

AMENDED IN ASSEMBLY MARCH 25, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

**ASSEMBLY BILL**

**No. 113**

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**Introduced by Assembly Member Boerner Horvath**

December 17, 2020

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An act to amend Section ~~740.16~~ of the ~~Public Utilities Code~~, 18941.10 of, and to add Section 18941.12 to, the Health and Safety Code, and to add and repeal Sections 17053.90 and 23690 of the Revenue and Taxation Code, relating to transportation electrification.

LEGISLATIVE COUNSEL'S DIGEST

AB 113, as amended, Boerner Horvath. Transportation electrification: electric vehicles: ~~grid integration~~: building standards: tax credits.

(1) Existing law, the California Building Standards Law, establishes the California Building Standards Commission (the commission) within the Department of General Services. Existing law requires the commission to approve and adopt building standards and to codify those standards in the California Building Standards Code, which is required to be published once every 3 years.

Existing law, commencing with the triennial edition of the California Building Standards Code adopted after January 1, 2024, requires the commission to adopt, approve, codify, and publish mandatory building standards for the installation of electric vehicle charging infrastructure for parking spaces in multifamily dwellings and nonresidential development, as provided. Existing law requires the Department of Housing and Community Development (HCD) to propose mandatory building standards for the installation of future electric vehicle charging infrastructure for parking spaces in multifamily dwellings and submit the proposed mandatory building standards to the commission for

*consideration. Existing law requires the commission and HCD to actively consult with interested parties in proposing and adopting mandatory building standards under these provisions, as provided.*

*This bill, commencing with the next triennial edition of the California Building Standards Code after January 1, 2022, would revise these requirements to, instead, require the commission to adopt, approve, codify, and publish mandatory building standards for the electric vehicle charging stations, as defined, in multifamily dwellings and nonresidential development. The bill would also revise these requirements to, instead, require HCD to propose mandatory building standards for the installation of electric vehicle charging stations with Level 2 or higher electric vehicle supply equipment in multifamily dwellings. The bill would additionally require the Division of the State Architect to propose mandatory building standards for the installation of electric vehicle charging stations with Level 2 or higher electric vehicle supply equipment in new and existing school buildings. The bill would require the commission, HCD, and the Division of the State Architect to additionally consult with the State Air Resources Board and the State Energy Resources Conservation and Development Commission in proposing and adopting mandatory building standards under these provisions. The bill would require the commission, HCD, and the Division of the State Architect to review the building standards proposed and adopted under the bill's provisions every triennial code cycle and update those building standards based on that review as necessary.*

*The bill would also require the commission, HCD, and the Division of the State Architect to develop and adopt, or propose the adoption of, building standards with respect to the installation of electric vehicle charging stations in new construction and in existing residential and nonresidential buildings when other construction, retrofits, or repair action is taking place, as provided, and to update those building standards each triennial code cycle.*

*Existing law, the State Housing Law, among other things, generally requires cities and counties to enforce within their jurisdiction the provisions of the California Building Standards Code pertaining to residential structures. A violation of the State Housing Law, or the building standards or regulations adopted under its provisions, is a misdemeanor.*

*By adding to the duties of local officials with respect to enforcing building standards, and expanding the scope of a crime, this bill would impose a state-mandated local program.*

*(2) The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws.*

*This bill would allow a credit against those taxes for each taxable year beginning on or after January 1, 2021, and before January 1, 2026, in an amount equal to 40% of the amount paid or incurred in qualified costs by a qualified taxpayer during the taxable year for the installation of specified electric vehicle supply equipment in a covered multifamily dwelling or covered nonresidential building, subject to specified maximum credit amounts. The bill would define various terms for these purposes. The bill would repeal these provisions as of December 1, 2026.*

*Existing law requires that any bill introduced on or after January 1, 2020, that would authorize certain tax expenditures, as defined, or tax exemptions contain, among other things, specific goals, purposes, and objectives that the tax expenditure or exemption will achieve, detailed performance indicators, and data collection requirements.*

*This bill would include additional information required for any bill authorizing a new tax expenditure.*

*(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.*

*With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.*

~~Under existing law the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations, while local publicly owned electric utilities are under the direction of their governing boards. Existing law also requires each local publicly owned electric utility serving more than 700 gigawatthours of annual electrical demand, in each integrated resource plan updated adopted on and after January 1, 2020, to consider establishing electric vehicle grid integration strategies and evaluating how its existing and planned programs further those strategies, as specified.~~

