

CALIFORNIA'S POLLUTERS PAY CLIMATE SUPERFUND ACT (SB 684 & AB 1243)

Authors: Senator Caroline Menjívar and Assemblymember Dawn Addis

Who's Going to Pay for the Climate Crisis? California taxpayers are facing an unprecedented and escalating financial burden from the climate crisis. Tens of thousands of Angelenos are returning to their communities to find homes, businesses and infrastructure destroyed. The recent devastation in L.A. alone is estimated to cost Californians \$250 billion.

Insurance giants are abandoning Californians. Communities are shouldering unaffordable insurance rates, housing costs, utility bills, and medical and health expenses. State and local budgets are stretched to the brink as climate risks rise, jeopardizing public services, and forcing taxpayers to carry the burden.

Across the state, climate costs are hurting working families. Unless something changes, Californians will continue to suffer the burden of escalating multibillion-dollar costs.

Polluters Pay Climate Superfund: A Common-Sense Solution. The climate crisis is a fossil-fuel crisis. A small number of the world's largest corporations have emitted the bulk of global greenhouse pollution, raking in immense profits while we all pay the price. The Climate Superfund Act (SB 684 & AB 1243) would ensure polluters pay their fair share for the climate damage they have caused in California. This bill would:

- **Direct CalEPA to complete a climate cost study:** to quantify total damages to the state (through 2045), caused by fossil fuel emissions.
- **Direct CalEPA to identify responsible parties and assess compensatory fees:** on the largest fossil fuel polluters, proportional to their fossil fuel emissions 1990 through 2024, to address damages quantified in the cost study.
- **Fund California's future:** Fees collected will fund projects and programs to mitigate, remedy, or prevent climate change costs and harms. The aim of this bill is to prioritize strong labor and job standards and dedicate at least 40% of the funds to benefit communities hit hardest by fossil fuel pollution. It will protect Californians and lower costs by funding critical climate solutions, including investments in a clean energy transition, community resilience, home hardening, sustainable infrastructure, and essential workers responding to climate disasters.

California is one of several states considering such legislation. Vermont and New York enacted climate superfund laws last year.

This legislation could raise hundreds of billions of dollars to protect Californians and fund solutions that build affordable and sustainable communities!

Distinct from Cap-and-Trade: The Climate Superfund seeks recompense to address damage caused by past fossil fuel emissions. Cap-and-Trade is a market-based program to incentivize future emissions reductions. Funds paid into the Cap-and-Trade system are *not* recompense for past damage caused by their emissions; polluters pay into cap-and-trade for others to reduce emissions in their place, so they don't have to. These companies have not remedied the harm caused by their past emissions. The state and taxpayers have never been made whole; the Climate Superfund Act seeks some relief for that injustice.

This bill is separate and distinct from important climate accountability lawsuits brought by California local governments and the state of California to hold polluters accountable for lying about climate change and violating the law.

Supporting Organizations

Sponsors: Center for Biological Diversity, California Environmental Voters, Campaign for a Safe and Healthy California.

