

**COUNTY OF LOS ANGELES
and
CALIFORNIA ASSOCIATION OF CLERKS AND ELECTION
OFFICIALS**

**2008 CHAPTERED LAWS
AFFECTING THE DUTIES
OF THE CLERK OF THE
BOARD OF SUPERVISORS**

Compiled and written by
staff of the Executive Office of the
Board of Supervisors
County of Los Angeles

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EXECUTIVE OFFICER
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November 28, 2008



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November 28, 2008

TO: Clerks of the Board of Supervisors

FROM: Sachi A. Hamai
Executive Officer

SUBJECT: ANNUAL LEGISLATION REPORT

The 2007-2008 Session of the State Legislature will adjourn *sine die* at midnight November 30, 2008. The 2009-2010 Regular Session of the Legislature will convene on December 1, 2008.

This report describes those bills chaptered during the 2008 Regular Session that either directly affect the duties of the Clerk of the Board of Supervisors or are of interest to the Clerk of the Board.

Bills are arranged in order of chapter number under the affected State Code. Where a bill affects more than one code, the bill is located under the code most extensively affected by it in relation to the duties of the Clerk of the Board. Uncodified statutes and Validation Acts are grouped under the heading "Miscellaneous Statutes".

Copies of the bills summarized in this report may be obtained on the Legislative Counsel's website at www.leginfo.ca.gov. Click on Bill Information.

I would like to thank my fellow members of the California Association of Clerks and Election Officials (CACEO) for their active participation in and support of the Association's legislative program affecting Clerks of the Board. Their membership and active participation of CACEO are vital in ensuring the Clerks of the Board have a strong voice in Sacramento. I also wish to thank the members of the CACEO Board of Directors for underwriting a portion of the printing and distribution costs associated with this report.

I look forward to working with you, the Clerks of the Board, on legislative affairs and other matters affecting the Office of the Clerk of the Board of Supervisors. I strongly urge your continued participation and membership in CACEO.

If you have any questions or comments and suggestions concerning this report, I would appreciate hearing from you. Please call me at (213) 974-1401.

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CALIFORNIA CONSTITUTION

Resolution Chapter 115

SCA 4 (Ashburn)

**Property tax: new construction exclusion:
seismic retrofitting**

Effective: (pending voter approval)

LEGISLATIVE CONSTITUTIONAL AMENDMENT

California Constitution

Would amend Section 2 of Article XIII A

If approved by the voters at the June 8, 2010 election, SCA 4 will amend Section 2 of Article XIII A of the State Constitution to provide a permanent exclusion from the definitions “newly constructed” or “new construction” for construction or reconstruction of seismic retrofitting components of an existing structure. The bill also deletes current language in the law that grants a 15-year exclusion from “new construction” property tax reassessment for improvements to a structure constructed of unreinforced masonry that is being done to comply with local ordinances. This amendment, then, makes the exclusion with respect to existing structures the same as the exclusion for new buildings.

NOTE: See also SCA 4’s companion bill (Chapter 336, SB 111) on page 13.

GOVERNMENT CODE

Chapter 62 California Public Records Act: disclosure

SB 1696 (Yee)

Effective: January 1, 2009

Government Code

Adds Sections **6253.3** and **6253.31**

This bill adds Section 6253.3 to the Government Code (Public Records Act) to prohibit a state or local agency from allowing another party to control the disclosure of information that is otherwise subject to disclosure under the act. The bill specifically provides that this does not constitute a change in law, but is declaratory of existing law.

The bill also adds Section 6253.31 to provide that any contract entered into by a state or local agency that requires a private entity to review, audit or report on any aspect of that agency, the audit report shall be a public record and shall be disclosed, notwithstanding the terms of the contract to the contrary.

This bill is essentially aimed at the University of California, which withheld certain reports from the public under the terms of a contract with a private entity, but the new code sections apply to all state and local public agencies.