~~This bill would make nonsubstantive changes to those provisions.~~

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

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

1     SECTION 1. *The Legislature finds and declares all of the*  
2 *following:*

3     (a) *California’s greenhouse gas (GHG) emissions must be*  
4 *reduced to at least 40 percent below the statewide GHG emissions*  
5 *limit no later than December 31, 2030, pursuant to Section 38566*  
6 *of the Health and Safety Code.*

7     (b) *Transportation emissions are the largest source of GHG*  
8 *emissions in California. Electrification of the transportation system*  
9 *is a key strategy in reducing transportation emissions. In order to*  
10 *support 1,500,000 zero-emission vehicles (ZEVs) by the year 2025,*  
11 *and 5,000,000 ZEVs by 2030, California has set a target to provide*  
12 *250,000 electric vehicle charging stations, including 10,000 direct*  
13 *current fast chargers.*

14     (c) *California’s Green Building Standards (CALGreen) Code*  
15 *(Part 11 of Title 24 of the California Code of Regulations) requires*  
16 *low-cost charging infrastructure in new construction to support*  
17 *future installation of Level 2 electric vehicle charging stations.*  
18 *Since new buildings represent a very small percent of total*  
19 *buildings statewide, it is essential that building standards are*  
20 *expanded to include cost-effective provisions to install charging*  
21 *infrastructure in existing buildings. Additionally, actual electric*  
22 *vehicle charging stations are needed to meet the demand for*  
23 *electric vehicle recharging.*

24     (d) *The CALGreen Code requirement for electric vehicle*  
25 *charging infrastructure in new construction should be expanded*  
26 *to require installation of electric vehicle charging stations with*  
27 *Level 2 or higher electric vehicle supply equipment in both new*  
28 *construction and existing multifamily dwellings, schools, and*  
29 *nonresidential buildings. Installation of electric vehicle charging*  
30 *stations is most cost effective when it is concurrent with other*  
31 *construction on the parking spaces or the electric supply of new*  
32 *or existing buildings.*

33     SEC. 2. *Section 18941.10 of the Health and Safety Code is*  
34 *amended to read:*

1 18941.10. (a) For purposes of this section:

2 (1) “Electric vehicle charging station” means one or more  
3 electric vehicle charging spaces served by an electric vehicle  
4 charger or other charging equipment allowing the charging of  
5 electric vehicles. An electric vehicle charging station shall be  
6 considered a vehicular parking space.

7 (2) “Electric vehicle supply equipment” means the conductors,  
8 including the underground, grounded, and equipment grounding  
9 conductors, and the electric vehicle connectors, attachment plugs,  
10 and other fittings, devices, power outlets, or apparatus installed  
11 specifically for the purpose of transferring energy between the  
12 premises wiring and the electric vehicle.

13 (a)

14 (b) (1) The commission shall, commencing with the next  
15 triennial edition of the California Building Standards Code (Title  
16 24 of the California Code of Regulations) adopted after January  
17 1, ~~2014~~, 2022, adopt, approve, codify, and publish mandatory  
18 building standards for the installation of ~~future~~ electric vehicle  
19 charging ~~infrastructure for parking spaces~~ stations in multifamily  
20 dwellings and nonresidential development. The building standards  
21 adopted, approved, codified, and published pursuant to this section  
22 shall apply to new construction and cost-effective trigger points  
23 during retrofits to existing buildings on and after the effective date  
24 of those building standards.

25 (2) For purposes of paragraph (1), notwithstanding subdivision  
26 (d) of Section 17922, the Department of Housing and Community  
27 Development shall propose mandatory building standards for the  
28 installation of ~~future~~ electric vehicle charging ~~infrastructure for~~  
29 ~~parking spaces~~ stations with Level 2 or higher electric vehicle  
30 supply equipment in multifamily ~~dwellings and~~ dwellings. The  
31 Department of Housing and Community Development shall submit  
32 the proposed mandatory building standards to the commission for  
33 consideration.

34 (3) For purposes of paragraph (1), the Division of the State  
35 Architect shall propose mandatory building standards for the  
36 installation of electric vehicle charging stations with Level 2 or  
37 higher electric vehicle supply equipment in new and existing school  
38 buildings and submit the proposed mandatory building standards  
39 to the commission for consideration.

