

**2014 Legislation of Interest
to County Auditors**

**State Association of County Auditors
Legislative Committee**

2014 State Controller's Conference
with County Auditors

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AB 229 (John A. Pérez D) Local government: infrastructure and revitalization financing districts.

Chapter Number: 775

Status: 9/29/2014-Chaptered by Secretary of State - Chapter 775, Statutes of 2014.

Is Urgency: N

Summary: Would authorize the creation by a city, county, city and county, or joint powers authority of an infrastructure and revitalization financing district, as defined, and the issuance of debt with 2/3 voter approval. The bill would authorize the creation of a district for up to 40 years and the issuance of debt with a final maturity date of up to 30 years, as specified. The bill would authorize a district to finance projects in redevelopment project areas and former redevelopment project areas and former military bases. This bill contains other related provisions.

Summary: Existing law authorizes the creation by a city, county, or city and county of an infrastructure financing district, as defined, for the sole purpose of financing public facilities, subject to adoption of a resolution by the legislative body and affected taxing entities proposed to be subject to division of taxes and 2/3 voter approval. Existing law authorizes the legislative body to, by majority vote, initiate proceedings to issue bonds for the financing of district projects by adopting a resolution, subject to specified procedures and 2/3 voter approval. Existing law requires an infrastructure financing plan to include the date on which an infrastructure financing district will cease to exist, which may not be more than 30 years from the date on which the ordinance forming the district is adopted. Existing law prohibits a district from including any portion of a redevelopment project area. Existing law, the Polanco Redevelopment Act, authorizes a redevelopment agency to take any action that the agency determines is necessary and consistent with state and federal laws to remedy or remove a release of hazardous substances on, under, or from property within a project area, whether the agency owns that property or not, subject to specified conditions. Existing law also declares the intent of the Legislature that the areas of the district created be substantially undeveloped, and that the establishment of a district should not ordinarily lead to the removal of dwelling units. This bill would authorize the creation by a city, county, city and county, or joint powers authority of an infrastructure and revitalization financing district, as defined, and the issuance of debt with 2/3 voter approval. The bill would authorize the creation of a district for up to 40 years and the issuance of debt with a final maturity date of up to 30 years, as specified. The bill would authorize a district to finance projects in redevelopment project areas and former redevelopment project areas and former military bases. The bill would authorize the legislative body to dedicate any portion of its funds received from the Redevelopment Property Tax Trust Fund to the district, if specified criteria are met. The bill would authorize the formation of a district to finance a project or projects on a former military base, if specified conditions are met. This bill contains other related provisions.

Laws: An act to add Chapter 2.6 (commencing with Section 53369) to Part 1 of Division 2 of Title 5 of the Government Code, and to amend Section 33459 of the Health and Safety Code, relating to local government.

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AB 471 (Atkins D) Local government: redevelopment: successor agencies to redevelopment agencies.

Chapter Number: 1

Status: 2/18/2014-Chaptered by the Secretary of State, Chapter Number 1, Statutes of 2014

Is Urgency: Y

Summary: Current law prohibits an infrastructure financing district from including any portion of a redevelopment project area. This bill would delete that prohibition and would authorize a district to finance a project or portion of a project that is located in, or overlaps with, a redevelopment project area or former redevelopment project area, as specified. This bill contains other related provisions and other existing laws.

Summary: (1) Existing law authorizes the creation of infrastructure financing districts, as defined, for the sole purpose of financing public facilities, subject to adoption of a resolution by the legislative body and affected taxing entities proposed to be subject to the division of taxes and voter approval requirements. Existing law prohibits an infrastructure financing district from including any portion of a redevelopment project area. This bill would delete that prohibition and would authorize a district to finance a project or portion of a project that is located in, or overlaps with, a redevelopment project area or former redevelopment project area, as specified. This bill contains other related provisions and other existing laws.

Laws: An act to amend Section 53395.4 of the Government Code, and to amend Sections 34171, 34177, 34191.4, and 34191.5 of the Health and Safety Code, relating to local government, and declaring the urgency thereof, to take effect immediately.

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AB 1583 (Allen R) Controller: state funds: reporting.

Chapter Number: 230

Status: 8/21/2014-Chaptered by Secretary of State - Chapter 230, Statutes of 2014.

Is Urgency: N

Summary: Would require the Controller to include the name of the account, the source of authorization for establishing the account, and the account balance on bank accounts and savings and loan association accounts outside the treasury system in the budgetary-legal basis annual report. This bill would specifically require a state agency that receives revenues for state costs under a cost recovery statute to deposit those revenues into the State Treasury.

Summary: Existing law requires the Controller to submit specified fiscal reports, including, among others, an annual report to the Governor relating to the state's revenues and expenditures during the preceding fiscal year, known as the budgetary-legal basis annual report. Except as otherwise provided by law, all money belonging to the state received from any source by any state agency is accounted for to the Controller, and on the order of the Controller, paid into the Treasury and credited to the General Fund, as prescribed. This bill would require the Controller to include the name of the account, the source of authorization for establishing the account, and the account balance on bank accounts and savings and loan association accounts outside the treasury system in the budgetary-legal basis annual report. This bill would specifically require a state agency that receives revenues for state costs under a cost recovery statute to deposit those revenues into the State Treasury.

Laws: An act to add Sections 12462.5 and 16341 to the Government Code, relating to state government.

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AB 1710 (Dickinson D) Personal information: privacy.

Chapter Number: 855

Status: 9/30/2014-Chaptered by Secretary of State - Chapter 855, Statutes of 2014.

Is Urgency: N

Summary: Current law requires a person or business required to issue a security breach notification pursuant to specified provisions to meet various requirements, including that the security breach notification provide specified information. This bill would require, with respect to the information required to be included in the notification, if the person or business providing the notification was the source of the breach, that the person or business offer to provide appropriate identity theft prevention and mitigation services, if any, to the affected person at no cost for not less than 12 months if the breach exposed or may have exposed specified personal information.

Summary: Existing law requires a person or business conducting business in California that owns or licenses computerized data that includes personal information, as defined, to disclose, as specified, a breach of the security of the system or data following discovery or notification of the security breach to any California resident whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person. Existing law also requires a person or business that maintains computerized data that includes personal information that the person or business does not own to notify the owner or licensee of the information of any breach of the security of the data immediately following discovery, as specified. Existing law requires a person or business required to issue a security breach notification pursuant to these provisions to meet various requirements, including that the security breach notification provide specified information. This bill would require, with respect to the information required to be included in the notification, if the person or business providing the notification was the source of the breach, that the person or business offer to provide appropriate identity theft prevention and mitigation services, if any, to the affected person at no cost for not less than 12 months if the breach exposed or may have exposed specified personal information. This bill contains other related provisions and other existing laws.

Laws: An act to amend Sections 1798.81.5, 1798.82, and 1798.85 of the Civil Code, relating to personal information privacy.

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AB 1739 (Dickinson D) Groundwater management.

Chapter Number: 347

Status: 9/16/2014-Chaptered by Secretary of State - Chapter 347, Statutes of 2014.

Is Urgency: N

Summary: Would provide specific authority to a groundwater sustainability agency, as defined in SB 1168 of the 2013-14 Regular Session, to impose certain fees. The bill would authorize the Department of Water Resources or a groundwater sustainability agency to provide technical assistance to entities that extract or use groundwater to promote water conservation and protect groundwater resources. This bill would require the department, by January 1, 2017, to publish on its Internet Web site best management practices for the sustainable management of groundwater.

Summary: (1) Existing law authorizes local agencies to adopt and implement a groundwater management plan. Existing law requires a groundwater management plan to contain specified components and requires a local agency seeking state funds administered by the Department of Water Resources for groundwater projects or groundwater quality projects to do certain things, including, but not limited to, preparing and implementing a groundwater management plan that includes basin management objectives for the groundwater basin. This bill would provide specific authority to a groundwater sustainability agency, as defined in SB 1168 of the 2013-14 Regular Session, to impose certain fees. The bill would authorize the department or a groundwater sustainability agency to provide technical assistance to entities that extract or use groundwater to promote water conservation and protect groundwater resources. This bill would require the department, by January 1, 2017, to publish on its Internet Web site best management practices for the sustainable management of groundwater, and would require the department to prepare and release a report by December 31, 2016, on the department's best estimate of water available for replenishment of groundwater in the state. This bill contains other related provisions and other existing laws.

Laws: An act to amend Sections 65352 and 65352.5 of, and to add Section 65350.5 to, the Government Code, and to amend Sections 348, 1120, 1552, 1831, 10721, 10726.4, and 10726.8 of, to add Sections 1529.5 and 10726.9 to, to add Part 5.2 (commencing with Section 5200) to Division 2 of, and to add Chapter 7 (commencing with Section 10729), Chapter 8 (commencing with Section 10730), Chapter 9 (commencing with Section 10732), Chapter 10 (commencing with Section 10733), and Chapter 11 (commencing with Section 10735) to Part 2.74 of Division 6 of, the Water Code, relating to groundwater.

