

ASSEMBLY BILL

No. 46

Introduced by Assembly Member John A. Pérez
(Principal coauthor: Assembly Member Smyth)
(Coauthors: Assembly Members Lara and Norby)
(Coauthor: Senator De León)

December 6, 2010

An act to add Section 56668.6 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 46, as introduced, John A. Pérez. Local government: cities.

Existing law, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, sets forth the procedures for incorporations and changes of organizations of cities, including procedures for disincorporation.

This bill would provide that every city with a population of less than 150 people as of January 1, 2010, would be disincorporated into those cities' respective counties as of 90 days after the effective date of the bill, unless a county board of supervisors determines, by majority vote within that 90-day period, that continuing such a city within that county's boundaries would serve a public purpose because the location of the city, in a rural or isolated location, makes it impractical for the residents of the community to organize in another forum of local governance.

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 56668.6 is added to the Government
2 Code, to read:

3 56668.6. (a) Notwithstanding the procedures for
4 disincorporation set forth in this division, every city with a
5 population of less than 150 persons, as of January 1, 2010, is
6 hereby disincorporated as of 90 days after the effective date of the
7 act adding this section, into those cities' respective counties, except
8 as provided by subdivision (b).

9 (b) A county board of supervisors may determine, by majority
10 vote, within 90 days of the effective date of the act adding this
11 section, that continuing a city within that county's boundaries that
12 would otherwise be disincorporated pursuant to subdivision (a)
13 would serve a public purpose because the location of the city, in
14 a rural or isolated location, makes it impractical for the residents
15 of the community to organize in another forum of local governance.
16 If a county board of supervisors votes, pursuant to this subdivision,
17 to continue a city in existence, that city shall not be disincorporated
18 and shall continue as a general law or charter city.