

AMENDED IN ASSEMBLY JANUARY 12, 2010

AMENDED IN ASSEMBLY JANUARY 4, 2010

AMENDED IN ASSEMBLY MAY 4, 2009

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1399

Introduced by Assembly Member Anderson

(Coauthors: Assembly Members Arambula, Beall, Tom Berryhill, Blakeslee, Brownley, Coto, DeVore, Fletcher, Fuller, Garrick, Gilmore, Hagman, Hill, Logue, Bonnie Lowenthal, Ma, Silva, Solorio, Tran, and Villines)

(Coauthor: Senator Strickland)

February 27, 2009

An act to add Section ~~24059~~ 50084.5 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1399, as amended, Anderson. ~~Elected county officials.~~ *Local officials.*

Existing provisions of the California Constitution prohibit the Legislature from making any gift of public money or thing of value to any person, and this prohibition applies to local government. Existing law specifies the duties of various ~~elected county~~ *local* officials.

This bill would prohibit ~~any elected county official from hiring or employing any immediate family member, as defined, if that immediate family member would serve under direct supervision of the elected county official.~~ The bill would also specifically prohibit an elected

~~county official from making a gift of public funds or property to any person without consideration~~ *a local official, subject to a specific exception, from making available to an immediate family member, as defined, a vehicle or credit card provided by the local agency that the local official represents.*

Vote: majority. 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 50084.5 is added to the Government Code,
2 to read:

3 50084.5. (a) (1) A local official, whether elected or appointed,
4 shall not make available to an immediate family member a publicly
5 funded vehicle owned or operated by, or a credit card issued by,
6 the local agency that the local official represents.

7 (2) For purposes of this section, “immediate family member”
8 means a spouse, child, in-law, parent, or sibling of the local
9 official.

10 (b) This section shall not apply to a local official if the legislative
11 body of the local agency that the local official represents has
12 adopted an ordinance, resolution, or other measure that prohibits
13 the conduct described in subdivision (a).

14 SECTION 1. ~~Section 24059~~ is added to the Government Code,
15 to read:

16 24059. (a) ~~An elected county official shall not hire or employ~~
17 ~~any immediate family member if that immediate family member~~
18 ~~would serve under direct supervision of the elected county official.~~

19 (b) ~~An elected county official shall not make a gift of public~~
20 ~~funds or property to any person, without consideration.~~

21 (c) ~~For purposes of this section, “immediate family member”~~
22 ~~means an elected county official’s child, sibling, spouse, or parent.~~