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AB 1760 (Chau D) Property taxation: welfare exemption: rental housing and related facilities: payment in lieu of taxes agreement.

Chapter Number: 671

Status: 9/27/2014-Chaptered by Secretary of State - Chapter 671, Statutes of 2014.

Is Urgency: N

Summary: Would, on or after January 1, 2015, prohibit a local government from entering into a payment in lieu of taxes (PILOT) agreement with a property owner of a low-income housing project, and would make any PILOT agreement entered into in violation of this provision void and unenforceable. The bill would establish a conclusive presumption that any payments made under a PILOT agreement entered into before January 1, 2015, comply with the certification requirement described above and were or are used to maintain the affordability of, or reduce rents otherwise necessary for, the units occupied by lower income households.

Summary: Existing property tax law establishes a partial welfare exemption for property used exclusively for rental housing and related facilities that are owned and operated by either of any certain types of nonprofit entities or veterans' organizations that meet specified exemption requirements, if either of certain qualifying criteria are met. Existing law requires the owner of the property, in order to be eligible for the exemption, to certify that the funds that would have been necessary to pay property taxes are used to maintain the affordability of, or reduce rents otherwise necessary for, the units occupied by lower income households. This bill would, on or after January 1, 2015, prohibit a local government from entering into a payment in lieu of taxes (PILOT) agreement with a property owner of a low-income housing project, and would make any PILOT agreement entered into in violation of this provision void and unenforceable. The bill would establish a conclusive presumption that any payments made under a PILOT agreement entered into before January 1, 2015, comply with the certification requirement described above and were or are used to maintain the affordability of, or reduce rents otherwise necessary for, the units occupied by lower income households. The bill would define a PILOT agreement to mean any agreement entered into between a local government and a property owner of a low-income housing project that requires the owner of the low-income housing project to pay the local government a charge, as provided, and would define a "low-income housing project" to mean a low-income housing project that is eligible for the exemption described above. This bill contains other related provisions.

Laws: An act to add Sections 214.06, 214.07, and 214.09 to the Revenue and Taxation Code, relating to taxation.

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AB 1793 (Chau D) Redevelopment housing successor: report.

Chapter Number: 672

Status: 9/27/2014-Chaptered by Secretary of State - Chapter 672, Statutes of 2014.

Is Urgency: N

Summary: Current law requires a redevelopment housing successor annually to provide an independent financial audit of the fund to its governing body, and to post on its Internet Web site specified information. This bill would require that posted information to also include, as specified, an inventory of homeownership units assisted by the former redevelopment agency or the housing successor that are subject to covenants or restrictions or to an adopted program that protects the former redevelopment agency's investment of moneys from the Low and Moderate Income Housing Fund.

Summary: Existing law dissolved redevelopment agencies and community development agencies, and provides for the designation of successor agencies that are required to wind down the affairs of the dissolved redevelopment agencies and to, among other things, make payments due for enforceable obligations, as defined. This bill would require that posted information to also include, as specified, an inventory of homeownership units assisted by the former redevelopment agency or the housing successor that are subject to covenants or restrictions or to an adopted program that protects the former redevelopment agency's investment of moneys from the Low and Moderate Income Housing Fund. This bill contains other existing laws.

Laws: An act to amend Section 34176.1 of the Health and Safety Code, relating to redevelopment.

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AB 1933 (Levine D) Local government: investments.

Chapter Number: 59

Status: 6/25/2014-Chaptered by Secretary of State - Chapter 59, Statutes of 2014.

Is Urgency: N

Summary: Would authorize the legislative body of a local agency to also invest in United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by certain banks, as specified, and would require these investments to be rated "AA" or better and to not exceed 30% of the agency's moneys that may be invested.

Summary: Existing law authorizes the legislative body of a local agency having money in a sinking fund or money in its treasury not required for immediate needs to invest any portion of the money that it deems wise or expedient in specified securities and financial instruments. This bill would authorize the legislative body of a local agency to also invest in United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by certain banks, as specified, and would require these investments to be rated "AA" or better and to not exceed 30% of the agency's moneys that may be invested.

Laws: An act to amend Section 53601 of the Government Code, relating to local government.

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AB 1963 (Atkins D) Redevelopment.

Chapter Number: 146

Status: 7/18/2014-Chaptered by Secretary of State - Chapter 146, Statutes of 2014.

Is Urgency: Y

Summary: Would require the property of a former redevelopment agency to be disposed of according to law if the Department of Finance has not approved a long-range property management plan by January 1, 2016. This bill contains other related provisions.

Summary: (1) The Community Redevelopment Law authorized the establishment of redevelopment agencies in communities to address the effects of blight, as defined. Existing law dissolved redevelopment agencies as of February 1, 2012, and provides for the designation of successor agencies, as defined. Existing law requires successor agencies to wind down the affairs of the dissolved redevelopment agencies, subject to review by oversight boards. The oversight board is required to direct a successor agency to, and a successor agency is required to, among other things, dispose of assets and properties of the former redevelopment agency as directed by the oversight board. Existing law suspends this requirement, except as it applies to the transfer or assets and properties for governmental use, until the Department of Finance has approved a long-range property management plan, as specified. Upon approval of a long-range property management plan, the plan governs and supersedes all other provisions relating to the disposition and use of the real property assets of the former redevelopment agency. If the department has not approved a long-range property management plan by January 1, 2015, existing law requires the property of a former redevelopment agency to be disposed of according to law. This bill would instead require the property of a former redevelopment agency to be disposed of according to law if the department has not approved a long-range property management plan by January 1, 2016. This bill contains other related provisions and other existing laws.

Laws: An act to amend Sections 34176 and 34191.3 of, and to repeal Section 34178.8 of, the Health and Safety Code, relating to redevelopment, and declaring the urgency thereof, to take effect immediately.

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AB 2024 (Bonilla D) Professional fiduciaries.

Chapter Number: 336

Status: 9/15/2014-Chaptered by Secretary of State - Chapter 336, Statutes of 2014.

Is Urgency: N

Summary: Would prohibit a professional fiduciary from operating with a retired or canceled license. The bill would provide that a license that is not renewed within 3 years following its expiration shall not be renewed, restored, or reinstated, and would require the license to be canceled immediately upon expiration of the 3-year period. This bill contains other related provisions and other existing laws.

Summary: Under the Professional Fiduciaries Act, the Professional Fiduciaries Bureau, until January 1, 2015, licenses and regulates professional fiduciaries. The act prohibits a professional fiduciary from operating with an expired, suspended, or revoked license. This bill would also prohibit a professional fiduciary from operating with a retired or canceled license. The bill would provide that a license that is not renewed within 3 years following its expiration shall not be renewed, restored, or reinstated, and would require the license to be canceled immediately upon expiration of the 3-year period. The bill would authorize the bureau to establish by regulation a system for the placement of a license into retired status, as specified, for a professional fiduciary who is not actively engaged in the practice of a professional fiduciary or any activity that requires him or her to be licensed by the bureau. This bill contains other related provisions and other existing laws.

Laws: An act to amend Sections 6531, 6538, 6580, and 6592 of, and to add Sections 6541.1 and 6542 to, the Business and Professions Code, relating to professional fiduciaries.

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AB 2040 (Garcia D) Compensation of elected officials, officers, and employees: reporting and disclosure.

Chapter Number: 894

Status: 9/30/2014-Chaptered by Secretary of State - Chapter 894, Statutes of 2014.

Is Urgency: N

Summary: Would require a local agency to additionally report to the Controller the annual compensation of its elected officials, officers, and employees. This bill would also require a local agency that is required to submit a financial report to the Controller and that maintains an Internet Web site to post the annual compensation information of its elected officials, officers, and employees that is submitted to the Controller and posted on the Controller's Government Compensation in California Internet Web site. This bill contains other related provisions and other existing laws.

Summary: Existing law requires the officer of each local agency, as specified, who has charge of the financial records of the local agency to furnish to the Controller a report of specified information that includes, among other things, all the financial transactions of the local agency during the next preceding fiscal year. Existing law requires the Controller to compile and publish reports of the financial transactions of each county, city, city and county, and special district, respectively, together with any other matter he or she deems of public interest. This bill would require a local agency to additionally report to the Controller the annual compensation of its elected officials, officers, and employees. This bill would also require a local agency that is required to submit a financial report to the Controller and that maintains an Internet Web site to post the annual compensation information of its elected officials, officers, and employees that is submitted to the Controller and posted on the Controller's Government Compensation in California Internet Web site. This bill would require the Controller to display the financial reports and the public official compensation on the Controller's Internet Web site in a format that may be printed and downloaded. This bill would require the Controller and local agencies to consult regarding the reporting instructions for the disclosure of compensation information. This bill contains other related provisions and other existing laws.

Laws: An act to amend Sections 12463 and 53892 of, and to add Article 10.5 (commencing with Section 53908) to Chapter 4 of Part 1 of Division 2 of Title 5 of, the Government Code, relating to local government.

