

ASSEMBLY BILL

No. 2380

Introduced by Assembly Member Huber

February 24, 2012

An act to amend Section 9147.7 of the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

AB 2380, as introduced, Huber. State government: agency repeals.

Existing law establishes the Joint Sunset Review Committee to identify and eliminate waste, duplication, and inefficiency in government agencies and to conduct a comprehensive analysis of every eligible agency, as defined, to determine if the agency is still necessary and cost effective. Existing law requires each eligible agency scheduled for repeal to submit a report to the committee containing specified information on or before December 1 prior to the year it is set to be repealed.

This bill would require an eligible agency to submit a report to the committee on or before the December 1 2 years prior to the year it is set to be repealed.

This bill would also make technical, nonsubstantive changes to these provisions.

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. Section 9147.7 of the Government Code is
2 amended to read:

1 9147.7. (a) For the purpose of this section, “eligible agency”
2 means ~~any~~ *an* agency, authority, board, bureau, commission,
3 conservancy, council, department, division, or office of state
4 government, however denominated, excluding an agency that is
5 constitutionally created or an agency related to postsecondary
6 education, for which a date for repeal has been established by
7 statute on or after January 1, 2011.

8 (b) The Joint Sunset Review Committee is hereby created to
9 identify and eliminate waste, duplication, and inefficiency in
10 government agencies. The purpose of the committee is to conduct
11 a comprehensive analysis over 15 years, and on a periodic basis
12 thereafter, of every eligible agency to determine if the agency is
13 still necessary and cost effective.

14 (c) ~~Each~~ *An* eligible agency ~~scheduled for repeal~~ shall submit
15 to the committee, on or before December 1 *two years* prior to the
16 year it is set to be repealed, a complete agency report covering the
17 entire period since last reviewed, including, but not limited to, the
18 following:

19 (1) The purpose and necessity of the agency.

20 (2) A description of the agency budget, priorities, and job
21 descriptions of employees of the agency.

22 (3) Any programs and projects under the direction of the agency.

23 (4) Measures of the success or failures of the agency and
24 justifications for the metrics used to evaluate successes and failures.

25 (5) Any recommendations of the agency for changes or
26 reorganization in order to better fulfill its purpose.

27 (d) The committee shall take public testimony and evaluate the
28 eligible agency prior to the date the agency is scheduled to be
29 repealed. An eligible agency shall be eliminated unless the
30 Legislature enacts a law to extend, consolidate, or reorganize the
31 eligible agency. ~~No eligible~~ *An eligible* agency shall *not* be
32 extended in perpetuity unless specifically exempted from ~~the~~
33 ~~provisions~~ of this section. The committee may recommend that
34 the Legislature extend the statutory sunset date for no more than
35 one year to allow the committee more time to evaluate the eligible
36 agency.

37 (e) The committee shall be comprised of 10 members of the
38 Legislature. The Senate Committee on Rules shall appoint five
39 members of the Senate to the committee, not more than three of
40 whom shall be members of the same political party. The Speaker

1 of the Assembly shall appoint five members of the Assembly to
2 the committee, not more than three of whom shall be members of
3 the same political party. Members shall be appointed within 15
4 days after the commencement of the regular session. Each member
5 of the committee who is appointed by the Senate Committee on
6 Rules or the Speaker of the Assembly shall serve during that
7 committee member's term of office or until that committee member
8 no longer is a Member of the Senate or the Assembly, whichever
9 is applicable. A vacancy on the committee shall be filled in the
10 same manner as the original appointment. Three Assembly
11 Members and three Senators who are members of the committee
12 shall constitute a quorum for the conduct of committee business.
13 Members of the committee shall receive no compensation for their
14 work with the committee.

15 (f) The committee shall meet not later than 30 days after the
16 first day of the regular session to choose a chairperson and to
17 establish the schedule for eligible agency review provided for in
18 the statutes governing the eligible agencies. The chairperson of
19 the committee shall alternate every two years between a Member
20 of the Senate and a Member of the Assembly, and the vice
21 chairperson of the committee shall be a member of the opposite
22 house as the chairperson.

23 (g) This section shall not be construed to change the existing
24 jurisdiction of the budget or policy committees of the Legislature.