40 (b)

1 (c) (1) In proposing and adopting mandatory building standards  
 2 under this section, the Department of Housing and Community  
 3 ~~Development~~ *Development, the Division of the State Architect,*  
 4 and the commission shall use Sections ~~A4.106.6, A4.106.6.1,  
 5 ~~A4.106.6.2, A5.106.5.1, and A5.106.5.3~~ *4.106.4 and 5.106.5.3* of  
 6 the California Green Building Standards Code (Part 11 of Title 24  
 7 of the California Code of Regulations) as the ~~starting point~~ *baseline*  
 8 for the mandatory building standards and amend those standards  
 9 as necessary. *standards.*~~

10 (2) In proposing and adopting mandatory building standards  
 11 under this section, the Department of Housing and Community  
 12 ~~Development~~ *Development, the Division of the State Architect,*  
 13 and the commission shall ~~actively~~ consult with interested parties,  
 14 including, but not limited to, *the State Air Resources Board, the*  
 15 *State Energy Resources Conservation and Development*  
 16 *Commission,* investor-owned utilities, municipal utilities, *vehicle*  
 17 *and electric vehicle supply equipment* manufacturers, local building  
 18 officials, commercial building and apartment owners, and the  
 19 building industry.

20 (d) *The Department of Housing and Community Development,*  
 21 *the Division of the State Architect, and the commission shall review*  
 22 *the building standards proposed and adopted pursuant to this*  
 23 *section every triennial code cycle pursuant to Section 18942, and*  
 24 *update those building standards based on that review as necessary,*  
 25 *to ensure that the building standards support statewide needs for*  
 26 *electric vehicle charging stations that align with the state’s*  
 27 *zero-emission vehicle targets.*

28 SEC. 3. *Section 18941.12 is added to the Health and Safety*  
 29 *Code, to read:*

30 *18941.12. The commission, the Department of Housing and*  
 31 *Community Development, and the Division of the State Architect*  
 32 *shall do all of the following:*

33 (a) *Develop and adopt, or propose the adoption of, building*  
 34 *standards that take advantage of the reduced cost of installing*  
 35 *electric vehicle charging stations in new construction and in*  
 36 *existing residential and nonresidential buildings when other*  
 37 *construction, retrofits, or repair action is taking place so that*  
 38 *electric vehicle charging stations can be made more widely*  
 39 *available in a cost-effective manner.*

1 (b) Invite the participation of relevant public agencies and the  
2 public at large in the development of building standards in  
3 accordance with this section.

4 (c) Review and revise the building standards applicable to  
5 electric vehicle charging infrastructure each triennial code cycle  
6 pursuant to Section 18942.

7 SEC. 4. Section 17053.90 is added to the Revenue and Taxation  
8 Code, to read:

9 17053.90. (a) (1) For each taxable year beginning on or after  
10 January 1, 2021, and before January 1, 2026, there shall be  
11 allowed as a credit against the “net tax,” as defined in Section  
12 17039, an amount equal to 40 percent of the amount paid or  
13 incurred in qualified costs by a qualified taxpayer during the  
14 taxable year for the installation of Level 2 or higher electric vehicle  
15 supply equipment or direct current fast chargers, or both, in a  
16 covered multifamily dwelling or covered nonresidential building,  
17 subject to paragraph (2).

18 (2) A credit allowed to a qualified taxpayer shall not exceed the  
19 following amounts:

20 (A) Five hundred dollars (\$500) per Level 2 or higher electric  
21 vehicle supply equipment installed during the taxable year.

22 (B) Two thousand five hundred dollars (\$2,500) per direct  
23 current fast chargers installed during the taxable year.

24 (b) For purposes of this section:

25 (1) “Covered multifamily dwelling” has the same meaning as  
26 defined in Section 12955.1.1 of the Government Code.

27 (2) “Covered nonresidential building” means any building that  
28 is within Occupancy Groups A, B, E, F, H, I, M, S, or U, as  
29 described in Chapter 3 of Part 2 of the California Building  
30 Standards Code (Title 24 of the California Code of Regulations),  
31 as that chapter read as of January 1, 2021.

32 (3) “Electric vehicle supply equipment” means the conductors,  
33 including the underground, grounded, and equipment grounding  
34 conductors, and the electric vehicle connectors, attachment plugs,  
35 and other fittings, devices, power outlets, or apparatus installed  
36 specifically for the purpose of transferring energy between the  
37 premises wiring and the electric vehicle.

