

2026 LEGISLATION

Data Centers

AB 2469 (Papan) Data centers: water use disclosures: would require data centers to provide information to cities and counties regarding their actual or anticipated water use. Permits for such facilities could not be approved if it results in the construction or an expansion that would increase the maximum peak use.

AB 2619 (Papan) Water Resources: data centers: would require a person who owns or operates a data center to report on the application, the data center's annual water use for the preceding calendar years, including total water use, direct water use, and indirect water use.

State Water Project

AB 2215 (Calderon) Water rights: permits: State Water Project: would extend the time periods for application of beneficial water use and the completion of construction work for specified water permits for the SWP to December of 2085.

SB 952 (Laird) State Water Project: renewable energy resources and zero-carbon resources: would allow DWR after January 2036 to apply excess procurement of eligible renewable energy resources and zero-carbon resources from one year to the subsequent year's obligation if they exceed 10 percent of the "annual retail sales" in the same year. This would constitute compliance with DWR's current renewable energy procurement requirements for the State Water Resources Development System.

AB 1752 (Lackey) Eminent domain: appraisals: would require a public entity that offers to purchase property under threat of eminent domain related to specified purposes to pay specific costs of an independent appraisal ordered by the owner.

Water Management

AB 2728 (Soria) Open and Transparent Water Data Act: would require DWR, the State Board, and the Department of Fish and Wildlife to coordinate and integrate existing water and ecological data from state, local, and federal agencies, and including the efficacy of management actions taken.

AB 2026 (Aguiar-Curry) Water diversion: groundwater recharge: permit: would provide a pathway to expedite and encourage groundwater recharge through expedited permitting for diversions that will reduce river flows of water that will pose an imminent flood risk. It additionally outlines a procedural framework for groundwater recharge storage diversions generally.

AB 2521 (Papan) California Council on Science and Technology: water availability study: Central Valley: would require DWR to select two watersheds in the Central Valley, for which the California Council on Science and Technology would then undertake a comprehensive study on water availability in the watersheds selected.

Energy

AB 2476 (Ellis) Electricity: integrated resource plans: Department of Water Resources: would authorize DWR to procure resources from a pump hydroelectric facility if the pump hydroelectric facility is exempt from Federal Energy Regulatory Commission licensing.

SB 943 (Becker) Public utilities: electricity – transmission charge: industrial transition usage: would require the Public Utilities Commission (PUC) to include provisions for different rates for different time of use for electric transmission access charges (TACs) for the State's Independent System Operator (CAISO). It would also allow the PUC to direct a large electrical corporation to apply a rate adjustment of the nonbypassable charge when billing new industrial electricity users.

SB 1158 (Stern) Energy: reliability planning assessment: would add to currently-required reporting of the PUC and the CEC, the use of fossil fuel by energy facilities operating under the Electricity Supply Strategic Reliability Reserve Program of DWR.

Grants/Funds

AB 35 (Alvarez) Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024: Administrative Procedure Act: exemption: program guidelines and selection criteria: would permit state agencies tasked with disbursing Proposition 4 climate bond funds to forego the Administrative Procedures Act (APA) rulemaking process required to develop grant program guidelines and selection criteria.

AB 1754 (Pacheco) State general obligation bonds: would require a head of a lead state agency administering the bond to post on its internet website notification that contains details about the programs and projects authorized by funded by the bond. They will also be required to provide a report to DOF and LAO certain legislative committees.

AB 2739 (Soria) Community Water Affordability Program would require DWR to develop and administer a program to disburse grants for water system repairs, rehabilitation, and enhancements. Applicants would be required to fund at least 50 percent of the proposed project. Waivers would be allowed in instances where the applicant alleges extreme financial hardship.

SB 872 (McNerney) Delta Levees and Canal Subsidence Fund would establish the Delta Levees and Canal Subsidence Fund for the purpose of maintaining delta water quality and preserve and protect the levees. The funds would be available to the Secretary of Natural Resources for expenditure consistent to the allocations described in the bill.

Tribal Policy / Engagement

AB 1881 (Ramos) California Indian Freedom Act of 2026: would authorize a California Indian or tribe to assert a violation in legal or administrative proceedings against local, state or Federal agencies. Agencies must also conduct early, good-faith consultation with tribes before approving projects that may affect sacred sites.

AB 2187 (Ramos) Public contracts: contracts for services: would prohibits government agencies from substantially burdening California Indian or tribe religious and spiritual practices unless they meet a strict compelling interest test. Would also allow California Indian or tribe to assert a violation of these provisions as a claim or defense in any judicial or administrative proceeding.

AB 2218 (Kalra) Water Policy: California Native American Tribes: would establish a policy of the state to acknowledge and correct the inequities caused by state-sanctioned acts of termination, removal, and assimilation inflicted upon all California Native American tribes through compensation, legal recognition of rights, or replacement of benefits.

SB 1326 (Wahab) CEQA: tribal cultural resources: mitigation measures: would define and separate tribal cultural resources from other types of resources within CEQA, such as cultural or archaeological resources, and would specify protective actions, including actions meant to mitigate adverse impacts, as specified, including consulting with the tribes to determine the most culturally appropriate measures to mitigate identified impacts.

Conservancies

AB 2216 (Aguilar-Curry) Sacramento-San Joaquin Delta Conservancy: would expand the area covered by the conservancy to include the Valley. Would add two additional liaison advisers, who are designees of the Sierra Nevada Conservancy and the San Joaquin River Conservancy, respectively.

State Administration/Contracts

AB 1652 (Patterson) State agencies: NDAs: would prohibit an elected or appointed Agency employee acting in their official capacity from entering into, or requesting that another party enter into, a nondisclosure agreement relating to the proposed regulation or legislation.

AB 2360 (Arambula) State agencies: governmental linguistics would require state agencies to create, adopt, and post on its internet website a plain language policy that identifies how the state agency will incorporate or strengthen plain language writing and design principles and practices.