Chapter 63 Local agencies

SB 1732 (Romero)

Effective: January 1, 2009

Government Code

Adds Section **6252.7**

Amends Section **54952.2**

SB 1732, as originally introduced, was virtually identical to last year's SB 964, also by Senator Romero, which was vetoed by Governor Schwarzenegger. CACEO had unresolved concerns about that bill. In his veto message the Governor pointed out that SB 964 "imposes an impractical standard for compliance on local officials and could potentially prohibit communication among officials and agency staff outside of a public meeting." (CACEO's point, exactly.) He urged the Legislature to consider 2008 legislation "that more judiciously addresses the problem of serial meetings that result in public policy decisions." SB 1732 was that bill, although not when it was first introduced.

Chapter 63 (SB 1732) – cont.

Both bills were prompted by an appeals court's 2006 decision in *Wolfe v. City of Fremont* involving an alleged serial meeting. In a footnote contained in the decision, the court stated that "serial individual meetings that do not result in a 'collective concurrence' do not violate the Brown Act. This is in contrast to nonpublic 'meetings,' as defined in Section 54952.2, subdivision (a), which are unconditionally prohibited."

The California Newspaper Publishers Association (CNPA) and other members of the "access lobby" considered this to be in direct conflict with general understanding of the prohibition of serial meetings perceived to be contained in the Brown Act. (Clerks may recall the discussion with Tom Newton, General Counsel for CNPA, at the 2007 New Law Workshop in Sacramento.)

CACEO and other local government organizations worked with Senator Romero and CNPA, to craft amendments that would continue to permit staff of local agencies to conduct informational meetings or briefings with members of their legislative bodies, including the board of supervisors and other boards, committees and commissions that are subject to the Brown Act. CACEO changed its position on the bill to Neutral as a result of the amendments.

As chaptered, the bill states the Legislature's disapproval of the *Wolfe* decision to the extent that it construes the prohibition of serial meetings. The bill further states the Legislature's intent that the changes made by the bill would supersede the court's holding.

The bill amends Government Code Section 54952.2 (Brown Act) to prohibit a majority of members of a legislative body of a local agency from using, outside a meeting authorized by the act, a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. However, the bill also provides that the code section shall not be construed to prevent any employee or official of a local agency from engaging in separate conversations or communications outside of a meeting authorized by the act with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, so long as that person does not communicate to members of the legislative body the comments or position of any other member or members of the body.

The bill also amends Government Code Section 6252.7 (California Public Records Act) to provide that, when members of a legislative body of a local agency are authorized to access a writing of the body or of the agency, as permitted by law in the performance of their duties, the local agency shall not discriminate between or among any of those members as to which writing or portion thereof is made available or *when* it is made available. This provision was generated as a result of a couple of instances in districts

Chapter 63 (SB1732) – cont.

in the state where a member of a district governing body was prohibited from receiving a copy of a record of the legislative body unless the member filed a Public Records Act request and paid a copying fee, while other members of the governing body were given full and free access to the same records.

**Chapter 68
Local agency formation commissions:
notice requirements**

**AB 3047 (Committee on
Local Government)**

Effective: January 1, 2009

Government Code

Amends Sections 56106, 56157, 56332, 56375.3, 56425.5, **56654**, 56706 and 57080 and the heading of Chapter 7 (commencing with Section 57176) of Part 4 of Division 3 of Title 5

Repeals Sections 56650.5 and 56758

Existing law provides that a proposal for a change of organization or a reorganization of a local agency, including a special district, may be made by petition or by the adoption of a resolution of application by the legislative body of the affected local agency. Existing law provides that the legislative body give mailed notice of its intention to the LAFCO, and to each interested agency and each subject agency at least 20 days before adoption of the resolution of application.

AB 3047 amends Section 56654 of the Government Code to provide that a proposal for a change of organization that involves the exercise of new or different functions or classes of services, or the divestiture of the power to provide particular functions or classes of services, within all or part of the jurisdictional boundaries of a special district, shall only be initiated by the legislative body of that special district. The notice of intent to adopt a resolution of application would need to be given to the LAFCO, to each interested agency and to each subject agency at least 21 days, rather than 20 days, before the adoption of the resolution.