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AB 2109 (Daly D) Controller: reports: parcel taxes.

Chapter Number: 781

Status: 9/29/2014-Chaptered by Secretary of State - Chapter 781, Statutes of 2014.

Is Urgency: N

Summary: Current law requires the Controller to compile and publish reports of the financial transactions of each county, city, and special district within this state, together with any other matter he or she deems of public interest. This bill would additionally require the Controller to include specified information in those local government financial transaction reports relating to the imposition of locally assessed parcel taxes, including, among other things, the type and rate of a parcel tax and the number of parcels subject to or exempt from the parcel tax.

Summary: Existing law requires the Controller to compile and publish reports of the financial transactions of each county, city, and special district within this state, together with any other matter he or she deems of public interest. This bill would additionally require the Controller to include specified information in those local government financial transaction reports relating to the imposition of locally assessed parcel taxes, including, among other things, the type and rate of a parcel tax and the number of parcels subject to or exempt from the parcel tax. The bill would require the local governmental entities imposing a parcel tax to provide information to the Controller as required by the Controller to comply with these provisions. By imposing new duties on local officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Laws: An act to add Section 12463.2 to the Government Code, relating to parcel taxes.

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AB 2119 (Stone D) Local taxes: transactions and use taxes.

Chapter Number: 148

Status: 7/18/2014-Chaptered by Secretary of State - Chapter 148, Statutes of 2014.

Is Urgency: N

Summary: Would authorize the board of supervisors of a county to levy, increase, or extend a transactions and use tax throughout the entire county or within the unincorporated area of the county, if approved by the qualified voters of the entire county if levied on the entire county, or of the unincorporated area of the county if levied on the unincorporated area of the county. This bill would require the revenues derived from the imposition of this tax to only be used within the area for which the tax was approved by the qualified voters.

Summary: Existing law authorizes the board of supervisors of a county to levy, increase, or extend a transactions and use tax, as specified, if approved by the required vote of the board and the required vote of the qualified voters. This bill would authorize the board of supervisors of a county to levy, increase, or extend a transactions and use tax throughout the entire county or within the unincorporated area of the county, if approved by the qualified voters of the entire county if levied on the entire county, or of the unincorporated area of the county if levied on the unincorporated area of the county. This bill would require the revenues derived from the imposition of this tax to only be used within the area for which the tax was approved by the qualified voters.

Laws: An act to amend Sections 7285 and 7285.5 of the Revenue and Taxation Code, relating to taxation.

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AB 2156 (Achadjian R) Local agency formation commissions: studies.

Chapter Number: 21

Status: 6/4/2014-Chaptered by Secretary of State - Chapter 21, Statutes of 2014.

Is Urgency: N

Summary: Would include joint powers agencies and joint powers authorities among the entities from which the local agency formation commission is authorized to request land use information, studies, and plans, for purposes of conducting specified studies, and also would include joint powers agreements in the list of items the commission may request in conducting those studies. The bill would specifically define "joint powers agency" and "joint powers authority" for purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Summary: Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, sets forth the powers and duties of a local agency formation commission, including, among others, the requirement to conduct studies of existing governmental agencies that include, but are not limited to, inventorying those agencies and determining their maximum service area and service capacities. The commission is authorized to request land use information, studies, and plans of cities, counties, districts, including school districts, community college districts, and regional agencies and state agencies and departments, in connection with conducting the required studies, and the governmental agencies are required to comply with the commission's request. This bill would include joint powers agencies and joint powers authorities among the entities from which the commission is authorized to request land use information, studies, and plans, for purposes of conducting the studies described above, and also would include joint powers agreements in the list of items the commission may request in conducting those studies. The bill would specifically define "joint powers agency" and "joint powers authority" for purposes of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Laws: An act to amend Section 56378 of, and to add Section 56047.7 to, the Government Code, relating to local government.

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AB 2170 (Mullin D) Joint powers authorities: common powers.

Chapter Number: 386

Status: 9/17/2014-Chaptered by Secretary of State - Chapter 386, Statutes of 2014.

Is Urgency: N

Summary: Current law provides that 2 or more public agencies, by agreement, may form a joint powers authority to exercise any power common to the contracting parties, as specified. This bill would provide that the parties to the agreement may exercise any power common to the contracting parties, including, but not limited to, the authority to levy a fee, assessment, or tax, as specified.

Summary: Existing law provides that 2 or more public agencies, by agreement, may form a joint powers authority to exercise any power common to the contracting parties, as specified. This bill would provide that the parties to the agreement may exercise any power common to the contracting parties, including, but not limited to, the authority to levy a fee, assessment, or tax, as specified.

Laws: An act to amend Section 6502 of the Government Code, relating to joint powers.

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AB 2231 (Gordon D) State Controller: property tax postponement.

Chapter Number: 703

Status: 9/28/2014-Chaptered by Secretary of State - Chapter 703, Statutes of 2014.

Is Urgency: Y

Summary: The Senior Citizens and Disabled Citizens Property Tax Postponement Law, until February 20, 2009, authorized a claimant, as defined, to file a claim with the Controller to postpone the payment of ad valorem property taxes, if household income, as defined, did not exceed specified amounts This bill would make inoperative the prohibition against a person filing a claim for postponement and the Controller from accepting applications for postponement under the program as of July 1, 2016, and would repeal this prohibition on January 1, 2017. This bill contains other related provisions and other existing laws.

Summary: The Senior Citizens and Disabled Citizens Property Tax Postponement Law, until February 20, 2009, authorized a claimant, as defined, to file a claim with the Controller to postpone the payment of ad valorem property taxes, if household income, as defined, did not exceed specified amounts. That law authorized the Controller, upon approval of the claim, to either make a payment directly to specified entities, or to issue the claimant a certificate of eligibility that constituted a written promise of the state to pay the amount specified on the certificate, as provided. That law required these payments to be made out of specified funds appropriated to the Controller, and also required certain repaid property tax postponement payments to be paid into an impound account and transferred, as specified, to the General Fund. That law also required all sums paid by the Controller for postponed property taxes to be secured by a lien in favor of the State of California. This bill would make inoperative the prohibition against a person filing a claim for postponement and the Controller from accepting applications for postponement under the program as of July 1, 2016, and would repeal this prohibition on January 1, 2017. This bill would authorize a claim for postponement to be filed after September 1 of the fiscal year in which the postponement is claimed and on or before April 10 of that fiscal year, as specified. This bill contains other related provisions and other existing laws.

Laws: An act to amend Sections 16181, 16182, 16183, 16184, 16186, 16190, 16200, 16210, 16211, and 16211.5 of, to repeal Sections 16185, 16212, 16213, and 16214 of, and to repeal and add Section 16180 of, the Government Code, and to amend Sections 2514, 2515, 3375, 3691, 3698.5, 3698.7, 3793.1, 4673.1, 20503, 20583, 20584, 20585, 20602, 20621, 20622, 20639.10, 20639.11, 20639.12, 20645.5, and 20645.6 of, to amend and repeal Section 20623 of, to repeal Section 20583.1 of, to add Section 3376 to, the Revenue and Taxation Code, relating to state government, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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AB 2257 (Cooley D) Property tax: tax-defaulted property: excess proceeds from sale.

Chapter Number: 501

Status: 9/20/2014-Chaptered by Secretary of State - Chapter 501, Statutes of 2014.

Is Urgency: N

Summary: Current law requires any proceeds remaining in the delinquent tax sale trust fund after distribution of the proceeds to be retained in the fund subject to being claimed by parties of interest, as provided. Current law requires, at the expiration of one year following the recordation of the tax deed to the purchaser, that any excess proceeds not claimed be distributed among taxing agencies, as provided. This bill would eliminate the requirement that any excess proceeds not claimed be distributed among taxing agencies, and would instead authorize any excess proceeds to be transferred to the county general fund at the expiration of a specified time period.

Summary: Existing law generally authorizes a county tax collector to sell tax-defaulted property 5 years or more, or 3 years or more, as applicable, after that property has become tax defaulted. Existing law requires the proceeds from the sale of tax-defaulted property to be deposited in the delinquent tax sale trust fund, and requires the proceeds in the fund to be distributed to the state, to the county for reimbursement of specified costs relating to the sale of the tax-defaulted property, and among taxing agencies, as provided. Existing law requires any proceeds remaining in the delinquent tax sale trust fund after distribution of the proceeds to be retained in the fund subject to being claimed by parties of interest, as provided. Existing law requires, at the expiration of one year following the recordation of the tax deed to the purchaser, that any excess proceeds not claimed be distributed among taxing agencies, as provided. This bill would eliminate the requirement that any excess proceeds not claimed be distributed among taxing agencies, and would instead authorize any excess proceeds to be transferred to the county general fund at the expiration of a specified time period. This bill contains other related provisions and other existing laws.

