

Assembly Bill No. 976

Passed the Assembly August 27, 2012

Chief Clerk of the Assembly

Passed the Senate August 22, 2012

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2012, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 366.3 to the Public Utilities Code, relating to public contracts.

LEGISLATIVE COUNSEL’S DIGEST

AB 976, Hall. Public contracts: consulting services: community choice aggregators.

Existing law prohibits a person, firm, or subsidiary thereof, which has been awarded a consulting services contract, from submitting a bid for, or being awarded a contract for, the provision of services, procurement of goods or supplies, or any other related action which is required, suggested, or otherwise deemed appropriate in the end product of the consulting services contract, except as specified.

The Public Utilities Act provides that customers of an electrical corporation are entitled to aggregate their electric loads as members of their local community with community choice aggregators. It authorizes public entities to serve as a community choice aggregator under specified conditions.

This bill would prohibit a person, firm, or subsidiary thereof, which has been awarded a consulting services contract for advising a public entity on the feasibility of creating a community choice aggregator, as defined, from submitting a bid for, or being awarded a contract for, any work, including the procurement of electric supply and renewable energy credits, or any other related action that is required, suggested, or otherwise deemed appropriate in the end product of the consulting services contract.

By imposing new restrictions on local government entities with respect to their contract procedures, the bill would impose a state-mandated local program.

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.

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

SECTION 1. Section 366.3 is added to the Public Utilities Code, to read:

366.3. A person, firm, or subsidiary thereof that has been awarded a consulting services contract to advise a public entity on the feasibility of creating a community choice aggregator, as defined in Sections 331.1 and 366.2, shall not submit a bid for, or be awarded a contract for, any work including the procurement of electric supply and renewable energy credits, or any other related action which is required, suggested, or otherwise deemed appropriate in the end product of the consulting services contract.

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

Approved _____, 2012

Governor