



Presentation by the International Human Rights Law Clinic, UC Berkeley School of Law, on Human Right to Water Law and Implementation Issues

Background

In September 2012, Governor Brown signed AB 685 and California became the first state in the nation to legally recognize the human right to water. The bill added the following section to the Water Code:

§106.3. (a) It is hereby declared to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

(b) All relevant state agencies, including the department, the state board, and the State Department of Public Health, shall consider this state policy when revising, adopting, or establishing policies, regulations, and grant criteria when those policies, regulations, and criteria are pertinent to the uses of water described in this section.

(c) This section does not expand any obligation of the state to provide water or to require the expenditure of additional resources to develop water infrastructure beyond the obligations that may exist pursuant to subdivision (b).

(d) This section shall not apply to water supplies for new development.

(e) The implementation of this section shall not infringe on the rights or responsibilities of any public water system.

In a report published last year, the International Human Rights Law Clinic at the University of California, Berkeley School of Law provides implementation recommendations for state agencies and policy goals. Allison Davenport, Supervising Attorney & Clinical Instructor from the International Human Rights Law Clinic will make a presentation to the Commission on the law, including the duty to consider, the human right to water, and the basic principles that should guide implementation.

Attachment

[The Human Right to Water Bill in California, An Implementation Framework for State Agencies](#)

Contact

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