Laws: An act to amend Sections 4674 and 4675 of the Revenue and Taxation Code, relating to taxation.

SACA: Legislation of Interest to County Auditors
2014 SCO Conference with County Auditors

AB 2389 (Fox D) Local government: capital investment incentive programs: corporation tax credits: qualified wages: new advanced strategic aircraft program.

Chapter Number: 116

Status: 7/10/2014-Chaptered by Secretary of State - Chapter 116, Statutes of 2014.

Is Urgency: Y

Summary: Current law requires the Business, Transportation and Housing Agency, or its successor, to certify qualified manufacturing facilities for purposes of specified provisions and to carry out various oversight duties. Current law repeals these provisions on January 1, 2017. This bill would, until July 1, 2015, reduce the assessed value threshold for calculating the capital investment incentive amount from \$150,000,000 to \$25,000,000 and would define "qualified manufacturing facility" to include, among others, facilities operated by certain businesses described in specified provisions of the North American Industry Classification System Manual. The bill would transfer the duties of the Business, Transportation and Housing Agency to the Governor's Office of Business and Economic Development (GO-Biz).

Summary: Existing law authorizes a county, city and county, or city to establish a capital investment incentive program, pursuant to which the county, city and county, or city is authorized to pay a capital investment incentive amount, as defined, that does not exceed the amount of property tax derived from that portion of the assessed value of a qualified manufacturing facility that exceeds \$150,000,000, to a proponent of a qualified manufacturing facility. A "qualified manufacturing facility" is defined to include a facility operated by a business described in specified provisions of the Standard Industrial Classification Manual. Existing law requires the Business, Transportation and Housing Agency, or its successor, to certify qualified manufacturing facilities for purposes of these provisions and to carry out various oversight duties. Existing law repeals these provisions on January 1, 2017. This bill would, until July 1, 2015, reduce the assessed value threshold for calculating the capital investment incentive amount from \$150,000,000 to \$25,000,000 and would define "qualified manufacturing facility" to include, among others, facilities operated by certain businesses described in specified provisions of the North American Industry Classification System Manual. The bill would transfer the duties of the Business, Transportation and Housing Agency to the Governor's Office of Business and Economic Development (GO-Biz). The bill would, on July 1, 2015, restore the existing provisions relating to the capital investment threshold amount and the definition of "qualified manufacturing facility," but would maintain the transfer of duties to Go-Biz. The bill would instead repeal these provisions on January 1, 2018. The bill would also replace obsolete references in those restored provisions to the Standard Industrial Classification Manual with corresponding references to the North American Industry Classification System Manual. This bill contains other related provisions and other existing laws.

Laws: An act to amend Section 51298.5 of, and to amend, repeal, and add Section 51298 of, the Government Code, and to amend Sections 17059.2 and 23689 of, and to add Section 23636 to, the Revenue and Taxation Code, relating to economic development, and declaring the urgency thereof, to take effect immediately.

SACA: Legislation of Interest to County Auditors
2014 SCO Conference with County Auditors

AB 2393 (Levine D) Vehicle registration fees.

Chapter Number: 292

Status: 8/25/2014-Chaptered by Secretary of State - Chapter 292, Statutes of 2014.

Is Urgency: N

Summary: Current law authorizes a county, upon the adoption of a resolution by its board of supervisors, to impose a fee of \$1 on all motor vehicles, except as provided, in addition to other fees imposed for the registration of a vehicle. Existing law requires registered owners of a commercial vehicle in a county that has so imposed that \$1 fee to pay an additional \$2 fee. This bill would authorize a county, that has adopted the resolution to impose the \$1 fee, to increase that fee to \$2 in the same manner that it imposed the initial \$1 fee. The bill would alternatively authorize a county that has not adopted a \$1 fee to impose an initial \$2 fee in the same manner that it is authorized to impose a \$1 fee.

Summary: Existing law authorizes a county, upon the adoption of a resolution by its board of supervisors, to impose a fee of \$1 on all motor vehicles, except as provided, in addition to other fees imposed for the registration of a vehicle. Existing law requires registered owners of a commercial vehicle in a county that has so imposed that \$1 fee to pay an additional \$2 fee. Existing law requires the county, after deducting administrative costs, to pay those fees to the Controller quarterly. Existing law continuously appropriates the money generated by these fees to the Controller for disbursement to each county that has adopted a resolution as described above, and limits the expenditure of the money so disbursed to certain purposes related to law enforcement. This bill would additionally authorize a county, that has adopted the resolution to impose the \$1 fee, to increase that fee to \$2 in the same manner that it imposed the initial \$1 fee. The bill would alternatively authorize a county that has not adopted a \$1 fee to impose an initial \$2 fee in the same manner that it is authorized to impose a \$1 fee. If a county imposes a \$2 fee pursuant to these provisions, the bill would increase the additional \$2 fee on commercial vehicles to \$4. The bill would require the county to submit resolutions to impose or increase fees pursuant to these provisions to the Department of Motor Vehicles at least 6 months prior to the operative date of the fee. This bill contains other related provisions.

Laws: An act to amend Section 9250.19 of the Vehicle Code, relating to vehicle registration fees, and making an appropriation therefor.

SACA: Legislation of Interest to County Auditors
2014 SCO Conference with County Auditors

AB 2597 (Ting D) Energy: PACE program.

Chapter Number: 614

Status: 9/26/2014-Chaptered by Secretary of State - Chapter 614, Statutes of 2014.

Is Urgency: N

Summary: Would require the California Alternative Energy and Advanced Transportation Financing Authority to consider whether a PACE financing program provides financial assistance that is less than 15% of the value of the property, for up to the first \$700,000, and less than 10% of the remaining value of the property above \$700,000, and whether the PACE financing program limits the total mortgage-related debt and PACE financing from exceeding the value of the property. This bill contains other existing laws.

Summary: Existing law authorizes a public agency and a property owner to enter into voluntary contractual assessments to finance the installation of distributed generation renewable energy sources or energy or water efficiency improvements that are permanently affixed on real property (PACE financing program). This bill would require the authority to consider whether a PACE financing program provides financial assistance that is less than 15% of the value of the property, for up to the first \$700,000, and less than 10% of the remaining value of the property above \$700,000, and whether the PACE financing program limits the total mortgage-related debt and PACE financing from exceeding the value of the property. This bill contains other existing laws.

Laws: An act to amend Sections 26052, 26055, 26060, 26061, 26062, and 26063 of the Public Resources Code, relating to energy.

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AB 2618 (John A. Pérez D) Property and business improvement areas: benefit assessments.

Chapter Number: 240

Status: 8/21/2014-Chaptered by Secretary of State - Chapter 240, Statutes of 2014.

Is Urgency: N

Summary: Would require a management district plan to additionally include, for districts that are property-based, the proportionate special benefit derived by each identified parcel, to be determined as prescribed, the total amount of all special benefits to be conferred on the properties located within the property-based district, the total amount of any general benefit, and a detailed engineer's report, as specified. This bill contains other related provisions and other existing laws.

Summary: The California Constitution generally requires that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. This bill would require a management district plan to additionally include, for districts that are property-based, the proportionate special benefit derived by each identified parcel, to be determined as prescribed, the total amount of all special benefits to be conferred on the properties located within the property-based district, the total amount of any general benefit, and a detailed engineer's report, as specified. This bill contains other related provisions and other existing laws.

Laws: An act to amend Sections 36601, 36602, 36603.5, 36621, 36622, 36624, 36625, 36628.5, 36650, and 36651 of, to amend and renumber Sections 36606, 36611, 36612, 36613, 36614, and 36614.5 of, and to add Sections 33609.4, 36609.5, 36614.6, 36614.7, and 36615.5 to, the Streets and Highways Code, relating to benefit assessments.

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SB 614 (Wolk D) Local government: jurisdictional changes: infrastructure financing.

Chapter Number: 784

Status: 9/29/2014-Chaptered by Secretary of State - Chapter 784, Statutes of 2014.

Is Urgency: N

Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires a local agency or school district that initiates proceedings for a change of local government organization or reorganization by submitting a resolution of application to a local agency formation commission to also submit a plan for providing services within the affected territory, as specified. This bill would instead require, if a proposal for a change of organization or reorganization is submitted to a local commission, that the applicant submit a plan for providing services within the affected territory.

Summary: Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, provides the authority and procedures for the initiation, conduct, and completion of changes of organization and reorganization of cities and districts. The act requires a local agency or school district that initiates proceedings for a change of local government organization or reorganization by submitting a resolution of application to a local agency formation commission to also submit a plan for providing services within the affected territory, as specified. This bill would instead require, if a proposal for a change of organization or reorganization is submitted to a local commission, that the applicant submit a plan for providing services within the affected territory that, until January 1, 2025, in the case of a change of organization or reorganization initiated by a local agency that includes a disadvantaged, unincorporated community, authorizes a local agency to include in its resolution of application an annexation development plan to improve or upgrade structures, roads, sewer or water facilities, or other infrastructure to serve the disadvantaged, unincorporated community. This bill would authorize the local agency formation commission to approve the proposal to include the formation of a special district or reorganization of a special district, as specified. This bill would require an annexation plan to include certain information. This bill contains other related provisions and other existing laws.

