

AMENDED IN ASSEMBLY APRIL 20, 2010

AMENDED IN ASSEMBLY APRIL 5, 2010

AMENDED IN ASSEMBLY MARCH 22, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2003

Introduced by Assembly Member Mendoza

February 17, 2010

An act to add Section 50035 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 2003, as amended, Mendoza. Legislative bodies: contracts and appointments.

Existing law prohibits an elective officer of a city from expending, or participating in any action that would expend, city funds between the date a recall election involving that elective officer has been called and the date the certification of the election results is released, as specified.

This bill would provide that any contract entered into or appointment made by a legislative body of a local agency, as defined, during the period after the close of the polls on ~~Election Day~~ *election day* for an election involving that legislative body and before a new member of the legislative body is sworn in to take office, shall not take effect until the legislative body, which includes the newly elected member, has reviewed and approved the contract or appointment. *This bill would provide an exception for a contract that has a value not to exceed \$20,000 and that expires on or before the date that the incoming legislative body is sworn in.*

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 50035 is added to the Government Code,
2 to read:
3 50035. (a) Notwithstanding any other law, *and except as*
4 *provided in subdivision (b)*, any contract entered into or
5 appointment made by the legislative body of a local agency during
6 the period after the close of the polls on ~~Election Day~~ *election day*
7 for an election involving that legislative body and before a new
8 member of the legislative body is sworn in to take office, shall not
9 take effect until the legislative body, which includes the newly
10 elected member, has reviewed and approved that contract or
11 appointment.
12 (b) *A legislative body of a local agency may, during the period*
13 *after the close of the polls on election day for an election involving*
14 *that legislative body and before a new member of the legislative*
15 *body is sworn in to take office, enter into a contract that has a*
16 *value not to exceed twenty thousand dollars (\$20,000) if the*
17 *contract provides that it shall expire by its own terms on or before*
18 *the date that the incoming legislative body, including any new*
19 *members of the legislative body, is sworn in to take office.*
20 ~~(b)~~
21 (c) For purposes of this section, “local agency” means any local
22 agency whose governing body is subject to election, including,
23 but not limited to, a city, county, city and county, school district,
24 or special district.
25 ~~(e)~~
26 (d) This section shall not apply to any contract entered into
27 before the effective date of the act adding this section.