

AMENDED IN ASSEMBLY MAY 11, 2011

AMENDED IN ASSEMBLY MAY 2, 2011

AMENDED IN ASSEMBLY APRIL 25, 2011

AMENDED IN ASSEMBLY MARCH 24, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 74

Introduced by Assembly Member Ma

December 21, 2010

An act to add Section 11000.10 to the Government Code, relating to public events.

LEGISLATIVE COUNSEL'S DIGEST

AB 74, as amended, Ma. Public events: event action plan.

Existing law generally authorizes state agencies, including district agricultural associations, to allow private individuals or corporations to hold events on state property.

This bill would require that any state agency that seeks to hold an event with an expected attendance level over a specified amount on property that is either owned or operated by a state agency to, prior to the event, conduct a threat assessment that addresses specified topics. This bill would also require that if the state agency determines, based on the facts presented to it in the assessment, that there is a strong probability that loss of life or harm to the participants could occur, then the state agency must require the promoter to prepare an event action plan that includes specified information. This bill would also require the state agency to approve the event action plan before the promoter

may hold the event. *This bill would exempt a certain type of event from these requirements.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. This act shall be known and may be cited as *either*
2 *the Concert and Music Festival Safety Act or Sasha's Law* .

3 SEC. 2. Section 11000.10 is added to the Government Code,
4 to read:

5 11000.10. (a) (1) Any state agency, including, but not limited
6 to, a district agricultural association, or a joint powers agency that
7 includes a district agricultural association, that seeks to hold an
8 event with an expected attendance level over 10,000 participants
9 on property that is either owned or operated by a state agency shall,
10 at a normally scheduled meeting, and at least 30 days prior to the
11 event date, assess the threat of loss of life or harm to participants
12 that the event poses. The assessment shall consider, among others,
13 all of the following topics:

- 14 (A) Prior events held by the promoter.
- 15 (B) Prior events held at the facility.
- 16 (C) Similar types of events in general.
- 17 (D) The potential need for law enforcement.
- 18 (E) The potential need for onsite medical care.
- 19 (F) The potential for drug use and distribution.

20 (2) If the state agency determines that, based on the facts
21 presented to it in the assessment, there is a strong probability that
22 loss of life or harm to the participants could occur, then the state
23 agency shall require the promoter to prepare an event action plan.
24 The promoter shall not hold the event until the state agency
25 approves the event action plan. The event action plan shall address
26 all of the following:

- 27 (A) Health and safety concerns, including, but not limited to,
28 whether the promoter should provide free water, whether the
29 promoter should prohibit any person under 18 years of age from
30 attending the event, *whether the promoter should provide onsite*
31 *medical care*, adequacy of ventilation, attendance capacity, and
32 exit signs.

1 (B) Law enforcement concerns, including, but not limited to,
2 ~~the~~ *a reasonable* ratio of peace officers or security guards to event
3 attendees, and mechanisms for the control of drug use and drug
4 trafficking.

5 (C) The potential need for supplying educational pamphlets, or
6 other relevant emergency materials, including, but not limited to,
7 first aid, to help alleviate any risk posed by the event.

8 (D) Notwithstanding subparagraphs (A) to (C), inclusive, if the
9 event is a performance that by its nature places the performers at
10 risk, including, but not limited to, rodeos and monster truck ~~rally's~~
11 *rallies*, then the event action plan is not required to address that
12 risk.

13 *(b) This section shall not apply to events regulated pursuant to*
14 *Chapter 3 (commencing with Section 27200) of Division 6 of Title*
15 *4 of Part 6 of the Penal Code.*

16 ~~(b)~~

17 (c) For purposes of this section, “promoter” means the
18 individual, association, corporation, partnership, or other
19 organization that arranges, holds, organizes, or otherwise conducts
20 the event. In no circumstance shall the state or a state agency be
21 considered a promoter.