The bill also provides that, when a mailed notice is required to be given to landowners and the landowner and the registered voter is the same individual, only one notice is required to be mailed.

NOTE: The amendments to Section 56654 contained in this bill were made inoperative by Chapter 196, AB 2484 (see page 9).

**Chapter 158
County Service Area Law**

**SB 1458 (Committee on
Local Government)**

Effective: January 1, 2009

Government Code

Adds **Chapter 2.5 (commencing with Section 25210) of Part 2 of Division 2 of Title 3**

Amends Sections 25643, 50078.1, 54251, 56036, 56375 and 57075

Amends and renumbers Section 25210

Repeals **Chapter 2.2 (commencing with Section 25210.1) of Part 2 of Division 2 of Title 3**

Health and Safety Code

Amends Section 5470

Public Contract Code

Repeals Section 20394.3

Public Resources Code

Amends Sections 5621, 13031 and 13215

Repeals Section 13030

Revenue and Taxation Code

Amends Section 97.41

Streets and Highways Code

Amends Section 1179.5

Water Code

Amends Sections 22976, 22981 and 22982

The County Service Area Law authorizes the formation of county service areas (CSA), which are governed by the board of supervisors, which provide authorized services, as set forth in the law. A CSA can provide any county service, or a higher level of any county service, that the county provides to an unincorporated area. Thus, a CSA delivers more county services to a specific geographic area within a county. Currently, there are nearly 900 CSAs in California. Over the years the County Service Area Law has become lengthy and complicated in content.

SB 1458 reduces the number of code sections contained in the County Service Area Law from 166 to 49 and amends or repeals several other related statutes. As noted

Chapter 158 (SB 1458) – cont.

above, the bill repeals existing CSA Law contained in Chapter 2.2 of Part 2 of Division 2 of Title 3 of the Government Code and replaces it with new Chapter 2.5. The bill also makes numerous conforming changes (primarily cross-references to the new CSA Law) in other sections of law.

The following provisions of the bill affect, or are of interest to, clerks of the board:

- The new County Service Area Law contained in SB 1458 grandfathers existing CSAs established pursuant to the repealed Chapter 2.2 which were in existence as of January 1, 2009. The new law also specifies that any improvement area, improvement zone or zone formed pursuant to Chapter 2.2 which was in existence as of January 1, 2009 shall be deemed to be a zone of a CSA as provided in new Chapter 2.5. (Sec. 25210.3 – all references are to the Government Code)
- The bill provides that *any* service provided by a county that the county does not perform to the same extent on a countywide basis may be provided by a CSA and lists examples of the facilities and services that may be provided by the CSA in a single code section. The bill eliminates separate code sections that talk about “extended services” and other specific types of services provided by a CSA. (Sec. 25213)
- SB 1458 provides that before circulating any petition to form a CSA, the proponents must publish a notice of intention, as specified, pursuant to Section 6061 (one time) in a newspaper of general circulation. Within five days after the publication of the notice, the proponents must file a copy of the notice with the executive officer of the LAFCO and with the clerk of the board of supervisors, together with an affidavit made by a representative of the newspaper or newspapers in which the notice was published certifying to the fact of the publication. (Sec. 25211.2)
- The bill further provides that a proposal to form a new CSA may be made by the adoption of a resolution of application by a board of supervisors. (Sec. 25211.3)
- Before adopting the resolution the board must hold a public hearing. Notice of the hearing must be made pursuant to Section 6061 (one time). (NOTE: This is not a change to existing law.) (Sec. 25211.3)
- At least 20 days before the hearing, the board must give mailed notice of its hearing to the executive officer of the LAFCO. The notice must generally describe the proposed formation of the county service area, the territory proposed to be included in the county service area, the proposed services and facilities that the CSA will provide and the proposed methods of financing those services and facilities. (Sec. 25211.3)

Chapter 158 (SB 1458) – cont.

