

AMENDED IN SENATE APRIL 26, 2011

SENATE BILL

No. 593

Introduced by Senator Gaines

February 17, 2011

An act to add Section ~~87100.5~~ *67051* to the Government Code, relating to the Tahoe Regional Planning Agency.

LEGISLATIVE COUNSEL'S DIGEST

SB 593, as amended, Gaines. Political Reform Act of 1974: Tahoe Regional Planning Agency: members: statement of economic interests.

(1) Existing law creates the Tahoe Regional Planning Agency as a separate legal entity and as a political subdivision of the State of California, and prescribes the membership and functions and duties of the agency, as specified. Existing law requires that any member of the agency that has a direct personal financial interest in a matter officially coming before the agency to disclose the fact of his or her interest and to abstain from participation in any discussion or vote upon the matter. Existing law, the Political Reform Act of 1974, prohibits a public official at any level of state or local government from making, participating in making, or in any way attempting to use his or her official position to influence a governmental decision in which he or she knows, or has reason to know, he or she has a financial interest. A violation of the act is a crime.

This bill would additionally require each California member of the agency, who represents the state in matters officially coming before the agency, to comply with ~~the~~ *certain* requirements of the Political Reform Act of 1974, and to file with the Fair Political Practices Commission a specified form containing a statement of economic interests. Because

the bill would expand the definition of a crime under the act, it would impose a state-mandated local program.

(2) 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 no reimbursement is required by this act for a specified reason.

(3) The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act’s purposes upon a 2/3 vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: 2/3. 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—87100.5 67051 is added to the
2 Government Code, to read:

3 87100.5:

4 67051. (a) Each California member of the Tahoe Regional
5 Planning Agency who represents the state in matters officially
6 coming before the agency shall comply with the requirements of
7 ~~this chapter~~ *the Political Reform Act of 1974 (Title 9 (commencing*
8 *with Section 81000))* and shall file with the Fair Political Practices
9 Commission a ~~Form 700~~ statement of economic interests.

10 (b) *A court shall not invalidate, and the commission shall not*
11 *seek to invalidate, an action of the Tahoe Regional Planning*
12 *Agency as a remedy for a violation of the requirements of this*
13 *chapter by a California member of the agency, as specified in*
14 *subdivision (a).*

15 SEC. 2. No reimbursement is required by this act pursuant to
16 Section 6 of Article XIII B of the California Constitution because
17 the only costs that may be incurred by a local agency or school
18 district will be incurred because this act creates a new crime or
19 infraction, eliminates a crime or infraction, or changes the penalty
20 for a crime or infraction, within the meaning of Section 17556 of
21 the Government Code, or changes the definition of a crime within
22 the meaning of Section 6 of Article XIII B of the California
23 Constitution.

1 SEC. 3. The Legislature finds and declares that this bill furthers
2 the purposes of the Political Reform Act of 1974 within the
3 meaning of subdivision (a) of Section 81012 of the Government
4 Code.

O