38 (4) “Qualified costs” means the amounts paid or incurred for  
39 the acquisition of electric vehicle supply equipment, the installation  
40 of an outlet or wiring to the panel, panel upgrades, and labor.

1 (5) “Qualified taxpayer” means a taxpayer who is the owner  
 2 or developer of a covered multifamily dwelling or a covered  
 3 nonresidential building in this state. A taxpayer who owns a  
 4 proportional share of a covered multifamily dwelling or a covered  
 5 nonresidential building in this state may claim the credit allowed  
 6 by this section in an amount that is proportionate to that taxpayer’s  
 7 share of the qualified costs.

8 (c) In the case where the credit allowed by this section exceeds  
 9 the “net tax,” the excess may be carried over to reduce the “net  
 10 tax” in the following taxable year, and the succeeding six years if  
 11 necessary, until the credit is exhausted.

12 (d) A deduction shall not be allowed under this part for amounts  
 13 taken into account in the calculation of the credit allowed by this  
 14 section.

15 (e) This section shall remain in effect only until December 1,  
 16 2026, and as of that date is repealed. However, any unused credit  
 17 may continue to be carried forward, as provided in subdivision  
 18 (c), until the credit is exhausted.

19 SEC. 5. Section 23690 is added to the Revenue and Taxation  
 20 Code, to read:

21 23690. (a) (1) For each taxable year beginning on or after  
 22 January 1, 2021, and before January 1, 2026, there shall be  
 23 allowed as a credit against the “tax,” as defined in Section 23036,  
 24 an amount equal to 40 percent of the amount paid or incurred in  
 25 qualified costs by a qualified taxpayer during the taxable year for  
 26 the installation of Level 2 or higher electric vehicle supply  
 27 equipment or direct current fast chargers, or both, in a covered  
 28 multifamily dwelling or covered nonresidential building, subject  
 29 to paragraph (2).

30 (2) A credit allowed to a qualified taxpayer shall not exceed the  
 31 following amounts:

32 (A) Five hundred dollars (\$500) per Level 2 or higher electric  
 33 vehicle supply equipment installed during the taxable year.

34 (B) Two thousand five hundred dollars (\$2,500) per direct  
 35 current fast chargers installed during the taxable year.

36 (b) For purposes of this section:

37 (1) “Covered multifamily dwelling” has the same meaning as  
 38 defined in Section 12955.1.1 of the Government Code.

39 (2) “Covered nonresidential building” means any building that  
 40 is within Occupancy Groups A, B, E, F, H, I, M, S, or U, as

1 *described in Chapter 3 of Part 2 of the California Building*  
2 *Standards Code (Title 24 of the California Code of Regulations),*  
3 *as that chapter read as of January 1, 2021.*

4 (3) *“Electric vehicle supply equipment” means the conductors,*  
5 *including the underground, grounded, and equipment grounding*  
6 *conductors, and the electric vehicle connectors, attachment plugs,*  
7 *and other fittings, devices, power outlets, or apparatus installed*  
8 *specifically for the purpose of transferring energy between the*  
9 *premises wiring and the electric vehicle.*

10 (4) *“Qualified costs” means the amounts paid or incurred for*  
11 *the acquisition of electric vehicle supply equipment, the installation*  
12 *of an outlet or wiring to the panel, panel upgrades, and labor.*

13 (5) *“Qualified taxpayer” means a taxpayer who is the owner*  
14 *or developer of a covered multifamily dwelling or a covered*  
15 *nonresidential building in this state. A taxpayer who owns a*  
16 *proportional share of a covered multifamily dwelling or a covered*  
17 *nonresidential building in this state may claim the credit allowed*  
18 *by this section in an amount that is proportionate to that taxpayer’s*  
19 *share of the qualified costs.*

20 (c) *In the case where the credit allowed by this section exceeds*  
21 *the “tax,” the excess may be carried over to reduce the “net tax”*  
22 *in the following taxable year, and the succeeding six years if*  
23 *necessary, until the credit is exhausted.*

24 (d) *A deduction shall not be allowed under this part for amounts*  
25 *taken into account in the calculation of the credit allowed by this*  
26 *section.*

27 (e) *This section shall remain in effect only until December 1,*  
28 *2026, and as of that date is repealed. However, any unused credit*  
29 *may continue to be carried forward, as provided in subdivision*  
30 *(c), until the credit is exhausted.*