- The clerk of the board is required to file a certified copy of the resolution of application with the executive officer of the LAFCO. (Sec. 25211.3)
- The bill also provides typical majority protest procedures for the LAFCO to follow (Sec. 25211.4), which differ slightly from existing law. The bill sets forth election procedures to be followed if the LAFCO orders the formation of a CSA to be subject to approval by the voters of the proposed CSA. (Sec. 25211.5)
- SB 1458 gives the board broad powers to administer CSAs, including the power to adopt and enforce rules and regulations for administration, operation, and use and maintenance of the CSA's facilities and services. (Sec. 25212)
- The bill requires that the minutes of the CSA board include the aye and nay votes of the members for the passage of all ordinances, resolutions or motions and requires the board to keep a record of all of its actions, including financial transactions. (Sec. 25212.1)
- With respect to the records of the CSA, the bill requires the board to adhere to the records retention and destruction provisions contained in Chapter 13 (commencing with Section 26200), i.e., the portion of the Government Code dealing with the miscellaneous powers of the board of supervisors, including records retention and destruction statutes. (Sec. 25212.1)
- The bill requires every CSA to have the words "County Service Area" in its name and the clerk of the board is required to file a copy of a resolution changing the number or name of a CSA with the Secretary of State, the county clerk and LAFCO within 10 days of the adoption of the resolution making the change. (Sec. 25212.1)
- The board is permitted to appoint one or more advisory committees to give advice to the board of supervisors regarding a CSA's services and facilities. (Sec. 25212.4)
- The bill sets forth procedures to be followed if a board wants to divest a CSA of the authority to provide a service or facility, including adoption of a resolution of intention, in which the board must set a date, time and place for a hearing on the question. (Sec. 25213.6)
- The hearing date must be not less than 30 days nor more than 60 days from the adoption of the resolution. (Sec. 25213.6)
- The clerk of the board is required to publish a notice of the hearing pursuant to Section 6061 and to also mail the notice at least 15 days before the hearing to

Chapter 158 (SB 1458) – cont.

the LAFCO and to any public agency that would be required to provide a new or higher level of services and facilities. (Sec. 25213.6)

- If the board adopts a resolution that divests a CSA of the power to provide a service or facility, the bill requires the clerk of the board to mail a copy of the resolution to the LAFCO within 30 days of the date of adoption of the resolution. (Sec. 25213.6)
- The bill permits a board to appropriate up to \$2 million to a revolving fund for CSA use, which must be repaid. However, the Board may find economic hardship on property owners or residents and waive all or part of the repayment of the fund by a 4/5 vote. (Sec. 25214.5)
- Although existing law permits CSA zones, the bill sets forth specific procedures to be followed in establishing zones within CSAs in Article 8 (commencing with Section 25217). Several of these directly affect the clerk of the board.
- The bill provides that when the board determines that it is in the public interest to provide different services or facilities within a specific area of a county service area it must initiate proceedings for the formation of a new zone by adopting a resolution, as specified. (Sec. 25217)
- Upon adoption of the resolution, or when the board receives a valid petition to form a zone, the board must fix the date, time and place for a public hearing on the zone. (Sec. 25217)
- The clerk of the board is required to (1) publish a notice of the hearing, including the contents of the specified resolution, pursuant to Section 6061; (2) mail the notice at least 20 days before the date of the hearing to each city and special district that contains, or whose sphere of influence contains, the proposed zone; and (3) post the notice in at least three public places within the territory of the proposed zone. (Sec. 25217)
- If, at the conclusion of the hearing, the board determines that more than 50 percent of the total number of voters residing within the proposed zone have filed written objections, then the board shall determine that a majority protest exists and is required to terminate the proceedings. (Sec. 25217.1)
- If the board wishes to change the boundaries of a zone or dissolve a zone, it must follow the procedures described above (Sec. 25217.2)
- The bill specifically provides that a LAFCO has no power or duty to review and approve or disapprove formation, change or dissolution of a zone. (Sec. 25217.3)

Chapter 196
Local government: special districts

AB 2484 (Caballero)

