

AMENDED IN ASSEMBLY MAY 5, 2008

AMENDED IN ASSEMBLY APRIL 21, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1777**

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**Introduced by Assembly Member Houston**

January 15, 2008

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An act to add Section ~~66452.21~~ 66452.22 to, and to repeal Section 66452.11 of, the Government Code, relating to land use, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1777, as amended, Houston. Land use: subdivision maps.

(1) The Subdivision Map Act establishes a statewide regulatory framework for controlling the subdividing of land. It generally requires a subdivider to submit, and have approved by the city, county, or city and county in which the land is situated, a tentative map. The act provides for the expiration of tentative maps after specified periods of time, and specifically extends by 24 months the expiration date of any tentative map or parcel map for which a tentative map has been approved that had not expired on September 13, 1993.

This bill would repeal and reenact these provisions, to be applicable to tentative subdivision maps when the bill becomes effective. By adding to the procedures officials in cities, counties, and cities and counties must follow with respect to subdivision maps, this bill would impose 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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions:~~

~~(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.~~

~~(3) 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: yes.

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

1 SECTION 1. Section 66452.11 of the Government Code, as  
 2 added by Section 1 of Chapter 407 of the Statutes of 1993, is  
 3 repealed.

4 SEC. 2. Section ~~66452.21~~ 66452.22 is added to the Government  
 5 Code, to read:

6 ~~66452.21.~~

7 66452.22. (a) The expiration date of any tentative subdivision  
 8 map or parcel map for which a tentative map has been approved  
 9 that has not expired on the date that the act that adds this section  
 10 becomes effective shall be extended by 24 months.

11 (b) The extension provided by subdivision (a) shall be in  
 12 addition to any extension of the expiration date provided for in  
 13 Section 66452.6 or 66463.5.

14 (c) Any legislative, administrative, or other approval by any  
 15 agency of the state that pertains to a development project included  
 16 in a map that is extended pursuant to subdivision (a) shall be  
 17 extended by 24 months if this approval has not expired on the date  
 18 that the act that adds this section becomes effective.

19 ~~SEC. 3. If the Commission on State Mandates determines that~~  
 20 ~~this act contains costs mandated by the state, reimbursement to~~  
 21 ~~local agencies and school districts for those costs shall be made~~  
 22 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~  
 23 ~~4 of Title 2 of the Government Code.~~

1     *SEC. 3. No reimbursement is required by this act pursuant to*  
2 *Section 6 of Article XIII B of the California Constitution because*  
3 *a local agency or school district has the authority to levy service*  
4 *charges, fees, or assessments sufficient to pay for the program or*  
5 *level of service mandated by this act, within the meaning of Section*  
6 *17556 of the Government Code.*

7     SEC. 4. This act is an urgency statute necessary for the  
8 immediate preservation of the public peace, health, or safety within  
9 the meaning of Article IV of the Constitution and shall go into  
10 immediate effect. The facts constituting the necessity are:

11     In order to permit cities, counties, and a city and county to  
12 preserve development applications that are set to expire and that  
13 cannot be processed presently due to prevailing adverse economic  
14 conditions in the construction industry, it is necessary that this act  
15 take effect immediately.