

ASSEMBLY BILL

No. 1340

Introduced by Assembly Member Lara

February 18, 2011

An act relating to the City of Bell.

LEGISLATIVE COUNSEL'S DIGEST

AB 1340, as introduced, Lara. City of Bell: Sanitation and Sewerage System District: unlawful increases and charges.

Existing law authorizes the legislative body of a city or county to seek voter approval for assessments to cover the cost of certain improvements, including sanitation and sewer projects.

This bill would require the Sanitation and Sewerage System District in the City of Bell to return all funds attributable to unlawful increases in assessment rates approved and charged during the fiscal years 2007 to 2010, inclusive, to those residents affected by those unlawful increases.

This bill would make legislative findings and declarations as to the necessity of a special statute for the City of Bell.

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. (a) The Legislature hereby finds and declares
- 2 that pursuant to the Controller's audit report, City of Bell: Audit
- 3 Report: Administrative and Internal Accounting Controls, that the
- 4 City of Bell illegally adopted higher assessment rates for the

1 Sanitation and Sewerage System District during the 2007–08,
2 2008–09, and 2009–10 fiscal years.

3 (b) The Sanitation and Sewerage System District in the City of
4 Bell shall return all funds attributable to unlawful increases in
5 assessment rates approved and charged during the fiscal years
6 2007 to 2010, inclusive, to those residents affected by those
7 unlawful increases.

8 SEC. 2. The Legislature finds and declares that a special law
9 is necessary and that a general law cannot be made applicable
10 within the meaning of Section 16 of Article IV of the California
11 Constitution because of the unique circumstances encountered by
12 the City of Bell with respect to the collection of assessments.