Effective: January 1, 2009

Government Code

Amends Sections 56021, **56654**, 56824.10, 56824.12, 56824.14, 57075 and 57076

Existing law provides that a proposal for a change of organization or a reorganization of a local agency may be made by petition. Existing law also permits a special district to propose to provide a new or different function or class of services within all or part of the jurisdictional boundaries of the district by the adoption of a resolution of application by the legislative body of the affected local agency. Existing law provides that, if the legislative body intends to adopt a resolution of application to provide a new or different function or class of services within the jurisdictional boundaries of a special district, the legislative body must give mailed notice of its intention to the LAFCO, and to each interested agency and each subject agency, at least 20 days before adoption of the resolution of application.

AB 2484 amends Section 56654 of the Government Code to provide that a proposal for a change of organization that involves the exercise of new or different functions or classes of services, or the divestiture of the power to provide particular functions or classes of services, within all or part of the jurisdictional boundaries of a special district, shall only be initiated by the legislative body of that special district. The notice of intent to adopt a resolution of application would need to be given to the LAFCO at least 21 days, rather than 20 days, before the adoption of the resolution.

The bill also amends Sections 56824.10 and 56824.12 to permit a special district to propose to divest itself of the power to provide particular functions or classes of services by adoption of a resolution of application.

NOTE: This bill makes inoperative the portions of Chapter 68 (AB 3047) that amended Government Code Section 56654 (see page 4).

Chapter 498
Political Reform Act of 1974: electronic filing

AB 2607 (Davis)

Effective: January 1, 2009

Government Code

Adds Section 87500.1

Chapter 498 (AB 2607) – cont.

This bill, jointly sponsored by CACEO and Los Angeles County, establishes a pilot program in which the counties of Los Angeles, Orange, Merced and Stanislaus may permit the electronic filing of statements of economic interests (Form 700). The pilot program shall commence on or after January 1, 2009 and shall be completed by January 1, 2012. The pilot period shall include the reporting periods of 2008 through 2011. The section of law added by the bill would sunset March 1, 2012.

A participating county is required to utilize a system that includes firewalls data encryption, secure authentication, and all necessary hardware and software and industry best practices to ensure that the statements of economic interests are not jeopardized or compromised.

The bill specifically excludes “Article 2” filers, i.e., officials named in Government Code Section 87200 (including members of a board of supervisors), from participating in the pilot.

The bill also provides that a statement filed electronically must include an electronic transmission that is submitted under penalty of perjury and that conforms to subdivision (b) of Section 1633.11 of the Civil Code.

A participating county must issue to a filer who files his or her statement electronically a confirmation that notifies the filer the date and time the statement was received and the method by which the filer may view and print the data received by the filing officer. The bill further provides that a paper copy of the statement retained by the filer with the confirmation issued by the filing officer shall create a rebuttable presumption that the filer filed the statement on time.

AB 2607 requires a filing officer to provide the public with a copy of a statement filed electronically by an official upon request in accordance with Section 81008. The paper copy of an electronically filed statement must be identical to the form published by the Fair Political Practices Commission (FPPC) and shall contain the date that the statement was filed.

A county participating in the pilot shall submit a report to the FPPC no later than July 1, 2011. The report shall contain specified information, including a listing and estimate of operational efficiencies and related savings created by the electronic filing program; a listing and estimate of associated costs from implementing and operating the pilot program; a listing of safety, security or privacy issues encountered and an explanation of how these issues were addressed; and any available information relating to feedback the participating county has received from electronic filing participants.

The FPPC is required to transmit the county reports, as well as any comments on the reports, to the Legislative Analyst’s Office (LAO) not later than August 15, 2011. The

LAO shall then provide a report to the Legislature evaluating the pilot program not later than March 1, 2012.

As of this writing, only Los Angeles and Orange Counties plan to participate in the pilot.

