.

Section 11. Amendment.

Pursuant to subdivision (c) of Section 10 of Article II of the California Constitution, this measure may be amended by a subsequent measure submitted to a vote of the people at a statewide election. This measure may also be amended by a two-thirds vote of each house of the Legislature.