1000 Grandmothers for Future Generations	Climate Hawks Vote	Physicians for Social Responsibility, Pennsylvania
198 methods	Climate Health Now	Physicians for Social Responsibility, San Francisco Bay
350 Bay Area Action	Climate Justice Group, First Unitarian Universalist	Physicians for Social Responsibility, Sacramento
350 Conejo / San Fernando Valley	Church of San Diego	Prevention Institute
350 Humboldt	Climate Reality Project San Diego	Protect Monterey County
350 Sacramento	Climate Reality Project San Francisco Bay Area	Protect Playa Now
350 Santa Barbara	Climate Reality Project, Riverside County Chapter	Public Citizen
350 Southland Legislative Alliance	Climate Reality Project, San Fernando Valley	Public Health Advocates
350 Ventura County Climate Hub	Coalition for Humane Immigrant Rights, CHIRLA	Puvunga Wetland Protectors
350.org	Coastal Lands Action Network	Rachel Carson Council
ACCE (Alliance of Californians For Community Empowerment)	Communities for a Better Environment	Redeemer Community Partnership
Action for the Climate Emergency (ACE)	Consumer Watchdog	Resilient Palisades
Active San Gabriel Valley	Courage California	Rise Economy
AFT 1521	Dayenu: A Jewish Call to Climate Action	Rising Sun Center for Opportunity
American Academy of Pediatrics, California	Defend Ballona Wetlands	RootsAction.org
Asian Pacific Environmental Network	Dolores Huerta Foundation	San Francisco Baykeeper
Avaaz	Dr. Bronner's	SanDiego350
Azul	Ekō	Santa Cruz Climate Action Network
Ballona Wetlands Institute	Elders Climate Action (ECA) Northern California (NorCal) Chapter	SEE (Social Eco Education)
Bay Area-System Change not Climate Change	Elders Climate Action (ECA) Southern California (SoCal) Chapter	Sequoiaforestkeeper.org
Benioff Ocean Science Laboratory	Elected Officials to Protect America	Seventh Generation
Better Future Project	Endangered Habitats League	Sierra Club California
Beyond Extreme Energy	Evergreen Action	SoCal 350 Climate Action
Black Women for Wellness Action Project	Extinction Rebellion Los Angeles	Southern California Public Health Association
CA Working Families Party	Extinction Rebellion San Francisco Bay Area	Spottswode Winery, Inc.
CA Youth vs. Big Oil	Extreme Weather Survivors	Stand.earth
California Climate Voters	Families Advocating for Chemical and Toxics Safety	Strategic Concepts In Organizing and Policy Education
California Environmental Justice Alliance (CEJA) Action	Food & Water Watch	Sunrise Bay Area
California Federation of Teachers	Fossil Free California	Sunrise Movement
California Green New Deal Coalition	Fossil Free Media	Sunrise Movement LA
California Interfaith Power & Light	FracTracker Alliance	Sustainable Claremont
California Nurses Association	Fridays for Future Sacramento	Sustainable Mill Valley
California Nurses for Environmental Health and Justice	Glendale Environmental Coalition	The Climate Center
Carbon Cycle Institute	Good Neighbor Steering Committee of Benicia	The Climate Reality Project: California Coalition
Center for Community Action and Environmental Justice (CCA EJ)	Greenpeace USA	The Eric and Wendy Schmidt Center for Data Science & Environment at Berkeley
Center for Diverse Leadership in Science	Human Impact Partners	The YEARS Project
Center for International Environmental Law (CIEL)	Indivisible CA Green Team	Third Act
Center on Race, Poverty & the Environment	Indivisible CA: State Strong	Third Act Sacramento
Central California Asthma Collaborative	Indivisible Marin	Third Act SF Bay Area
Central California Environmental Justice Network	Initiate Justice	Third Act SoCal
CERBAT	Labor Rise - Climate Jobs Action	TIAA-Divest!
Chesapeake Climate Action Network	Long Beach Alliance for Clean Energy	Union of Concerned Scientists
Citizens' Climate Lobby Santa Cruz chapter	Los Angeles Climate Reality Project	VISIÓN (Voices in Solidarity Against Oil in Neighborhoods)
CleanEarth4Kids.org	Los Angeles Faith & Ecology Network	Vote Solar
Climate Action California	Marin Interfaith Climate Action	Waterkeeper Alliance
Climate Action Campaign	Midwest Building Decarbonization Coalition	West Berkeley Alliance for Clean Air and Safe Jobs
Climate and Society Center, UC Berkeley	NextGen California	WildEarth Guardians
Climate Brunch	No Drilling Contra Costa	Women's Earth and Climate Action Network
Climate Defenders / Defensores De La Tierra	Oil and Gas Action Network	Youth For Earth
Climate Equity Policy Center	Oil Change International	Youth v. Oil
Climate First: Replacing Oil & Gas (CFROG)	Our Revolution	
	Oxfam America	
	Physicians for Social Responsibility, Los Angeles	

Contact for questions:

Christina Scaringe, Center for Biological Diversity Climate Law Institute, cscaringe@biologicaldiversity.org

Fatima Iqbal-Zubair, California Environmental Voters, fatima@envirovoters.org

Amy Costa, Campaign for a Safe and Healthy California, amy@fullmoonstrategies.com