Chapter 709

**SB 1124 (Committee on
Local Government)**

**Local Government Omnibus
Act of 2008**

Effective: January 1, 2009

Education Code

Repeals Article 8 (commencing with Section 17375) of Chapter 3 of part 10.5

Government Code

Amends Sections 6509.7, 8855, 15975, 25558, 25904, 26020, 261000, 26101, 26802.5, 37617, **50022.6**, 53601, 53635, 53635.8, 53646, 53839, 56424.5, 65863 and 66412

Health and Safety Code

Amends Sections 4730.11, 5474, 33492.42 and 116183

Streets and Highways Code

Amends Section 36623

This bill contains a CACEO-supported provision sponsored by the League of California Cities that amends Government Code Section 50022.6 to delete the redundant requirement that the clerk of the legislative body maintain “a reasonable supply” of copies of codes adopted by the agency. The statute will continue to require that at least one copy of a locally adopted code be filed with the office of the clerk and be kept there for public inspection while the ordinance is in effect.

REVENUE AND TAXATION CODE

Chapter 297

AB 550 (Ma)

Property taxation: business property: audit

Effective: January 1, 2009

Revenue and Taxation Code

Amends Section 469

Existing law requires the county assessor, at least every four years, to audit the books and records of a profession, trade or business that is not exempt from property taxation and that has locally assessable trade fixtures and business tangible personal property with a value of at least \$400,000.

AB 550 amends Revenue and Taxation Code Section 469 to delete the \$400,000 threshold and requires the assessor to annually conduct a significant number of audits, as defined, to encourage accurate and proper reporting. The bill requires 50% of the audits to be performed on the taxpayers that have the largest assessments of trade fixtures and business tangible personal property in the county and describes the process of determining the pool of taxpayers that will be subject to audit in any given year.

Chapter 329

AB 2411 (Caballero)

Property tax: refunds

Effective: January 1, 2009

Revenue and Taxation Code

Amends Sections 4836, 5097 and 5151

Existing law requires the assessor to notify a taxpayer, if a correction to the roll would increase the amount of unpaid taxes, of the procedures to follow for a review by the county board of supervisors or the county board of equalization, and of the procedures for applying for a tax cancellation.

AB 2411 amends Section 4836 of the Revenue and Taxation Code to require the county auditor, if a correction to the roll would result in a reduction of an assessment that would entitle the taxpayer to a refund, to either process the refund or to notify the assessee in writing of the requirements for obtaining a refund. The bill requires the notice to state that the taxpayer is entitled to a refund and that a claim for refund shall be filed, pursuant to Section 5097, within 60 days of the date of the notice. The bill specifically states that, notwithstanding Section 5097, a claim for refund shall be deemed timely filed if it is filed within 60 days of the date of the notice.

Chapter 329 (AB 2411) - cont.

Existing law requires property taxes to be refunded upon filing a claim for refund filed within four years after paying the taxes sought to be refunded, within one year after the mailing of a notice, or within a specified period agreed to by the taxpayer and the county, whichever is later. Existing property tax law also provides for the payment of interest on those refunds at the greater of 3% per annum or the county pool apportioned rate.

AB 2411 requires these taxes to be refunded if the taxpayer applies for a reduction in an assessment or an application for equalization of an assessment has been filed, upon the filing of a claim within four years after making the payment sought to be refunded or within one year after the mailing of notice as prescribed in Section 2635 (overpayments) or the period agreed to as provided in Section 532.1 (escape assessments), or within 60 days after the date of the notice described in subdivision (a) of Section 4836 (increase of assessment due to a roll correction), whichever is later. The bill also makes clarifying changes to the method used to calculate interest on the refunds.

Further, the bill provides that the amendments of law made by the bill shall not affect any litigation involving property tax refunds pending before January 1, 2009.

Chapter 336

SB 111 (Ashburn)

**Property tax: seismic retrofitting:
tax assessments**

Effective: September 26, 2008 (see below)

TAX LEVY

Revenue and Taxation Code

Amends Sections **70** and **74.5**

This bill would amend the Revenue and Taxation Code to implement SCA 4 (Resolution Chapter 115 (see page 1) if that legislative Constitutional amendment is approved by the voters at the June 8, 2010 election. SB 111 is effective immediately as a tax levy, but only becomes operative if SCA 4 is approved by the voters.

