

**ASSEMBLY BILL**

**No. 1083**

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**Introduced by Assembly Member Strickland**

February 22, 2005

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An act to add Chapter 7.7 (commencing with Section 2670) to Division 2 of the Public Resources Code, relating to natural hazards, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1083, as introduced, Strickland. Natural hazards web portal.

Under existing law, there is the State Geologist within the Division of Mines and Geology in the Department of Conservation. The State Geologist may, among other things, conduct, with city and county governments or federal agencies, large-scale geological investigations and provide timely delineation of geological hazards in and adjacent to metropolitan areas.

This bill would authorize the State Geologist to establish an e-government pilot program to determine if a state-operated natural hazards web portal can efficiently integrate and provide access to parcel data and natural hazard zone data needed for determinations for disclosure of natural hazards upon transfer of residential property.

This bill would authorize the State Geologist to assess and receive a convenience fee each time a consumer accesses and receives natural hazard zone data associated with a specific parcel, and require the fees to be deposited for deposited into the Natural Hazards Web Portal Fund, that the bill would create. Money in the fund would be continuously appropriated to the Division of Geology and Mines for reimbursement of expenditures for establishment and maintenance of the web portal and to participating governmental agencies, as specified.

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

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

1 SECTION 1. Chapter 7.7 (commencing with Section 2670) is  
2 added to Division 2 of the Public Resources Code, to read:  
3 CHAPTER 7.7. NATURAL HAZARDS WEB PORTAL  
4 2670. As used in this chapter, the following definitions shall  
5 apply:  
6 (a) "Participating governmental agency" means a local, state,  
7 or federal governmental entity that provides data maintained by  
8 that entity, or access to that data, through the natural hazards web  
9 portal.  
10 (b) "Program" means the natural hazards web portal pilot  
11 program.  
12 (c) "Transaction" means each use of the natural hazards web  
13 portal by an interested member of the public or other consumer  
14 that results in the receipt of natural hazard zone data associated  
15 with a specific parcel of land.  
16 (d) "Web portal" means the natural hazards web portal  
17 authorized pursuant to Section 2673.  
18 2673. (a) The State Geologist may establish an e-government  
19 pilot program to determine if a state-operated natural hazards  
20 web portal can efficiently integrate and provide access to parcel  
21 data and natural hazard zone data needed for determinations for  
22 disclosure of natural hazards upon transfer of residential property  
23 pursuant to Article 1.7 (commencing with Section 1103) of  
24 Chapter 2 of Title 4 of Part 4 of Division 2 of the Civil Code.  
25 (b) The State Geologist may select up to five counties to  
26 participate in the program, along with state and federal agencies  
27 that maintain location-based data regarding natural hazard zones.  
28 Each county selected shall have been surveyed and mapped by  
29 each agency charged with producing natural hazard zone data  
30 used in making determinations for disclosure of natural hazards  
31 upon transfer of residential property pursuant to Article 1.7  
32 (commencing with Section 1103) of Chapter 2 of Title 4 of Part  
33 4 of Division 2 of the Civil Code.  
34 (c) The program shall employ a web portal, established and  
35 administered by the State Geologist, to integrate county data on

1 individual parcels with natural hazard zone data maintained by  
2 various state and federal agencies.

3 2675. (a) Participating governmental agencies may enter into a  
4 contract, memoranda of understanding, or cooperative agreement  
5 to facilitate the exchange of data and resources necessary to  
6 successfully implement the program, as well as to facilitate the  
7 sharing of any revenue generated pursuant to Section 2679.

8 (b) A contract or other agreement used by the State Geologist  
9 to facilitate a governmental agency's participation in the program  
10 shall require the participating agency to provide information to  
11 the State Geologist to be reported pursuant to Section 2680. This  
12 information shall be provided according to a timeline established  
13 by the State Geologist to ensure inclusion of the data in the  
14 progress report required pursuant to Section 2680.

15 2677. A participating governmental agency shall not be held  
16 liable under state law for any aspect of its participation in the  
17 program including, but not limited to, the generation,  
18 compilation, integration, or dissemination of data.

19 2679. (a) The State Geologist may assess and receive a  
20 convenience fee of four dollars and twenty-five cents (\$4.25)  
21 each time a consumer accesses and receives natural hazard zone  
22 data associated with a specific parcel. The State Geologist shall  
23 determine the method by which a consumer shall pay the  
24 applicable convenience fee.

25 (b) Convenience fee revenues received by the State Geologist  
26 shall be deposited into the Natural Hazards Web Portal Fund,  
27 which is hereby established in the State Treasury.  
28 Notwithstanding Section 13340 moneys in the fund are  
29 continuously appropriated for both of the following purposes:

30 (1) Reimbursement of expenditures of the State Geologist  
31 incurred in establishing and maintaining the web portal and in  
32 producing natural hazard zone data to be disbursed through the  
33 web portal.

34 (2) Sharing with one or more participating governmental  
35 agencies according to the terms of an applicable contract or other  
36 agreement executed pursuant to Section 2675 and proportional to  
37 each agency's relative contribution.

38 2680. On or before January 1, 2007, the State Geologist shall  
39 report to the Resources Agency on its progress in implementing  
40 the program including, but not limited to, all of the following:

- 1 (a) An overview of the program's implementation.
- 2 (b) Identification of all participating governmental agencies
- 3 and a description of their respective roles.
- 4 (c) A description of issues that have arisen in implementing
- 5 the program and a summary of approaches that have been used or
- 6 that are needed to address those issues, including any needed
- 7 legislation.
- 8 (d) A fiscal analysis that summarizes, as to each participating
- 9 governmental agency, actual costs incurred in association with its
- 10 participation, projected annual costs associated with its ongoing
- 11 participation, and actual and projected revenue generated
- 12 pursuant to Section 2679, and any contribution of a participating
- 13 governmental agency.
- 14 (e) A description of achievements to date, including the
- 15 number of transactions completed.