31 *SEC. 6. For purposes of complying with Section 41 of the*  
32 *Revenue and Taxation Code, the Legislature finds and declares*  
33 *the following with respect to Sections 17053.90 and 23690 of the*  
34 *Revenue and Taxation Code, as added by this act, hereafter*  
35 *referred to as “the tax credits:”*

36 (a) *The specific goals, purposes, and objectives that the tax*  
37 *credits will achieve are as follows:*

38 (1) *It is the intent of the Legislature in providing these tax credits*  
39 *to support transportation electrification by offsetting a part of the*  
40 *installation cost.*

1 (2) *One of the main barriers to zero-emission vehicle adoption*  
2 *is limited access to charging stations.*

3 (3) *Current zero-emission infrastructure cannot support the*  
4 *growing population of zero-emission vehicles, and long-term,*  
5 *holistic infrastructure planning and investment is critical to giving*  
6 *consumers confidence in zero-emission vehicles and to expand*  
7 *zero-emission vehicles to more market segments, including*  
8 *heavy-duty applications.*

9 (4) *Charging infrastructure is needed to power the vehicles and*  
10 *support the zero-emission vehicle market. As of December 2019,*  
11 *California has 22,233 electric vehicle charging outlets, including*  
12 *3,355 direct current fast chargers (DCFCs), at over 5,674 public*  
13 *stations throughout the state. The state's goal is to have 1,500,000*  
14 *zero-emission vehicles on the road and 250,000 charging outlets,*  
15 *including 10,000 DCFCs, as well as 5,000,000 zero-emission*  
16 *vehicles by 2030. The magnitude and speed of effort needed to*  
17 *achieve these goals is unprecedented.*

18 (5) *Convenient access to battery electric vehicle charging is a*  
19 *key barrier to the adoption of zero-emission vehicles, and light-duty*  
20 *zero-emission infrastructure is not yet keeping up with*  
21 *zero-emission vehicle market growth. Zero-emission vehicle*  
22 *infrastructure at a variety of locations, such as at residences,*  
23 *workplaces, highway rest stops, and shopping centers, is*  
24 *anticipated to enable a larger share of vehicle travel to be*  
25 *zero-emission and to provide more equitable access to clean*  
26 *transportation modes.*

27 (6) *The tax credits for installation of Level 2 or higher electric*  
28 *vehicle supply equipment in a multifamily dwelling or*  
29 *nonresidential building, as allowed by this act, will contribute to*  
30 *an increase in installation of charging infrastructure.*

31 (b) *Detailed performance indicators for the Legislature to use*  
32 *in determining whether the tax credits allowed by this act meet*  
33 *those goals, purposes, and objectives are as follows:*

34 (1) *The number of taxpayers claiming the tax credits.*

35 (2) *The ZIP CODES in which electric vehicle supply equipment*  
36 *is installed.*

37 (3) *The amount of electric vehicle supply equipment that is*  
38 *installed.*

1 (c) *The data collection requirements for determining whether*  
2 *the tax credits are meeting, failing to meet, or exceeding those*  
3 *specific goals, purposes, and objectives are as follows:*

4 (1) *The Legislative Analyst’s Office shall review the effectiveness*  
5 *of the tax credits and may request information from the Franchise*  
6 *Tax Board and any state governmental entity with authority*  
7 *relating to electric vehicle supply equipment.*

8 (2) (A) *The Franchise Tax Board shall provide any data*  
9 *requested by the Legislative Analyst’s Office pursuant to this*  
10 *subdivision.*

11 (B) *The disclosure provisions of this paragraph shall be treated*  
12 *as an exception to Section 19542 of the Revenue and Taxation*  
13 *Code under Article 2 (commencing with 19542) of Chapter 7 of*  
14 *Part 10.2 of Division 2 of the Revenue and Taxation Code.*

15 *SEC. 7. No reimbursement is required by this act pursuant to*  
16 *Section 6 of Article XIII B of the California Constitution for certain*  
17 *costs that may be incurred by a local agency or school district*  
18 *because, in that regard, this act creates a new crime or infraction,*  
19 *eliminates a crime or infraction, or changes the penalty for a crime*  
20 *or infraction, within the meaning of Section 17556 of the*  
21 *Government Code, or changes the definition of a crime within the*  
22 *meaning of Section 6 of Article XIII B of the California*  
23 *Constitution.*