SB 111 amends existing law to provide a permanent exclusion from the definitions “newly constructed” or “new construction” for construction or reconstruction of seismic retrofitting components of an existing structure. The bill also deletes current language in the law that grants a 15-year exclusion from “new construction” property tax reassessment for improvements to a structure constructed of unreinforced masonry that is being done to comply with local ordinances. In conjunction with the Constitutional amendment, this bill, then, makes the exclusion with respect to existing structures the same as the exclusion for new buildings.

NOTE: See also SB 111’s companion bill SCA 4 (Resolution Chapter 115) on page 1.

Chapter 538
Property tax: exclusion from newly constructed:
active solar energy system

AB 1451 (Leno)

Effective: September 28, 2008

TAX LEVY

Existing law excludes from the definition of “newly constructed” the construction or addition of an active solar energy system. This exclusion is effective through the 2008-09 fiscal year.

AB 1451 specifies that the term “the construction or addition of an active solar energy system” includes the construction of an active solar energy system in a new building in which the owner-builder incorporated such a system in the initial construction of the new building and the owner-builder does not intend to occupy or use the new building.

The bill provides this exclusion to the initial purchaser of the new building if the owner-builder does not receive an exclusion for the same system. The initial purchaser must file a claim with the assessor, provide any necessary documents to identify the system’s value, and identify any rebate amount. The assessor must then evaluate the claim and reduce the new base year value. The exclusion terminates if there is a subsequent change in ownership.

The bill requires the State Board of Equalization, in consultation with the California Assessors’ Association, to prescribe the manner, documentation and form for claiming the exclusion.

AB 1451 further provides that the changes made by the bill apply beginning with the lien date for the 2008-09 fiscal year and extends the active solar energy system exclusion through the 2015-16 fiscal year.

As a tax levy, this bill takes effect immediately.

WELFARE AND INSTITUTIONS CODE

Chapter 255
County child welfare services: mortality review

AB 2904 (Hayashi)

Effective: January 1, 2009

Welfare and Institutions Code
Adds Section 16502.5

This bill permits a county board of supervisors to receive and review any records relating to a child who has died and who had previously come to the attention of, or was under the supervision of, the county child welfare agency.

The board may only receive and review the information in closed session, except in a county with a foster care population of more than 10,000, which may take formal action to permit individual board members' offices and staff to receive and review the information for purposes of determining which cases should be brought to the attention of the full board in closed session. The information or records must be maintained in a manner that ensures the maximum protection of privacy and confidentiality rights. The board, its members and staff may not disclose or release any such information unless otherwise permitted by state law and shall be bound by all state and federal confidentiality laws.

MISCELLANEOUS STATUTES

Chapter 7 Validations

**SB 1063 (Committee on
Local Government)**

Effective: January 1, 2009

Enacts the Third Validating Act of 2008 to validate the organization, boundaries, acts, proceedings and bonds of the state and counties, cities and specified districts, agencies and entities.

Chapter 10 Validations

**SB 1061(Committee on
Local Government)**

Effective: April 29, 2008

URGENCY

Enacts the First Validating Act of 2008 to validate the organization, boundaries, acts, proceedings and bonds of the state and counties, cities and specified districts, agencies and entities.

Chapter 614 Validations

**SB 1062 (Committee on
Local Government)**

Effective: September 30, 2008

URGENCY

Enacts the Second Validating Act of 2008 to validate the organization, boundaries, acts, proceedings and bonds of the state and counties, cities and specified districts, agencies and entities.