Laws: An act to amend, repeal, and add Section 56653 of the Government Code, and to add and repeal Section 99.3 of the Revenue and Taxation Code, relating to local government.

SACA: Legislation of Interest to County Auditors
2014 SCO Conference with County Auditors

SB 628 (Beall D) Enhanced infrastructure financing districts.

Chapter Number: 785

Status: 9/29/2014-Chaptered by Secretary of State - Chapter 785, Statutes of 2014.

Is Urgency: N

Summary: Would authorize the legislative body of a city or a county, defined to include a city and county, to establish an enhanced infrastructure financing district, adopt an infrastructure financing plan, and issue bonds, for which only the district is liable, upon approval by 55% of the voters; to finance public capital facilities or other specified projects of communitywide significance. The bill would also authorize an enhanced infrastructure financing district to utilize any powers under the Polanco Redevelopment Act. This bill contains other related provisions and other existing laws.

Summary: Existing law authorizes a legislative body of a city, defined to mean a city or a city and county, to establish an infrastructure financing district, adopt an infrastructure financing plan, and issue bonds, for which only the district is liable, to finance specified public facilities upon approval by 2/3 of the voters. Existing law authorizes an infrastructure financing district to fund infrastructure projects through tax increment financing, pursuant to the infrastructure financing plan and the agreement of affected taxing entities, as defined. Existing law requires an infrastructure financing plan to include the date on which an infrastructure financing district will cease to exist, that may not be more than 30 years from the date on which the ordinance forming the district is adopted. This bill would additionally authorize the legislative body of a city or a county, defined to include a city and county, to establish an enhanced infrastructure financing district, adopt an infrastructure financing plan, and issue bonds, for which only the district is liable, upon approval by 55% of the voters; to finance public capital facilities or other specified projects of communitywide significance, including, but not limited to, brownfield restoration and other environmental mitigation; the development of projects on a former military base; the repayment of the transfer of funds to a military base reuse authority; the acquisition, construction, or rehabilitation of housing for persons of low and moderate income for rent or purchase; the acquisition, construction, or repair of industrial structures for private use; transit priority projects; and projects to implement a sustainable communities strategy. The bill would also authorize an enhanced infrastructure financing district to utilize any powers under the Polanco Redevelopment Act. This bill contains other related provisions and other existing laws.

Laws: An act to add Chapter 2.99 (commencing with Section 53398.50) to Part 1 of Division 2 of Title 5 of the Government Code, relating to local government.

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SB 853 (Committee on Budget and Fiscal Review) Transportation.

Chapter Number: 27

Status: 6/20/2014-Chaptered by Secretary of State - Chapter 27, Statutes of 2014.

Is Urgency: N

Summary: Would authorize, upon a determination by the Department of Transportation that the balance in the Aeronautics Account in the State Transportation Fund exceeds projected needs, the transfer of funds from the subaccount to the Aeronautics Account to fund the California Aid to Airports Program with the approval of the California Transportation Commission and the Department of Finance. The bill would require that the transfers not reduce the subaccount below \$5,000,000. This bill contains other related provisions and other existing laws.

Summary: Existing law establishes the Aeronautics Account in the State Transportation Fund, and continuously appropriates the moneys in the account for expenditure for airport purposes by the Division of Aeronautics within the Department of Transportation and the California Transportation Commission. Existing law establishes the California Aid to Airports Program under which the department provides grants to political subdivisions for the planning, acquisition, construction, improvement, maintenance, or operation of a publicly owned airport, and to cities or counties on behalf of any privately owned, public use airport, as specified. This bill would authorize, upon a determination by the department that the balance in the subaccount exceeds projected needs, the transfer of funds from the subaccount to the Aeronautics Account to fund the California Aid to Airports Program with the approval of the California Transportation Commission and the Department of Finance. The bill would require that the transfers not reduce the amount of funds in the subaccount below \$5,000,000. This bill contains other related provisions and other existing laws.

Laws: An act to amend Section 21602 of the Public Utilities Code, to amend Section 8352.6 of the Revenue and Taxation Code, to amend Sections 188.8 and 2384 of the Streets and Highways Code, and to amend Sections 5205.5 and 12801 of the Vehicle Code, relating to transportation, and making an appropriation therefor, to take effect immediately, bill related to the budget.

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SB 854 (Committee on Budget and Fiscal Review) State and local government.

Chapter Number: 28

Status: 6/20/2014-Chaptered by Secretary of State - Chapter 28, Statutes of 2014.

Is Urgency: N

Summary: Would require any funds in the State School Site Utilization Fund, including interest, that are not subject to return to a school district, as specified, to be allocated, upon appropriation by the Legislature, for purposes of administering the Leroy F. Greene School Facilities Act of 1998. The bill would require any unencumbered funds in the State School Deferred Maintenance Fund on July 1, 2014, to be transferred to the State School Site Utilization Fund. This bill contains other related provisions and other existing laws.

Summary: Existing law requires a school district to be subject to nonuse payments, except as specified, if the school district acquires or has acquired a site for school purposes, as determined by the State Allocation Board, and the school district does not use the site within 5 years of the date of acquisition for kindergarten or any of grades 1 to 8, inclusive, or within 7 years of the date of acquisition for grades 7 to 12, inclusive; or a site at any grade level that has previously been used but has not been used for school purposes within the preceding 5 years. Existing law requires the Executive Officer of the State Allocation Board to compute and certify to the Controller the amount of the nonuse payments. Existing law requires the Controller to deduct the total amount of the payment, as specified, from apportionments made to the school district from the State School Fund and transfer the amount so deducted to the State School Site Utilization Fund. Existing law requires any funds in the State School Site Utilization Fund, including interest, that are not subject to return to a school district, as specified, to revert to the State School Deferred Maintenance Fund. This bill would instead require any funds in the State School Site Utilization Fund, including interest, that are not subject to return to a school district, as specified, to be allocated, upon appropriation by the Legislature, for purposes of administering the Leroy F. Greene School Facilities Act of 1998. The bill would require any unencumbered funds in the State School Deferred Maintenance Fund on July 1, 2014, to be transferred to the State School Site Utilization Fund. This bill contains other related provisions and other existing laws.

Laws: An act to amend Sections 17224, 17250.30, and 81704 of the Education Code, to amend Sections 6204, 6531, 11270, 11544, 12153, 12168.7, 12224, 12225, 12227, 12228, 12229, 12230, 12231, 12232, 12233, 12236, 12432, 12478, 13300.5, 13332.11, 13332.19, 13963.1, 14740, 14745, 14746, 16429.1, 16731.6, 17090, 17091, 17093, 17094, 17095, 17096, 17097, 17617, 22802, 22910, 22910.5, and 22913 of, to add Section 20035.11 to, to add Article 7 (commencing with Section 12270) to Chapter 3 of Part 2 of Division 3 of Title 2 of, to add Chapter 10 (commencing with Section 11850) to Part 1 of Division 3 of Title 2 of, to repeal Sections 11548.5, 12234, 12235, and 26915 of, to repeal Article 3 (commencing with Section 14750), Article 4 (commencing with Section 14755), Article 6 (commencing with Section 14765), and Article 7 (commencing with Section 14769) of Chapter 5 of Part 5.5 of, and to repeal Chapter 7 (commencing with Section 15849.20) of Part 10b of, Division 3 of Title 2 of, the Government Code, to amend Sections 50661, 51452, and 53545 of, and to repeal Sections 50840, 50841, and 50842 of, the Health and Safety Code, to amend Sections 135, 1771.5, 1771.7, and 1776 of, to add Sections 1725.5, 1771.1, and

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SB 854 (Committee on Budget and Fiscal Review) State and local government. (Continued)

1771.4 to, and to repeal and add Sections 1771.3 and 1773.3 of, the Labor Code, to amend Section 179 of the Military and Veterans Code, to amend Sections 1485.5 and 13835.7 of the Penal Code, to amend Sections 20133, 20175.2, 20193, 20209.7, 20688.6, and 20919.3 of, and to repeal and add Sections 6823 and 6953 of, the Public Contract Code, and to repeal and add Sections 100152 and 103396 of the Public Utilities Code, to amend Section 75.70 of, and to add Section 95.5 to, the Revenue and Taxation Code, to amend Sections 1112, 1112.5, 1114, 1126, 1127, 1135, and 1585.5 of the Unemployment Insurance Code, and to amend Section 2 of Chapter 469 of the Statutes of 2002, relating to state and local government, and making an appropriation therefor, to take effect immediately, bill related to the budget.

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SB 871 (Committee on Budget and Fiscal Review) Property taxes: new construction exclusion: active solar energy system.

Chapter Number: 41

Status: 6/20/2014-Chaptered by Secretary of State - Chapter 41, Statutes of 2014.

