

AMENDED IN SENATE APRIL 13, 2010

**SENATE BILL**

**No. 1232**

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**Introduced by Senator Romero**

February 19, 2010

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An act relating to municipal incorporation, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1232, as amended, Romero. Municipal incorporation: ~~signatures.~~  
*Los Angeles Local Agency Formation Commission.*

Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, establishes a ~~process~~ *procedures* for the change of organization *or reorganization* of a local agency, including the incorporation of a city. The act generally prohibits a petition for a change of organization from being accepted for filing unless signatures on the petition are secured within 6 months of the date on which the first signature on the petition was affixed and the petition is submitted for filing within 60 days after the last signature is affixed. *The act also requires proceedings for an incorporation for a city to include a comprehensive fiscal analysis prepared by the executive officer of the commission, and authorizes the commission to establish a schedule of fees and charges for its proceedings.*

*This bill would require the East Los Angeles Residents Association, by October 29, 2010, to deposit any funds required by the Los Angeles County Local Agency Commission to complete a comprehensive fiscal analysis as a condition to continuation of the current petition for a change of organization. The bill would also require any signatures that were submitted with the petition to continue to be considered valid*

through October 29, 2010, and after that date if the petition proceeds and is accepted for filing.

This bill would declare that it is to take effect immediately as an urgency statute.

~~This bill would state the intent of the Legislature to enact legislation to clarify the law with respect to the length of time signatures collected for the incorporation of a new municipality are valid.~~

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. (a) As a condition to continuation of the current  
 2 petition for a change of organization, submitted to the Los Angeles  
 3 County Local Agency Formation Commission pursuant to the  
 4 Cortese-Knox-Hertzberg Local Government Reorganization Act  
 5 of 2000 (Division 3 (commencing with Section 56000) of Title 5  
 6 of the Government Code), the East Los Angeles Residents  
 7 Association shall, on or before October 29, 2010, deposit with the  
 8 commission all funds required by the commission, for the purpose  
 9 of financing a comprehensive fiscal analysis for incorporation  
 10 proceedings pursuant to Section 56800 of the Government Code.

11 (b) Signatures submitted with the petition for a change of  
 12 organization shall be considered valid through October 29, 2010,  
 13 and after that date, if the petition proceeds and is accepted for  
 14 filing.

15 SEC. 2. The Legislature finds and declares that a special law  
 16 is necessary and that a general law cannot be made applicable  
 17 within the meaning of Section 16 of Article IV of the California  
 18 Constitution because of the unique circumstances of the Los  
 19 Angeles County Local Agency Formation Commission and the  
 20 East Los Angeles Residents Association. In that respect, the Los  
 21 Angeles County Local Agency Formation Commission and the  
 22 East Los Angeles Residents Association require this deadline to  
 23 complete incorporation proceedings.

24 SEC. 3. This act is an urgency statute necessary for the  
 25 immediate preservation of the public peace, health, or safety within  
 26 the meaning of Article IV of the Constitution and shall go into  
 27 immediate effect. The facts constituting the necessity are:

1 *In order for the Los Angeles County Local Agency Formation*  
2 *Commission to timely consider and act on incorporation*  
3 *proceedings initiated by the East Los Angeles Residents Association*  
4 *prior to a statutory deadline, it is necessary that this act take effect*  
5 *immediately.*

6 ~~SECTION 1. It is the intent of the Legislature to enact~~  
7 ~~legislation to clarify the law with respect to the length of time~~  
8 ~~signatures collected for the incorporation of a new municipality~~  
9 ~~are valid.~~