2008 OTHER BILLS OF INTEREST

Bill Number	Title	Author	Status
AB 27	California Partnership for the San Joaquin Valley	Parra	Died
AB 55	Los Angeles County Hospital Authority	Dymally	Amended
AB 83*	Property tax administration: PARE Program	Lieber	Died
AB 137	Terrorist organizations	DeVore	Died
AB 293	Property taxation: homeowner's exemption	Strickland	Died
AB 391	Air quality: South Coast Air Quality Management District: Board membership	Lieu	Died
AB 793	Property taxation: affordable housing assessments	Strickland	Died
AB 926	Civil discovery	Evans	Vetoed
AB 1017	California Environmental Quality Act: appeals to local lead agency's elected decision-making	Ma	Vetoed
AB 1648	Peace officer records	Leno	Amended
AB 1772	Charter schools: governing boards	Garcia	Died
AB 2036	Public employment: local agencies: unfair labor practices	De La Torre	Died
AB 2218	Local government assessment and fee ballots	Gaines	Died
AB 2299	Maintenance of the codes	Silva	Vetoed
AB 2355	Criminal threats: public officials	Aghazarian	Died
AB 2526	County employee retirement: boards	Berryhill	Died
AB 2533	Disability access: remedies	Keene	Died
AB 2568	Property tax exemption: principal residence: veterans and their unmarried surviving spouses	Houston	Died
AB 2579	Property tax: base year value transfers	Niello	Died
AB 2595	Public records: unlawful possession	Laird	Vetoed
SB 76	Local agencies: ethics training	Florez	Died
SB 153	Property taxation: change in ownership: exclusion	Migden	Vetoed

2008 OTHER BILLS OF INTEREST (cont.)

Bill Number	Title	Author	Status
SB 217*	Political Reform Act of 1974: conflict of interest code	Cogdill	Died
SB 303	Local government: land use planning	Ducheny	Died
SB 497*	Political Reform Act of 1974: conflict of interest: electronic filing of statements of economic interest	Ackerman	Died
SB 662**	The Political Reform Act of 1974: conflict of interest codes	Wiggins	Died
SB 984	Property taxation: base year value transfers	Ashburn	Died
SB 1060	California Science Center: Exposition Park Authority: Los Angeles Memorial Coliseum Commission	Ridley-Thomas	Died
SB 1100	Political Reform Act: conflicts of interest	Battin	Died
SB 1103	Economic development subsidies: review by local agencies	Cedillo	Amended
SB 1113	Attorney's fees and costs	Migden	Amended
SB 1118	Airports: airports and use commissions	Negrete McLeod	Died
SB 1165	Environment: environmental impact report	Kuehl	Died
SB 1204*	Political Reform Act of 1974: electronic filing	Denham	Died
SB 1273	Public records	Denham	Died
SB 1293	Joint exercise of powers: reporting and disclosures	Negrete McLeod	Vetoed
SB 1444	Political Reform Act of 1974: reporting bribes and things of value	Maldonado	Died
SB 1453	Public cemetery districts: boards of trustees	Maldonado	Died
SB 1722	Metro Green Line Construction Authority	Oropeza	Died

* Supported by CACEO

** Sponsored by CACEO

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AB 1451	Property tax: exclusion from newly constructed: active solar energy system	Leno	538	14
AB 2411	Property tax: refunds	Caballero	329	12
AB 2484	Local government: special districts	Caballero	196	8
AB 2607	Political Reform Act of 1974: electronic filing	Davis	498	9
AB 2904	County child welfare services: mortality review	Hayashi	255	15
AB 3047	Local agency formation commission: notice requirements	Committee on Local Gov.	68	4
SB 111	Property tax: seismic retrofitting: tax assessments	Ashburn	336	13
SB 1061	Validations	Committee on Local Gov.	10	16
SB 1062	Validations	Committee on Local Gov.	614	16
SB 1063	Validations	Committee on Local Gov.	7	1 6
SB 1124	Local Government Omnibus Act of 2008	Committee on Local Gov.	709	10
SB 1458	County Service Area Law	Committee on Local Gov.	158	4
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SB 1732	Local agencies	Romero	63	2
SCA 4	Property tax: new construction exclusion: seismic retrofitting	Ashburn	Res. 115	1

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LOCAL AGENCIES	Local agencies	SB 1732	63	2
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