

AMENDED IN SENATE JUNE 26, 2003

AMENDED IN SENATE MAY 27, 2003

AMENDED IN ASSEMBLY MARCH 19, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 79**

**Introduced by Assembly Member Dutra**

December 23, 2002

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An act to add and repeal Section 7550.5 of the Government Code, relating to public agencies, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 79, as amended, Dutra. Written reports: preparation.

(1) Existing law requires various written reports to be prepared and submitted by state and local agencies to the Legislature or the Governor.

This bill would, until January 1, 2008, provide that a public agency, as defined, may, *but is* not ~~be~~ required to, prepare or submit any ~~otherwise required~~ written report to the Legislature, the Governor, or any state legislative or executive body unless any one of specified conditions is met or the report is required to be prepared and submitted pursuant to this ~~aet~~ *bill*.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. Section 7550.5 is added to the Government  
2 Code, to read:  
3 7550.5. (a) For purposes of this section:  
4 (1) ‘Public agency’ means any state or local agency or district,  
5 including, but not limited to, a school district, the University of  
6 California, the California State University, and the California  
7 Community Colleges.  
8 (2) ‘Written report’ means a document that a statute requires to  
9 be prepared and submitted to the Legislature, the Governor, or any  
10 state legislative or executive body.  
11 (b) Notwithstanding any other provision of law, a public  
12 agency may ~~not be~~, *but is not* required to, prepare or submit any  
13 ~~otherwise required~~ written report to the Legislature, the Governor,  
14 or any state legislative or executive body unless the report is  
15 specified in subdivision ~~(b)~~ (c) or any of the following has  
16 occurred:  
17 (1) The report is required, in whole or in part, by a court order,  
18 federal law, or federal regulation.  
19 (2) The report is required in the annual Budget Act.  
20 (3) The Legislature expressly provides that, notwithstanding  
21 this section, a written report shall be prepared and submitted.  
22 (4) The report is necessary for the preparation of the annual  
23 Budget Act or the implementation of that act, as determined by the  
24 Department of Finance.  
25 (5) The report is required pursuant to Division 1.2  
26 (commencing with Section 473) of the Business and Professions  
27 Code or is required by statute for any entity governed by Division  
28 2, 3, or 8 of the Business and Professions Code.  
29 (c) Reports shall be prepared and submitted pursuant to the  
30 following provisions of law:  
31 (1) Sections 14030.2 and 14076 of the Corporations Code.  
32 (2) Sections 66742, 87164, 89030.1, and 89720 of the  
33 Education Code.  
34 (3) Section 411 of the Food and Agricultural Code.  
35 ~~(4) Sections 7085, 15320, and 65400 of this code.~~  
36 (4) Sections 965.4, 965.65, 7085, 8878.97, 8879.17, 9148.4,  
37 12010.6, 12017, 12020, 12021, 12080.2, 12170, 12329, 12439,  
38 12460, 12461, 13308, 13336.5, 13337, 14051, 14524.15,



1 14524.16, 14525.5, 14535, 14536, 14840, 15320, 15323.5,  
2 15335.11, 15901, 16725, 16759, 16855, 17570, 19405, 19792.5,  
3 19793, 19795, 19702.5, 19705, 19237, 19792.5, 19793, 19826,  
4 7299.4, 19683, 19827.2, 19994.20, 19996.21, 19996.40, 20138,  
5 20139, 20233, 22840.1, 22840.3, and 65400 of this code.

6 (5) Section 10722 of the Public Contract Code.

7 (6) Sections 316.5 and 132352.6 of the Public Utilities Code.

8 (7) Section 188.5 of the Streets and Highways Code.

9 (8) Section 53.5 of Chapter 171 of the Statutes of 2001.

10 ~~(8)~~

11 (9) All reports pertaining to Item 6610-001-0001 required in  
12 the Legislative Analyst’s office’s Supplemental Report of the  
13 Budget Act of 2002.

14 (d) *This section shall not be construed to interfere with an*  
15 *exclusive representative’s right to request or receive information*  
16 *related to its representation of state and California State*  
17 *University employees under Chapter 10.3 (commencing with*  
18 *Section 3512) and Chapter 12 (commencing with Section 3560).*  
19 *A public agency shall not use this section to justify the denial of*  
20 *information under those provisions.*

21 (e) This section shall remain in effect only until January 1,  
22 2008, and as of that date is repealed, unless a later enacted statute,  
23 that is enacted before January 1, 2008, deletes or extends that date.

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

28 A drastic reduction in state resources available for the  
29 preparation and submission of written reports to the Legislature  
30 and the Governor requires that this act take effect immediately.