24 *However, if the Commission on State Mandates determines that*  
25 *this act contains other costs mandated by the state, reimbursement*  
26 *to local agencies and school districts for those costs shall be made*  
27 *pursuant to Part 7 (commencing with Section 17500) of Division*  
28 *4 of Title 2 of the Government Code.*

29 ~~SECTION 1. Section 740.16 of the Public Utilities Code is~~  
30 ~~amended to read:~~

31 ~~740.16. (a) (1) The Legislature finds and declares all of the~~  
32 ~~following:~~

33 ~~(A) State policy incentivizes and encourages the increased use~~  
34 ~~of electric vehicles, and relies, in part, on the ratepayers of~~  
35 ~~electrical corporations to fund policies intended to increase the~~  
36 ~~usage of electric vehicles.~~

37 ~~(B) Changes in electrical demand and generation have created~~  
38 ~~escalating peak and low periods of electrical supply and demand,~~  
39 ~~and the cost of wholesale electricity and electricity delivery during~~  
40 ~~peak demand periods is typically greater than during other periods.~~

1 ~~(C) It is feasible and practicable to adjust the period during~~  
2 ~~which an electric vehicle charges, in part or in full, to reduce its~~  
3 ~~cost impact during periods of peak demand or grid congestion, to~~  
4 ~~use available renewable electric generation, to avoid curtailments~~  
5 ~~of renewable electric generation, and to provide reliability services.~~

6 ~~(D) Time-of-use rates for customers with electric vehicles can~~  
7 ~~reduce costs or mitigate cost increases for all ratepayers due to~~  
8 ~~increased usage of electric vehicles by incentivizing electric vehicle~~  
9 ~~charging at periods of low demand and low grid congestion.~~

10 ~~(2) It is, therefore, the policy of the state and the intent of the~~  
11 ~~Legislature to maximize net ratepayer and grid benefits from~~  
12 ~~transportation electrification and reduce costs or mitigate cost~~  
13 ~~increases for all ratepayers due to increased usage of electric~~  
14 ~~vehicles by accelerating electric vehicle grid integration and by~~  
15 ~~ensuring that any investments in transportation electrification do~~  
16 ~~not foreclose the electric vehicle grid integration potential of these~~  
17 ~~investments.~~

18 ~~(b) (1) For purposes of this section, “electric vehicle grid~~  
19 ~~integration” means any method of altering the time, charging level,~~  
20 ~~or location at which grid-connected electric vehicles charge or~~  
21 ~~discharge, in a manner that optimizes plug-in electric vehicle~~  
22 ~~interaction with the electrical grid and provides net benefits to~~  
23 ~~ratepayers by doing any of the following:~~

24 ~~(A) Increasing electrical grid asset utilization.~~

25 ~~(B) Avoiding otherwise necessary distribution infrastructure~~  
26 ~~upgrades.~~

27 ~~(C) Integrating renewable energy resources.~~

28 ~~(D) Reducing the cost of electricity supply.~~

29 ~~(E) Offering reliability services consistent with Section 380 or~~  
30 ~~the Independent System Operator tariff.~~

31 ~~(2) Electric vehicle grid integration strategies shall not require~~  
32 ~~the use of any specific technology.~~

33 ~~(3) Electric vehicle grid integration may be achieved using~~  
34 ~~multiple strategies, including, but not limited to, the adoption of~~  
35 ~~an electrical rate design, a technology, or a customer service, if~~  
36 ~~that adoption helps provide net benefits to ratepayers pursuant to~~  
37 ~~paragraph (1).~~

38 ~~(4) The commission may adopt a revised definition for “electric~~  
39 ~~vehicle grid integration” through a new or existing proceeding to~~  
40 ~~replace the definition in paragraph (1). Any revised definition of~~

1 “electric vehicle grid integration” adopted by the commission shall  
2 be applicable to load-serving entities, as defined in Section 380.

