

**AB 961 – California Land Reuse and Revitalization Act Extension****BILL SUMMARY**

AB 961 extends the sunset date of the California Land Reuse and Revitalization Act (CLRRA) until 2037.

BACKGROUND

Under CLRRA a prospective purchaser, innocent owner or the owner of an adjacent property may enter into an agreement with the Department of Toxic Substances Control or Regional Water Quality Control Board for carrying out of the necessary evaluation and remediation of a contaminated and underutilized urban site and once the terms of the agreement have been fulfilled, will be afforded limited immunity from further liability for the contamination. This immunity can then be passed on to future owners, users and lenders, which greatly enhances the opportunities for redevelopment or reuse of the affected property.

The California Land Reuse and Revitalization Act provides liability protections to:

- Bona Fide Purchasers
- Innocent Landowners
- Contiguous Property Owners
- Prospective Purchasers; and
- Bona Fide Ground Tenants

The liability protections are intended to promote the cleanup and redevelopment of blighted contaminated properties. The law establishes a process for eligible property owners to obtain immunities, conduct a site assessment, and implement a response action as necessary, to ensure that the property can be reused or redeveloped. Immunities begin when a party enters into a CLRRA agreement. CLRRA was first effective January 1, 2005. The sunset date for the original CLRRA bill has been extended multiple times.

The current sunset date is January 1, 2027.

The CLRRA mirrors federal legislation that was passed to protect innocent investors in the remediation and development of brownfield sites, thereby encouraging investment in what are often disadvantaged communities and neighborhoods. It provides a faster route to cleaning up contaminated properties so it can be used for a productive benefit.

It allows communities to work with the Department of Toxic Substance Control or the State Water Board to determine the appropriate level of clean-up needed and site monitoring necessary to ensure public health and safety as well as advancing Infill Development and Greenhouse Gas Reduction by encouraging private investment-funded remediation.

If the CLRRA is not reauthorized, this clear path to revitalization would be lost.

SOLUTION

AB 961 extends the sunset date of the California Land Reuse and Revitalization Act (CLRRA) until 2037.

SUPPORT

Bay Area Council (sponsor)

FOR MORE INFORMATION

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