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In the midst of a record-breaking heat wave, the California State Legislature wrapped up a legislative session that considered numerous bills on heat mitigation, adaptation, and resiliency. There were some big wins, including a bill to create the nation's first heat wave ranking system. However, many critically needed programs and policies failed to secure enough votes in the Legislature or the Governor's signature. Both the successes and the failures create opportunities to expand and strengthen protections for vulnerable communities and to improve the State's ability to adapt to increasing temperatures.

The Problem of Extreme Heat

California's recent heat wave fueled fires across the state, caused power outage concerns, and prompted the Governor to declare a state of emergency. Unlike past heat waves, the recent heat wave was exacerbated by the phenomena of warmer nights, with nighttime temperatures rising faster than daytime temperatures, contributing to increasing humidity across the state. As a result, summer, once a favorite season for Californians, has become very dangerous for vulnerable communities, especially low-income individuals, children, the elderly, pregnant people, and unhoused people.

It is well-known that heat causes health impacts, but it can be difficult to connect heat with the impacts it causes. Heat illnesses include heat edema, rashes, cramps, exhaustion, syncope, stroke, and a number of long-term health effects. Symptoms of heat stress include dizziness, nausea, headache, and confusion. Heat deaths have been historically hard to track and are likely undercounted because they are underdiagnosed and underreported. For example, between 2010 and 2019, California's official data from death certificates attributed 599 deaths to heat exposure, but an analysis found that the true toll is probably six times higher. An examination of mortality data from this period shows that thousands more people died on extremely hot days, estimating that extreme heat caused about 3,900 deaths.

Heat Legislation

During the 2021-2022 Legislative Session, numerous bills were introduced to protect people from extreme heat and increase the State's heat and climate

resilience. The State also allocated $865 million for extreme heat in 2021 and 2022, including $365 million for community resilience centers and cooling infrastructure, protecting vulnerable communities and ecosystems, and increasing awareness of risks from extreme heat.

The following bills were enacted:

- **AB 211 (Committee on Budget, 2022)** created the Strategic Growth Council's Community Resilience Center Program, which requires outreach to heat-vulnerable communities and creates a grant program to fund resilience centers.
- **AB 1643 (R. Rivas, 2022)** requires the Labor and Workforce Development Agency to establish an advisory committee to study and evaluate the effects of heat on California's workers, businesses, and the economy.
- **AB 2238** (**Rivas & E. Garcia, 2022)** created a first-in-the-nation Statewide Extreme Heat Ranking System to help communities prepare for heat waves.
- **AB 2420 (Arambula, 2022)** requires the Department of Public Health to study the effects of extreme heat on pregnancy and create recommendations for protecting pregnant outdoor workers.
- **AB 2243 (E. Garcia & L. Rivas, 2022)** directs Cal/OSHA to consider adopting rules requiring (1) employers to distribute copies of heat-related illness prevention plans to all new employees and annually when temperatures reach 80 degrees for the first time each year (2) farmworkers to wear PPE at no more than 301 AQI, and (3) the creation of acclimatization protocols. UCLA's California Environmental Legislation and Policy Clinic assisted in the development of an earlier version of AB 2243.
- **SB 852 (Dodd, 2022)** permits cities and counties to create climate resilience districts that can invest in extreme heat, drought, wildfire, and other climate resilience programs.

There were also several important heat-related bills that failed, creating opportunities for future legislative or regulatory efforts.

- **AB 2076 (L. Rivas, 2022)** aimed to create a comprehensive Extreme Heat and Community Resilience Program involving interagency coordination, the appointment of a Chief Heat Officer, grants and technical assistance for disadvantaged and vulnerable communities, and climate science research, among other features.
- **AB 2566 (Calderon, 2022),** which would have provided grants for school

greening, was vetoed because the Governor set aside funding for school greening during the budget process.

- **AB 2597 (Bloom, 2022)** would have created a “right to cooling” by declaring inadequate indoor cooling/AC a substandard condition in the Building Standards Code. The State currently has a “right to heating,” and creating a “right to cooling” could provide renters with the much-needed opportunity to recover from heat exposure. Questions remain about how to implement and enforce such a right at the local level.
- **SB 1261 (Stern, 2022)** would have required the Department of Community Services and Development to develop and administer the Multifamily Rapid Deployment Building Decarbonization and Extreme Heat Program to identify and deploy replicable, scalable, and affordable upgrades for multifamily building types that reduce GHG emissions and improve the health/comfort of residents in multifamily buildings.

While the bills that passed during the last session are meaningful, there are certainly large areas left unaddressed. Several of the successful bills related to research studies and preparing for extreme heat events, which suggests that the Legislature was focused on gathering data to better understand the impacts of extreme heat and potentially to support future policies. This may create opportunities for stronger protections or more robust actions in the coming sessions, and it’s possible some of the heat bills that died this year could be revised and reintroduced in new bills. In particular, it will be important to create protections for low-income communities and communities of color that are disproportionately exposed to extreme heat and overburdened by the impacts. These protections could take many forms. From strengthening indoor and outdoor workplace safety standards to improving access to cooling infrastructure like heat pumps, street-level shade structures, and urban greening, there are many opportunities to mitigate heat exposure.

While the temperatures will likely be cooler when the Legislature resumes in January, hopefully extreme heat will remain a hot issue.