3 (e) ~~By December 31, 2020, in an existing proceeding, the~~  
4 ~~commission shall establish strategies and quantifiable metrics to~~  
5 ~~maximize the use of feasible and cost-effective electric vehicle~~  
6 ~~grid integration by January 1, 2030, consistent with all of the~~  
7 ~~following:~~

8 (1) ~~The electric vehicle grid integration strategies shall account~~  
9 ~~for the effect of time-of-use rates on electricity demand from~~  
10 ~~electric vehicle charging.~~

11 (2) ~~Expenditures on electric vehicle grid integration shall be in~~  
12 ~~the best interests of ratepayers, as defined in Section 740.8, and~~  
13 ~~consistent with Section 451.~~

14 (3) ~~The electric vehicle grid integration strategies shall reflect~~  
15 ~~electrical demand attributable to electric vehicle charging, including~~  
16 ~~from existing approved rates and programs.~~

17 (4) ~~Electric vehicle grid integration shall be consistent with the~~  
18 ~~transportation electrification goals described in Section 740.12.~~

19 (5) ~~The commission shall consider incorporating the National~~  
20 ~~Institute of Standards and Technology’s reliability and~~  
21 ~~cybersecurity protocols, or other equally protective or more~~  
22 ~~protective cybersecurity protocols, into the electric vehicle grid~~  
23 ~~integration strategies.~~

24 (d) ~~As part of each local publicly owned electric utility’s~~  
25 ~~integrated resource plan update adopted on and after January 1,~~  
26 ~~2020, pursuant to Section 9621, the local publicly owned electric~~  
27 ~~utility shall consider both of the following:~~

28 (1) ~~Establishing electric vehicle grid integration strategies that~~  
29 ~~are in the best interests of ratepayers and that reflect the local~~  
30 ~~publicly owned electric utility’s estimated electrical demand~~  
31 ~~attributable to electric vehicle charging, as applicable.~~

32 (2) ~~Evaluating how its existing and planned electric vehicle grid~~  
33 ~~integration programs, including its electrical rates and investments~~  
34 ~~in transportation electrification, to the extent feasible, further the~~  
35 ~~electric vehicle grid integration strategies it has established, as~~  
36 ~~applicable.~~

37 (e) ~~In carrying out its responsibilities pertaining to transportation~~  
38 ~~electrification, including, but not limited to, pursuant to Sections~~  
39 ~~740.2, 740.3, 740.8, 740.12, 740.13, and 740.14, the commission~~  
40 ~~shall reference the electric vehicle grid integration strategies~~

1 established pursuant to subdivision (c) in relevant ongoing and  
2 subsequent proceedings that address issues of transportation  
3 electrification in any part and shall identify how programs and  
4 investments that the commission may approve will advance the  
5 achievement of the strategies.

6 (f) In executing its responsibilities on transportation  
7 electrification, including, but not limited to, pursuant to Sections  
8 740.2, 740.3, 740.8, 740.12, 740.13, and 740.14, the commission  
9 shall consider how, or if, electric vehicle grid integration can  
10 mitigate any generation, transmission, or distribution costs, or  
11 increase the economic, social, or environmental benefits associated  
12 with transportation electrification, and shall not foreclose future  
13 use of electric vehicle grid integration.

14 (g) Each community choice aggregator shall, one year after the  
15 commission establishes electric vehicle grid integration strategies  
16 pursuant to subdivision (c), report annually to the commission  
17 describing how its current and planned programs, rates, and  
18 investments in transportation electrification are expected to further  
19 the electric vehicle grid integration strategies.

20 (h) Each electrical corporation shall, in each of its applications  
21 to the commission for transportation electrification programs and  
22 investments filed pursuant to Section 740.12, quantify how the  
23 investments described in the application are expected to further  
24 the electric vehicle grid integration strategies established pursuant  
25 to subdivision (c).

26 (i) Each electrical corporation that files an application for  
27 programs and investments to accelerate widespread transportation  
28 electrification pursuant to Section 740.12 shall, in each of its load  
29 research report compliance filings or alternative compliance filings  
30 submitted to the commission, report the electrical corporation's  
31 annual measurable progress in furthering the electric vehicle grid  
32 integration strategies established pursuant to subdivision (c).

33 (j) The commission shall, in an existing proceeding, review  
34 each load-serving entity's annual measurable progress in furthering  
35 the electric vehicle grid integration strategies established pursuant  
36 to subdivision (c), and may, if appropriate, issue recommendations  
37 to ensure reasonable progress toward achieving vehicle grid  
38 integration.

39 (k) Nothing in this section authorizes a delay of any new rate  
40 or program for electric vehicle charging or electric vehicle grid

- 1 integration as to which consideration or approval is pending before
- 2 the commission on or before January 1, 2020.
- 3 ~~(l) As regards electrical corporations, this section shall only~~
- 4 ~~apply to electrical corporations that are required to file an integrated~~
- 5 ~~resource plan pursuant to Section 454.52.~~

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