

ASSEMBLY BILL

No. 522

Introduced by Assembly Member Bonilla

February 15, 2011

An act to amend Section 8317 of the Streets and Highways Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

AB 522, as introduced, Bonilla. Vacation of public streets, highways, and public service easements.

Existing law establishes the processes and procedures necessary for vacation of public streets, highways, and public service easements, and defines “vacation” for these purposes to mean the complete or partial abandonment or termination of the public right to use a public street, highway, or public service easement. Under these provisions, proof of publication of a required notice is made by affidavit.

This bill would make a nonsubstantive change to these provisions.

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 8317 of the Streets and Highways Code
2 is amended to read:
3 8317. (a) Proof of publication of a notice shall be made by
4 affidavit pursuant to the Code of Civil Procedure. Proof of the
5 posting of a notice shall be made by affidavit of the person posting
6 it, reciting the facts of the posting.

1 (b) An officer required to have any notice published or posted
2 shall file the affidavit in his or her office. Failure to ~~do so~~ *file the*
3 *affidavit* does not invalidate proceedings under this part. An
4 affidavit so filed is prima facie evidence of the facts stated in it.