

**ASSEMBLY BILL**

**No. 1103**

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**Introduced by Assembly Member Papan**

February 23, 2001

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An act to amend Sections 6301 and 6301.5 of the Business and Professions Code, relating to law library boards of trustees.

LEGISLATIVE COUNSEL'S DIGEST

AB 1103, as introduced, Papan. Law library boards of trustees.

Existing law establishes in each county a board of law library trustees for the purpose of governing the county law library. Existing law provides for the membership of those boards, which is limited to superior and municipal court judges, and members of the bar, and members of the board of supervisors.

This bill would revise and recast these provisions and, among other things, authorize the appointment of persons who are residents of the county who are not members of the above-specified groups.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 6301 of the Business and Professions  
2 Code is amended to read:  
3 6301. ~~A~~(a) *Except as otherwise provided by statute, a board*  
4 *of law library trustees is constituted as follows:*  
5 ~~(a)~~  
6 (1) *In a county where there are no more than three judges of the*  
7 *superior court, each of those judges is ex officio a trustee; ~~in a~~*

1 ~~county where there are more than three judges of the superior~~  
2 ~~court, the judges of the court shall elect three of their number to~~  
3 ~~serve as trustees. However, where there are no more than three~~  
4 ~~judges of the superior court, the~~. *The* judges may at their option  
5 select only one of their number to serve as a trustee, and in that  
6 event they shall appoint two additional trustees who are *residents*  
7 *of the county* or members of the ~~bar of the county~~ *State Bar*.

8 (2) *In a county where there are more than three judges of the*  
9 *superior court, the judges of that court shall elect at least four, and*  
10 *no more than five of their number to serve as trustees.*

11 (3) Any judge *of the superior court* who is an ex officio or  
12 elected member may at the judge's option designate a *resident of*  
13 *the county* or a member of the ~~bar of the county~~ *State Bar* to act  
14 for the judge as trustee.

15 ~~(b) In a county with one or two municipal courts the judges of~~  
16 ~~the court or courts shall elect one of their number to serve as~~  
17 ~~trustee. In a county with three or more municipal courts the judges~~  
18 ~~of the courts may elect two of their number to serve as trustees. In~~  
19 ~~a county in which there is no municipal court, the judges of the~~  
20 ~~superior court may elect one or more of their number to serve as~~  
21 ~~trustee, in addition to the trustees elected pursuant to subdivision~~  
22 ~~(a), so that the number of judges elected shall not exceed the~~  
23 ~~number of judge trustees authorized as of January 1, 1998. Any~~  
24 ~~judge who is an elected member may at the judge's option~~  
25 ~~designate a member of the bar of the county to act for the judge as~~  
26 ~~trustee.~~

27 ~~(c)~~

28 (4) The chair of the board of supervisors is ex officio a trustee,  
29 but the board of supervisors at the request of the chair may appoint  
30 a member of the ~~bar of the county~~ or *State Bar*, any other member  
31 of the board of supervisors of the county, or a *resident of the*  
32 *county* to serve as trustee in place of ~~said~~ the chair. The  
33 appointment of the person selected in ~~lieu~~ *place* of the chair of the  
34 board of supervisors shall expire when a new chair of the board of  
35 supervisors is selected, and that appointment shall not be subject  
36 to the provisions of Section 6302.

37 ~~(d)~~

38 (5) The board of supervisors shall appoint as many additional  
39 trustees, who are members of the ~~bar of the county~~ *State Bar*, as  
40 may be necessary to constitute a board of ~~six members in any~~



1 ~~county where one member is elected pursuant to subdivision (b),~~  
2 ~~or of seven members in any county where two members are elected~~  
3 ~~to serve as trustees pursuant to subdivision (b) at least six and not~~  
4 ~~more than seven members.~~

5 *(b) No more than two law library trustees may be residents of*  
6 *the county who are not judges of the county, members of the State*  
7 *Bar, or members of the board of supervisors of the county.*

8 SEC. 2. Section 6301.5 of the Business and Professions Code  
9 is amended to read:

10 ~~6301.5. In any county in which there is no county bar~~  
11 ~~association, if the board of supervisors determines that there is not~~  
12 ~~a sufficient number of members of the State Bar residing, and with~~  
13 ~~their principal places of office for the practice of law, in the county~~  
14 ~~eligible for appointment to the board of library trustees by the~~  
15 ~~board of supervisors pursuant to subdivision (d) of Section 6301~~  
16 ~~for the constitution of a six-member seven-member board of~~  
17 ~~library trustees, the board of library trustees may consist of~~ *where*  
18 *there are three or fewer judges of the superior court, the board of*  
19 *supervisors, with the concurrence of the judges of the superior*  
20 *court, may reduce the number of law library trustees to not less*  
21 *than three members.*

