

AMENDED IN ASSEMBLY MARCH 31, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 528**

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**Introduced by Assembly Member Silva**

February 25, 2009

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An act to *add Section 56100.05 to, and to amend Sections 56100.1, 56700.1, and 57009 of 57009, and 82035.5 of*, the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 528, as amended, Silva. Local government: reorganization: expenditure reporting.

**Existing**

(1) *Existing law*, the Cortese-Knox-Hertzberg Local Government Reorganization Act, requires contributions and expenditures for political purposes on boundary changes approved by a local agency formation commission be disclosed and reported to the commission to the same extent and subject to the same requirements of the Political Reform Act of 1974 as provided for local initiative measures.

This bill would revise these provisions to require the expenditures to be disclosed and reported pursuant to the Political Reform Act of 1974.

(2) *Existing law, for purposes of the Political Reform Act of 1974, defines "LAFCO proposal" to mean a proposal, as defined by the Cortese-Knox-Hertzberg Local Government Reorganization Act, that is initiated as a petition for filing with a local agency formation commission.*

*This bill would revise the definition of "LAFCO proposal" to mean Cortese-Knox-Hertzberg Local Government Reorganization Act, including a proceeding, as defined by that act.*

(3) *The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act’s purposes upon a <sup>2</sup>/<sub>3</sub> vote of each house and compliance with specified procedural requirements. This bill would declare that it furthers the purposes of the act.*

Vote: ~~majority~~<sup>2</sup>/<sub>3</sub>. 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 56100.05 is added to the Government  
2 Code, to read:

3 56100.05. Contributions and expenditures for political purpose  
4 related to a proposal or proceeding shall be disclosed and reported  
5 pursuant to Article 2.5 (commencing with Section 84250) of  
6 Chapter 4 of the Political Reform Act of 1974 (Title 9 (commencing  
7 with Section 81000)).

8 ~~SECTION 1.~~

9 SEC. 2. Section 56100.1 of the Government Code is amended  
10 to read:

11 56100.1. A commission may require, through the adoption of  
12 written policies and procedures, ~~the disclosure of contributions,~~  
13 ~~as defined in Section 82015, expenditures, as defined in Section~~  
14 ~~82025, and independent expenditures, as defined in Section 82031,~~  
15 ~~made in support of or opposition to a proposal. Disclosure~~  
16 ~~additional disclosure of contributions in support of or opposition~~  
17 ~~to a proposal, which shall be made either to the commission’s~~  
18 ~~executive officer, in which case it shall be posted on the~~  
19 ~~commission’s Internet Web site, if applicable, or to the board of~~  
20 ~~supervisors of the county in which the commission is located,~~  
21 ~~which may designate a county officer to receive the disclosure.~~  
22 ~~Disclosure pursuant to a requirement under the authority provided~~  
23 ~~in this section shall be in addition to any disclosure otherwise~~  
24 ~~required by Section 56700.1, Section 57009, or the Political Reform~~  
25 ~~Act of 1974 (Title 9 (commencing with Section 81000)): 56100.05,~~  
26 ~~56700.1, or 57009, or local ordinance.~~

27 ~~SEC. 2.~~

28 SEC. 3. Section 56700.1 of the Government Code is amended  
29 to read:

1 56700.1. Expenditures for political purposes related to a  
2 proposal for a change of organization or reorganization that will  
3 be submitted to a commission pursuant to this part, and  
4 contributions in support of or in opposition to those proposals,  
5 shall be disclosed and reported pursuant to ~~the Political Reform~~  
6 ~~Act of 1974 (Title 9 (commencing with Section 81000)) Sections~~  
7 *56100.05 and 56100.1.*

8 ~~SEC. 3.~~

9 *SEC. 4.* Section 57009 of the Government Code is amended  
10 to read:

11 57009. Expenditures for political purposes related to  
12 proceedings for a change of organization or reorganization that  
13 will be conducted pursuant to this part, and contributions in support  
14 of or in opposition to those proceedings, shall be disclosed and  
15 reported pursuant to ~~the Political Reform Act of 1974 (Title 9~~  
16 ~~(commencing with Section 81000)) Sections 56100.05 and 56100.1.~~

17 *SEC. 5.* Section 82035.5 of the Government Code is amended  
18 to read:

19 82035.5. “LAFCO proposal” means a proposal, as defined in  
20 Section 56069, ~~that is initiated as a petition for filing with a local~~  
21 ~~agency formation commission including a proceeding, as defined~~  
22 ~~by Section 56067.~~

23 *SEC. 6.* *The Legislature finds and declares that this bill furthers*  
24 *the purposes of the Political Reform Act of 1974 within the meaning*  
25 *of subdivision (a) of Section 81012 of the Government Code.*