

AMENDED IN SENATE AUGUST 9, 2012

AMENDED IN SENATE AUGUST 6, 2012

AMENDED IN SENATE JUNE 21, 2012

AMENDED IN SENATE MAY 9, 2012

AMENDED IN SENATE JUNE 21, 2011

AMENDED IN ASSEMBLY APRIL 25, 2011

AMENDED IN ASSEMBLY MARCH 8, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 404

Introduced by Assembly Member Gatto

February 14, 2011

An act to add Section 23028 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 404, as amended, Gatto. Local government: lobbyists: county assessors.

Existing law provides for the governance of counties. Existing law sets forth the powers and duties of the officers of a county and the board of supervisors. Existing law sets forth the qualifications of the county assessor, as specified. Existing constitutional provisions authorize the establishment of an assessment appeals board of a county.

This bill would, in a county that regulates lobbying before the board of supervisors by ordinance, require the board of supervisors of the county to adopt amendments to the ordinance to apply its provisions to

~~those who lobby a person who represents a taxpayer for compensation before the county assessor, the county assessor's staff employees, or the county assessment appeals board, or the county board of equalization, or any assessment hearing officer who makes recommendations to the county board of equalization or the county assessment appeals board.~~ By adding to the duties of a county, the bill would impose a state-mandated local program. The bill would provide that its provisions do not apply to property owners, and are not to be construed to prohibit a tax agent from charging a contingency fee, as specified.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

- 1 SECTION 1. Section 23028 is added to the Government Code,
- 2 to read:
- 3 23028. (a) In a county that regulates lobbying before the board
- 4 of supervisors by ordinance, the board of supervisors of the county
- 5 shall adopt amendments to the ordinance to apply its provisions
- 6 to any person who represents a taxpayer for compensation before
- 7 the county assessor, employees of the county assessor, the county
- 8 assessment appeals board, the county board of equalization, or any
- 9 assessment hearing officer who makes recommendations to the
- 10 county board of equalization or the county assessment appeals
- 11 board.
- 12 (b) Subdivision (a) shall not apply to a property owner in
- 13 connection with any matter before a county assessor, employees
- 14 of the county assessor, the county assessment appeals board, the
- 15 county board of equalization, or any assessment hearing officer
- 16 who makes recommendations to the county board of equalization
- 17 or the county assessment appeals board.

1 (c) Nothing in this section shall be construed to prohibit a tax
2 agent from charging a contingency fee in connection with any
3 matter before a county assessor, employees of the county assessor,
4 the county assessment appeals board, the county board of
5 equalization, or any assessment hearing officer who makes
6 recommendations to the county board of equalization or the county
7 assessment appeals board.

8 *(d) Nothing in this section shall be construed to imply that a*
9 *person who is subject to the requirements of subdivision (a) shall*
10 *otherwise be deemed a lobbyist or deemed to be conducting*
11 *lobbying activities for purposes of any other local ordinance that*
12 *is not adopted pursuant to this section or any other state or federal*
13 *law.*

14 SEC. 2. If the Commission on State Mandates determines that
15 this act contains costs mandated by the state, reimbursement to
16 local agencies and school districts for those costs shall be made
17 pursuant to Part 7 (commencing with Section 17500) of Division
18 4 of Title 2 of the Government Code.