

AMENDED IN SENATE AUGUST 8, 2002
AMENDED IN ASSEMBLY APRIL 15, 2002
AMENDED IN ASSEMBLY APRIL 9, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2864

Introduced by Assembly Member Wiggins

February 25, 2002

~~An act to amend Section 65400 of, and to repeal Section 65307 of, the Government Code, relating to local planning. An act to amend Section 30070 of the Government Code, relating to law enforcement, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 2864, as amended, Wiggins. ~~Local planning agencies: duties~~
Law enforcement funding.

Existing law allocates annually prescribed amounts from the General Fund to the Controller for allocation to county sheriffs' departments to enhance law enforcement efforts, and until July 1, 2002, requires those funds to supplement rather than supplant existing law enforcement resources.

This bill would extend that requirement indefinitely.

The bill would declare that it is to take effect immediately as an urgency statute.

~~(1) The Planning and Zoning Law requires the planning agency, after a legislative body has adopted all or part of a general plan, to provide an annual report, on or before October 1 of each year, to the legislative body, the Office of Planning and Research, and the~~

~~Department of Housing and Community Development on the status of the general plan and progress in meeting the community's share of regional housing needs. The report is required to be prepared through forms and definitions adopted by the Department of Housing and Community Development.~~

~~The bill would require the report to include the degree to which the approved general plan complies with specified guidelines for the preparation of the mandatory elements of the general plan, and the date of the last revision to the general plan. By imposing new duties on planning agencies, the bill would create a state-mandated local program.~~

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: ~~majority~~ ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~yes~~ *no*.

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

1 ~~SECTION 1. Section 65307 of the Government Code is~~
2 ~~SECTION 1. Section 30070 of the Government Code is~~
3 ~~amended to read:~~
4 30070. (a) The sum of eighteen million five hundred
5 thousand dollars (\$18,500,000) is hereby annually appropriated
6 from the General Fund to the Controller for allocation to county
7 sheriffs' departments to enhance law enforcement efforts in the
8 counties specified in paragraphs (1) to (37), inclusive, according
9 to the following schedule:

10		
11	(1) Alpine County	500,000
12	(2) Amador County	500,000
13	(3) Butte County	500,000
14	(4) Calaveras County	500,000
15	(5) Colusa County	500,000
16	(6) Del Norte County	500,000
17	(7) El Dorado County	500,000
18	(8) Glenn County	500,000



1	(9) Humboldt County	500,000
2	(10) Imperial County	500,000
3	(11) Inyo County	500,000
4	(12) Kings County	500,000
5	(13) Lake County	500,000
6	(14) Lassen County	500,000
7	(15) Madera County	500,000
8	(16) Marin County	500,000
9	(17) Mariposa County	500,000
10	(18) Mendocino County	500,000
11	(19) Merced County	500,000
12	(20) Modoc County	500,000
13	(21) Mono County	500,000
14	(22) Napa County	500,000
15	(23) Nevada County	500,000
16	(24) Placer County	500,000
17	(25) Plumas County	500,000
18	(26) San Benito County	500,000
19	(27) San Luis Obispo County	500,000
20	(28) Santa Cruz County	500,000
21	(29) Shasta County	500,000
22	(30) Sierra County	500,000
23	(31) Siskiyou County	500,000
24	(32) Sutter County	500,000
25	(33) Tehama County	500,000
26	(34) Trinity County	500,000
27	(35) Tuolumne County	500,000
28	(36) Yolo County	500,000
29	(37) Yuba County	500,000

30
31 (b) Funds allocated pursuant to this section, ~~until July 1, 2002,~~
32 shall be used to supplement rather than supplant existing law
33 enforcement resources.

34 *SEC. 2. This act is an urgency statute necessary for the*
35 *immediate preservation of the public peace, health, or safety*
36 *within the meaning of Article IV of the Constitution and shall go*
37 *into immediate effect. The facts constituting the necessity are:*

38 *In order to ensure the efficient use of funds allocated to county*
39 *sheriffs' departments to enhance law enforcement efforts, it is*
40 *necessary that this act take effect immediately.*



1 ~~repealed.~~

2 ~~SEC. 2.—Section 65400 of the Government Code is amended~~
3 ~~to read:~~

4 ~~65400.—After the legislative body has adopted all or part of a~~
5 ~~general plan, the planning agency shall do both of the following:~~

6 ~~(a) Investigate and make recommendations to the legislative~~
7 ~~body regarding reasonable and practical means for implementing~~
8 ~~the general plan or element of the general plan, so that it will serve~~
9 ~~as an effective guide for orderly growth and development,~~
10 ~~preservation and conservation of open-space land and natural~~
11 ~~resources, and the efficient expenditure of public funds relating to~~
12 ~~the subjects addressed in the general plan.~~

13 ~~(b) Provide by October 1 of each year an annual report to the~~
14 ~~legislative body, the Office of Planning and Research, and the~~
15 ~~Department of Housing and Community Development that~~
16 ~~includes all of the following:~~

17 ~~(1) The status of the plan and progress in its implementation.~~

18 ~~(2) The progress in meeting its share of regional housing needs~~
19 ~~determined pursuant to Section 65584 and local efforts to remove~~
20 ~~governmental constraints to the maintenance, improvement, and~~
21 ~~development of housing pursuant to paragraph (3) of subdivision~~
22 ~~(e) of Section 65583. The housing element portion of the annual~~
23 ~~report, as required by this paragraph, shall be prepared through the~~
24 ~~use of forms and definitions adopted by the Department of~~
25 ~~Housing and Community Development pursuant to the~~
26 ~~Administrative Procedure Act (Chapter 3.5 (commencing with~~
27 ~~Section 11340) of Part 1 of Division 3 of Title 2).~~

28 ~~(3) The degree to which its approved general plan complies~~
29 ~~with the guidelines developed and adopted pursuant to Section~~
30 ~~65040.2, and the date of the last revision to the general plan.~~

31 ~~SEC. 3.—It is the intent of the Legislature that the amendments~~
32 ~~to Section 65400 made by this act correct a drafting error made in~~
33 ~~the amendments to Section 65400 in Chapter 1235 of the Statutes~~
34 ~~of 1994 (Assembly Bill 51).~~

35 ~~SEC. 4.—No reimbursement is required by this act pursuant to~~
36 ~~Section 6 of Article XIII B of the California Constitution because~~
37 ~~this act provides for offsetting savings to local agencies or school~~
38 ~~districts that result in no net costs to the local agencies or school~~



1 ~~districts, within the meaning of Section 17556 of the Government~~
2 ~~Code.~~

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