

AMENDED IN ASSEMBLY APRIL 5, 2011

AMENDED IN ASSEMBLY MARCH 8, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 33

**Introduced by Assembly Member Jeffries
(Coauthors: Assembly Members Cook, Harkey, Nestande, and
Silva)**

December 6, 2010

An act to amend Section 25060 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 33, as amended, Jeffries. County board of supervisors: vacancy: appointment.

Existing law requires the Governor to fill a vacancy on any county board of supervisors.

This bill would require the Governor to fill the vacancy *or authorize the board of supervisors to fill the vacancy* within ~~90~~ 180 days, and if the Governor fails to act within ~~90~~ 180 days, the bill would authorize the board of supervisors, within the next 90 days, to appoint an individual to fill the vacancy, call a special election to fill the vacancy, or leave the vacancy open until the next regularly scheduled general election, as provided. The bill would provide that if the Governor and board of supervisors both fail to act, then the vacancy shall remain open until the next regular election at which time a successor may be elected.

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 25060 of the Government Code is
2 amended to read:

3 25060. (a) Whenever a vacancy occurs in any board of
4 supervisors, the Governor shall ~~fill the vacancy~~, within ~~90~~ 180
5 days, *fill the vacancy or authorize the board of supervisors to fill*
6 *the vacancy.*

7 (b) If the Governor fails to act within ~~90~~ 180 days pursuant to
8 subdivision (a), the board of supervisors shall, within 90 days, do
9 one of the following:

10 (1) Appoint an individual, by vote of a quorum of the board, to
11 fill the vacancy.

12 (2) Vote, by a quorum of the board, to call a special election to
13 fill the vacancy.

14 (3) Vote, by a quorum of the board, to leave the seat vacant
15 until the next regularly scheduled election.

16 (c) If the Governor fails to act within ~~90~~ 180 days pursuant to
17 subdivision (a), and the board of supervisors fails to act within 90
18 days pursuant to subdivision (b), then the vacancy shall remain
19 open until the next regular election at which time a successor may
20 be elected.

21 (d) Any person appointed or elected shall hold office until the
22 election and qualification of his or her successor pursuant to
23 Section 25061.