Is Urgency: N

Summary: Pursuant to an authorization in the California Constitution, current law excludes, through the 2015-16 fiscal year, from classification as "newly constructed" the construction or addition of an active solar energy system, as defined. This exclusion will be repealed on January 1, 2017. This bill would extend this exclusion through the 2023-24 fiscal year, and would also extend the repeal date to January 1, 2025. This bill contains other related provisions and other existing laws.

Summary: The California Constitution generally limits ad valorem taxes on real property to 1% of the full cash value of that property. For purposes of this limitation, "full cash value" is defined as the assessor's valuation of real property as shown on the 1975-76 tax bill under "full cash value" or, thereafter, the appraised value of that real property when purchased, newly constructed, or a change in ownership has occurred. Pursuant to an authorization in the California Constitution, existing law excludes, through the 2015-16 fiscal year, from classification as "newly constructed" the construction or addition of an active solar energy system, as defined. This exclusion will be repealed on January 1, 2017. This bill would extend this exclusion through the 2023-24 fiscal year, and would also extend the repeal date to January 1, 2025. This bill contains other related provisions and other existing laws.

Laws: An act to amend Section 73 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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SB 952 (Torres D) Prohibited financial interests: aiding and abetting.

Chapter Number: 483

Status: 9/19/2014-Chaptered by Secretary of State - Chapter 483, Statutes of 2014.

Is Urgency: N

Summary: Would prohibit an individual from aiding or abetting a public officer or person in violating specified financial prohibitions, and expand these penalties to also apply to the individual who willfully aids or abets. This bill contains other related provisions and other existing laws.

Summary: Existing law prohibits Members of the Legislature and state, county, district, judicial district, and city officers or employees, from being financially interested in any contract made by them in their official capacity, or by anybody or board of which they are members. Existing law also prohibits state, county, district, judicial district, and city officers or employees, from being purchasers at any sale or vendors at any purchase made by them in their official capacity. Existing law also prohibits the Treasurer, Controller, county and city officers, and their deputies and clerks from purchasing or selling, or in any manner receiving for their own or any other person's use or benefit any state, county, or city warrants, scrip, orders, demands, claims, or other evidences of indebtedness against the state, a county, or city. A willful violation of these prohibitions is a crime punishable by fine or imprisonment in the state prison, and forever disqualifies the offending public officer or person from holding any office in the state. This bill would prohibit an individual from aiding or abetting a public officer or person in violating these prohibitions, and expand these penalties to also apply to the individual who willfully aids or abets. This bill contains other related provisions and other existing laws.

Laws: An act to amend Sections 1090, 1093, and 1097 of the Government Code, relating to public officers and employees.

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SB 1113 (Knight R) Property taxation: disabled veterans' exemption: refunds: statute of limitations.

Chapter Number: 656

Status: 9/27/2014-Chaptered by Secretary of State - Chapter 656, Statutes of 2014.

Is Urgency: N

Summary: Current law requires property taxes to be refunded upon the filing of a claim within 4 years after making the payment sought to be refunded. This bill would, if a claim for a refund is filed for the disabled veterans' exemption on or after January 1, 2015, extend the period of time for which a refund is required to be made from 4 years to 8 years. This bill would also correct an incorrect cross reference in a related provision. This bill contains other related provisions and other existing laws.

Summary: Existing tax law provides, pursuant to an authorization of the California Constitution, for the exemption from property taxation of specified amounts of the assessed value of the home of a disabled veteran, or a veteran's unmarried surviving spouse in the case in which the veteran has, as a result of a service-connected disease or injury, died while on active duty in military service, contingent upon a claim being filed, as specified. Existing law requires property taxes to be refunded upon the filing of a claim within 4 years after making the payment sought to be refunded. This bill would, if a claim for a refund is filed for the disabled veterans' exemption on or after January 1, 2015, extend the period of time for which a refund is required to be made from 4 years to 8 years. This bill would also correct an incorrect cross-reference in a related provision. This bill contains other related provisions and other existing laws.

Laws: An act to amend Section 890.3 of the Military and Veterans Code, and to amend Section 5097 of the Revenue and Taxation Code, relating to taxation.

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SB 1168 (Pavley D) Groundwater management.

Chapter Number: 346

Status: 9/16/2014-Chaptered by Secretary of State - Chapter 346, Statutes of 2014.

Is Urgency: N

Summary: Would state the policy of the state that groundwater resources be managed sustainably for long-term reliability and multiple economic, social, and environmental benefits for current and future beneficial uses. This bill would state that sustainable groundwater management is best achieved locally through the development, implementation, and updating of plans and programs based on the best available science. This bill contains other related provisions and other existing laws.

Summary: The California Constitution requires the reasonable and beneficial use of water. Existing law establishes various state water policies, including the policy that the people of the state have a paramount interest in the use of all the water of the state and that the state is required to determine what water of the state, surface and underground, can be converted to public use or be controlled for public protection. This bill would state the policy of the state that groundwater resources be managed sustainably for long-term reliability and multiple economic, social, and environmental benefits for current and future beneficial uses. This bill would state that sustainable groundwater management is best achieved locally through the development, implementation, and updating of plans and programs based on the best available science. This bill contains other related provisions and other existing laws.

Laws: An act to amend Sections 10927, 10933, and 12924 of, to add Sections 113 and 10750.1 to, and to add Part 2.74 (commencing with Section 10720) to Division 6 of, the Water Code, relating to groundwater.

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SB 1203 (Jackson D) Property taxation: welfare exemption: rental housing and related facilities: payment in lieu of taxes agreement.

Chapter Number: 693

Status: 9/27/2014-Chaptered by Secretary of State - Chapter 693, Statutes of 2014.

Is Urgency: N

Summary: Current property tax law establishes a partial welfare exemption for property used exclusively for rental housing and related facilities that are owned and operated by either of any certain types of nonprofit entities or veterans' organizations that meet specified exemption requirements, if either of certain qualifying criteria are met. This bill would define "related facilities" for purpose of the exemption. This bill would provide that the partial exemption be equal to that percentage of the value of the property that is equal to the percentage that the number of units serving lower income households represents of the total number of residential units in any year.

Summary: Existing property tax law establishes a partial welfare exemption for property used exclusively for rental housing and related facilities that are owned and operated by either of any certain types of nonprofit entities or veterans' organizations that meet specified exemption requirements, if either of certain qualifying criteria are met. Existing law requires the partial exemption to be equal to that percentage of the value of the property that the portion of the property serving lower income households represents of the total property in any year. Existing law requires the owner of the property, in order to be eligible for the exemption, to certify that the funds that would have been necessary to pay property taxes are used to maintain the affordability of, or reduce rents otherwise necessary for, the units occupied by lower income households. This bill would define "related facilities" for purposes of the exemption. This bill would provide that the partial exemption be equal to that percentage of the value of the property that is equal to the percentage that the number of units serving lower income households represents of the total number of residential units in any year. This bill contains other related provisions.

Laws: An act to amend Section 214 of, and to add Sections 214.06 and 214.08 to, the Revenue and Taxation Code, relating to taxation.

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SB 1251 (Huff R) California Public Employees' Pension Reform Act of 2013: joint powers authority: employees.

Chapter Number: 757

Status: 9/28/2014-Chaptered by Secretary of State - Chapter 757, Statutes of 2014.

Is Urgency: N

Summary: Would authorize a joint powers authority formed by the Cities of Brea and Fullerton on or after January 1, 2013, to provide employees who are not new members under PEPRA with the defined benefit plan or formula that was received by those employees from their respective employers on December 31, 2012, if they are employed by the joint powers authority without a break in service of more than 180 days. The bill would authorize up to 3 cities in Orange County, as specified, to join the authority.

Summary: The California Public Employees' Pension Reform Act of 2013 (PEPRA) requires a public retirement system, as defined, to modify its plan or plans to comply with the act and, among other provisions, establishes new retirement formulas that may not be exceeded by a public employer offering a defined benefit pension plan for employees first hired on or after January 1, 2013. PEPRA authorizes individuals who were employed by any public employer before January 1, 2013, and who became employed by a subsequent public employer for the first time on or after January 1, 2013, to be subject to the retirement plan that would have been available to employees of the subsequent employer who were first employed by the subsequent employer on or before December 31, 2012, if the individual was subject to reciprocity, as specified. This bill would authorize a joint powers authority formed by the Cities of Brea and Fullerton on or after January 1, 2013, to provide employees who are not new members under PEPRA with the defined benefit plan or formula that was received by those employees from their respective employers on December 31, 2012, if they are employed by the joint powers authority without a break in service of more than 180 days. The bill would authorize up to 3 cities in Orange County, as specified, to join the authority. This bill would prohibit the formation of a joint powers authority on or after January 1, 2013, in a manner that would exempt a new employee or a new member from the requirements of PEPRA. This bill contains other related provisions and other existing laws.

Laws: An act to amend Section 7522.02 of the Government Code, relating to public employees' retirement.

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SB 1353 (Nielsen R) Local government: Williamson Act.

Chapter Number: 322

Status: 9/15/2014-Chaptered by Secretary of State - Chapter 322, Statutes of 2014.

Is Urgency: N

Summary: Would delete the January 1, 2016 date in the Williamson Act and thereby authorize a county to utilize the process for revising or entering into contracts so as to specify 9-year or 18-year terms indefinitely. The bill would additionally authorize a county to utilize that process for revising or entering into contracts for land subject to a farmland security zone contract. The bill would also make conforming changes.

Summary: Existing law, the Williamson Act, authorizes a city or county to enter into contracts with owners of land devoted to agricultural use, whereby the owners agree to continue using the property for that purpose, and the city or county agrees to value the land accordingly for purposes of property taxation. Existing law sets forth procedures for reimbursing cities and counties for property tax revenues not received as a result of these contracts. Existing law sets forth the term of these contracts at 10 or 20 years, except that until January 1, 2016, a county may, in any fiscal year in which payments authorized for reimbursement to a county for lost revenue are less than 1/2 of the participating county's actual foregone general fund property tax revenue, revise the term for newly renewed and new contracts to either 9 or 18 years. Existing law provides for an addition to the assessed value of properties subject to contracts with a reduced term. This bill would delete the January 1, 2016, date and thereby authorize a county to utilize the process for revising or entering into contracts so as to specify 9-year or 18-year terms indefinitely. The bill would additionally authorize a county to utilize that process for revising or entering into contracts for land subject to a farmland security zone contract. The bill would also make conforming changes.

Laws: An act to amend Section 51244.3 of, to amend and repeal Sections 16142, 16142.1, and 51244 of, and to repeal Section 51244.4 of, the Government Code, relating to local government.

Court Bills

AB 2195 (Achadjian R) Juveniles: truancy.

Chapter Number: 898

Status: 9/30/2014-Chaptered by Secretary of State - Chapter 898, Statutes of 2014.

Is Urgency: N

Summary: Would authorize a juvenile hearing officer to hear cases in which a minor is alleged to come within the jurisdiction of the juvenile court on the basis of truancy, as specified. The bill would authorize a hearing before a juvenile hearing officer, referee, or judge to be conducted upon a written notice to appear for truancy, with the consent of the minor. The bill would prohibit a judge, referee, or juvenile hearing officer from proceeding with a hearing of a minor on the basis of truancy unless the court has been presented with evidence that the minor's school has undertaken certain actions to address the minor's truancy and the available record of previous attempts to address the minor's truancy.

Summary: Existing law provides that a juvenile hearing officer may hear and dispose of any case in which a minor is alleged to have committed any one of specified misdemeanors or infractions. In those cases, the juvenile court is known as the Informal Juvenile and Traffic Court. Existing law also provides that a minor may be adjudged to be a ward of the juvenile court on the basis of certain noncriminal conduct, including truancy, as specified. This bill would authorize a juvenile hearing officer to hear cases in which a minor is alleged to come within the jurisdiction of the juvenile court on the basis of truancy, as specified. The bill would authorize a hearing before a juvenile hearing officer, referee, or judge to be conducted upon a written notice to appear for truancy, with the consent of the minor. The bill would prohibit a judge, referee, or juvenile hearing officer from proceeding with a hearing of a minor on the basis of truancy unless the court has been presented with evidence that the minor's school has undertaken certain actions to address the minor's truancy and the available record of previous attempts to address the minor's truancy. The bill would provide that a court in these cases may restrict the minor's driving privilege, order the minor to pay a fine of not more than \$50, and order the minor to perform community service. The bill would, among other things, authorize the judge, referee, or juvenile hearing officer to give the minor the opportunity to demonstrate improved attendance before imposing those orders.

Laws: An act to amend Sections 256, 257, and 258 of the Welfare and Institutions Code, relating to juveniles.

Court Bills

AB 2256 (Garcia D) Civil procedure: service and fees: sheriffs.

Chapter Number: 470

Status: 9/19/2014-Chaptered by Secretary of State - Chapter 470, Statutes of 2014.

Is Urgency: N

Summary: In an action against a sheriff, current law provides that any person who is a citizen of the United States over the age of 18 years is authorized to serve all process and orders in that action, as specified. This bill would instead authorize any person to serve all process and orders in an action against a sheriff. This bill contains other related provisions and other current laws.

Summary: In an action against a sheriff, existing law provides that any person who is a citizen of the United States over the age of 18 years is authorized to serve all process and orders in that action, as specified. This bill would instead authorize any person to serve all process and orders in an action against a sheriff. This bill contains other related provisions and other existing laws.

Laws: An act to amend Sections 262.7 and 415.21 of the Code of Civil Procedure, and to amend Sections 6103.3, 26720.9, 26721.2, 26722, 26723, 26725.1, 26726, 26727, 26728.1, 26729, 26730, 26731, 26733.5, 26736, 26738, 26740, 26741, 26744.5, 26746, 26746.1, and 26750 of the Government Code, relating to civil procedure.

Court Bills

AB 2306 (Chau D) Constructive invasion of privacy: liability.

Chapter Number: 858

Status: 9/30/2014-Chaptered by Secretary of State - Chapter 858, Statutes of 2014.

Is Urgency: N

Summary: Current law subjects a person who commits a constructive invasion of privacy to specified damages and civil fines. This bill would expand a person's potential liability for constructive invasion of privacy, by removing the limitation that the person use a visual or auditory enhancing device, and would instead make the person liable when using any device to engage in the above-described unlawful activity. This bill contains other related provisions.

Summary: Under existing law, except as specified, a person is liable for constructive invasion of privacy when a person attempts to capture, in a manner that is offensive to a reasonable person, any type of visual image, sound recording, or other physical impression, through the use of a visual or auditory enhancing device, of another person engaging in a personal or familial activity under circumstances in which the other person had a reasonable expectation of privacy. Existing law subjects a person who commits a constructive invasion of privacy to specified damages and civil fines. This bill would expand a person's potential liability for constructive invasion of privacy, by removing the limitation that the person use a visual or auditory enhancing device, and would instead make the person liable when using any device to engage in the above-described unlawful activity. This bill contains other related provisions.

Laws: An act to amend Section 1708.8 of the Civil Code, relating to privacy.

Court Bills

AB 2365 (John A. Pérez D) Contracts: unlawful contracts.

Chapter Number: 308

Status: 9/9/2014-Chaptered by Secretary of State - Chapter 308, Statutes of 2014.

Is Urgency: N

Summary: Would prohibit a contract or proposed contract for the sale or lease of consumer goods or services from including a provision waiving the consumer's right to make any statement regarding the seller or lessor or its employees or agents, or concerning the goods or services. The bill would make it unlawful to threaten or to seek to enforce, a provision made unlawful under the bill, or to otherwise penalize a consumer for making any statement protected under the bill.

Summary: Existing law generally regulates formation and enforcement of contracts, including what constitutes an unlawful contract. Under existing law a contract is unlawful if it is contrary to an express provision of law, contrary to the policy of express law, though not expressly prohibited, or otherwise contrary to good morals. This bill would prohibit a contract or proposed contract for the sale or lease of consumer goods or services from including a provision waiving the consumer's right to make any statement regarding the seller or lessor or its employees or agents, or concerning the goods or services. The bill would make it unlawful to threaten or to seek to enforce, a provision made unlawful under the bill, or to otherwise penalize a consumer for making any statement protected under the bill. The bill would impose civil penalties upon any person who violates the provisions of the bill, of \$2,500 for the initial violation and \$5,000 for each subsequent violation, as well as an additional penalty of \$10,000 if the violation was willful, intentional, or reckless. The bill would authorize the consumer, the Attorney General, or a district attorney or city attorney to bring a civil action for a violation of the provisions of the bill. The bill would provide that the penalty set forth in the bill is not an exclusive remedy, and does not affect any other relief or remedy provided by law. The bill would not prohibit or limit a person or business that hosts online consumer reviews or comments from removing a statement that is otherwise lawful to remove.

Laws: An act to add Section 1670.8 to the Civil Code, relating to contracts.

Court Bills

AB 2503 (Hagman R) Repossessors.

Chapter Number: 390

Status: 9/17/2014-Chaptered by Secretary of State - Chapter 390, Statutes of 2014.

Is Urgency: Y

Summary: Would require a repossession agency to only transact business with a person or entity as an independent contractor, and would prohibit a licensed repossession agency from allowing a person or entity, other than the qualified certificate holder or the owner or officer of the repossession agency, to manage the day-to-day operations, operate, control, or transact business under the license of the repossession agency, except as specified. By expanding the scope of a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Summary: Existing law, the Collateral Recovery Act, provides for the licensure and regulation of repossession agencies by the Bureau of Security and Investigative Services. A violation of the act is a crime. This bill would require a repossession agency to only transact business with a person or entity as an independent contractor, and would prohibit a licensed repossession agency from allowing a person or entity, other than the qualified certificate holder or the owner or officer of the repossession agency, to manage the day-to-day operations, operate, control, or transact business under the license of the repossession agency, except as specified. By expanding the scope of a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Laws: An act to amend Sections 7500.2, 7502.2, 7507.115, 7508.1, 7508.4, and 7508.5 of, and to amend and renumber Section 7505.2 of, the Business and Professions Code, to amend Section 41612 of the Government Code, and to amend Sections 28, 4000, and 11705 of, and to add Section 10856 to, the Vehicle Code, relating to repossessors, and declaring the urgency thereof, to take effect immediately.

Court Bills

SB 270 (Padilla D) Solid waste: single-use carryout bags.

Chapter Number: 850

Status: 9/30/2014-Chaptered by Secretary of State - Chapter 850, Statutes of 2014.

Is Urgency: N

Summary: Would, as of July 1, 2015, prohibit stores that have a specified amount of sales in dollars or retail floor space from providing a single-use carryout bag to a customer, with specified exceptions. The bill would also prohibit those stores from selling or distributing a recycled paper bag at the point of sale unless the store makes that bag available for purchase for not less than \$0.10. The bill would also allow those stores, on or after July 1, 2015, to distribute compostable bags at the point of sale only in jurisdictions that meet specified requirements and at a cost of not less than \$0.10.

Summary: Existing law, until 2020, requires an operator of a store, as defined, to establish an at-store recycling program that provides to customers the opportunity to return clean plastic carryout bags to that store. This bill, as of July 1, 2015, would prohibit stores that have a specified amount of sales in dollars or retail floor space from providing a single-use carryout bag to a customer, with specified exceptions. The bill would also prohibit those stores from selling or distributing a recycled paper bag at the point of sale unless the store makes that bag available for purchase for not less than \$0.10. The bill would also allow those stores, on or after July 1, 2015, to distribute compostable bags at the point of sale only in jurisdictions that meet specified requirements and at a cost of not less than \$0.10. The bill would require these stores to meet other specified requirements on and after July 1, 2015, regarding providing reusable grocery bags to customers, including distributing those bags only at a cost of not less than \$0.10. The bill would require all moneys collected pursuant to these provisions to be retained by the store and be used only for specified purposes. This bill contains other related provisions and other existing laws.

Laws: An act to add Chapter 5.3 (commencing with Section 42280) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste, and making an appropriation therefor.

Court Bills

SB 419 (Block D) Restitution: collection of fines, fees, and orders.

Chapter Number: 513

Status: 9/20/2014-Chaptered by Secretary of State - Chapter 513, Statutes of 2014.

Is Urgency: N

Summary: Would make restitution fines and fees and restitution orders that remain unsatisfied after a person has completed a term in custody in a county jail enforceable by the California Victim Compensation and Government Claims Board and would authorize a local collection program to continue to collect those fines, fees and orders. This bill contains other related provisions and other existing laws.

Summary: Existing law requires the court to order criminal defendants to pay restitution to the victim or victims as well as a fine. Existing law makes any portion of a restitution fine or restitution fee that remains unsatisfied after a defendant is no longer on probation, parole, postrelease community supervision, or mandatory supervision, or after the defendant has completed diversion enforceable by the California Victim Compensation and Government Claims Board, as specified, and authorizes a local collection program to continue to enforce restitution orders once a defendant is no longer on probation, postrelease community supervision, or mandatory supervision. This bill, in addition, would make restitution fines and fees and restitution orders that remain unsatisfied after a person has completed a term in custody in a county jail enforceable by the California Victim Compensation and Government Claims Board and would authorize a local collection program to continue to collect those fines, fees, and orders. This bill contains other related provisions and other existing laws.

Laws: An act to amend Sections 1214 and 2085.5 of the Penal Code, relating to restitution.

Court Bills

SB 1197 (Pavley D) Restitution: collection by counties.

Chapter Number: 517

Status: 9/20/2014-Chaptered by Secretary of State - Chapter 517, Statutes of 2014.

Is Urgency: N

Summary: Would, when a person who has been ordered to pay restitution is committed to a county jail or placed on postrelease community supervision or mandatory supervision, authorize the probation officer or district attorney to provide the victim's contact information and a copy of the restitution order, with the victim's consent, to the county agency designated by the board of supervisors to collect and distribute restitution for the sole purpose of distributing the restitution collected on behalf of the victim. This bill contains other related provisions and other existing laws.

Summary: Existing law requires that restitution fines and fees be imposed upon a person convicted of crime. Under existing law, when a person is committed to an institution under the jurisdiction of the Department of Corrections and Rehabilitation and the court has ordered restitution, the probation officer or the district attorney, with the consent of the victim, is authorized to send the victim's contact information and a copy of the restitution order to the department for the sole purpose of distributing the restitution collected on behalf of the victim. This bill, when a person who has been ordered to pay restitution is committed to a county jail or placed on postrelease community supervision or mandatory supervision, would authorize the probation officer or district attorney to provide the victim's contact information and a copy of the restitution order, with the victim's consent, to the county agency designated by the board of supervisors to collect and distribute restitution for the sole purpose of distributing the restitution collected on behalf of the victim. This bill contains other related provisions and other existing laws.

Laws: An act to amend Sections 1203c and 3453 of, and to add Section 2085.6 to, the Penal Code, and to amend Section 19280 of the Revenue and Taxation Code, relating to restitution.

Court Bills

SB 1261 (Jackson D) Hazardous materials: business plans.

Chapter Number: 715

Status: 9/28/2014-Chaptered by Secretary of State - Chapter 715, Statutes of 2014.

Is Urgency: N

Summary: Would require the Secretary for Environmental Protection, in coordination with the Office of Emergency Services, to specify the hazardous materials inventory required to be submitted by handlers, including the data to be collected and submitted for hazardous materials. The bill would authorize the governing body of a unified program agency to adopt an ordinance that designates a material as a hazardous material, if a handler or the governing body of the unified program agency has a reasonable basis to believe that material injurious or harmful, as specified.

Summary: Existing law requires the Secretary for Environmental Protection to implement a unified hazardous waste and hazardous materials management regulatory program, including a statewide information management system for purposes of receiving data collected by unified program agencies. A city or local agency that meets specified requirements is authorized to apply to the secretary to implement the unified program and be certified as a certified unified program agency (CUPA), and every county is required to apply to the secretary to be certified to implement the unified program. This bill would instead require the secretary, in coordination with the Office of Emergency Services, to specify the hazardous materials inventory required to be submitted by handlers, including the data to be collected and submitted for hazardous materials. The bill would authorize the governing body of a unified program agency to adopt an ordinance that designates a material as a hazardous material, if a handler or the governing body of the unified program agency has a reasonable basis to believe that material injurious or harmful, as specified. The bill would revise the information required to be included in the business plan. This bill contains other related provisions and other existing laws.

Laws: An act to amend Sections 25501, 25502, 25503, 25504, 25505, 25507, 25507.1, 25507.2, 25508, 25508.1, 25509, 25510, 25510.3, 25511, and 25515.5 of, and to repeal and add Sections 25506 and 25508.2 of, the Health and Safety Code, relating to hazardous materials.

Court Bills

SB 1388 (Lieu D) Human trafficking.

Chapter Number: 714

Status: 9/28/2014-Chaptered by Secretary of State - Chapter 714, Statutes of 2014.

Is Urgency: N

Summary: Disorderly conduct includes, but is not limited to, soliciting or agreeing to engage in or engaging in any act of prostitution. This bill would provide that if that crime is committed and the person who was solicited was a minor at the time of the offense, and if the defendant knew or should have known that the person who was solicited was a minor at the time of the offense, the violation is punishable by imprisonment in a county jail for not less than 2 days, except as specified, and not more than one year, or by a fine not exceeding \$10,000, or by both that fine and imprisonment.

Summary: Existing law provides that a person who solicits or agrees to engage in or engages in any act of prostitution is guilty of disorderly conduct, a misdemeanor, punishable by imprisonment in a county jail for no more than 6 months, by a fine not exceeding \$1,000, or by both that fine and imprisonment. Disorderly conduct includes, but is not limited to, soliciting or agreeing to engage in or engaging in any act of prostitution, and agreeing to engage in an act of prostitution when, with specific intent to so engage, the person manifests an acceptance of an offer or solicitation to so engage, regardless of whether the offer or solicitation was made by a person who also possessed the specific intent to engage in prostitution. This bill would provide that if that crime is committed and the person who was solicited was a minor at the time of the offense, and if the defendant knew or should have known that the person who was solicited was a minor at the time of the offense, the violation is punishable by imprisonment in a county jail for not less than 2 days, except as specified, and not more than one year, or by a fine not exceeding \$10,000, or by both that fine and imprisonment. This bill contains other related provisions and other existing laws.

Laws: An act to amend Sections 266k and 647 of the Penal Code, relating to human trafficking.