

AMENDED IN SENATE MARCH 24, 2011

SENATE BILL

No. 899

Introduced by Senator La Malfa

February 18, 2011

~~An act to amend Section 7502 of the Business and Professions Code, relating to reposseors.~~ *An act to amend Section 4051 of the Food and Agricultural Code, relating to district agricultural associations.*

LEGISLATIVE COUNSEL'S DIGEST

SB 899, as amended, La Malfa. ~~Reposseors.~~ *District agricultural associations.*

Existing law divides the state into agricultural districts and authorizes residents of a district to form a district agricultural association for the purpose of holding fairs, expositions, and exhibitions to exhibit the industries, resources, and products of the state and for the purpose of constructing, maintaining, and operating recreational and cultural facilities of general public interest. Existing law authorizes a district agricultural association to exercise specified powers with the approval of both the Department of Food Agriculture and the Department of General Services.

This bill would delete the requirement that a district agricultural association obtain the approval of the Department of General Services to exercise the powers granted to it. The bill would also make technical changes.

~~Existing law, the Collateral Recovery Act, provides for the licensure and regulation of repossession agencies by the Bureau of Security and Investigative Services under the supervision and control of the Director of Consumer Affairs. Existing law prohibits a person from engaging in this state in the activities of a repossession agency unless the person~~

~~holds a valid repossession agency license or is exempt from licensure, as specified.~~

~~This bill would make a nonsubstantive change to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
 State-mandated local program: no.

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

- 1 *SECTION 1. Section 4051 of the Food and Agricultural Code*
- 2 *is amended to read:*
- 3 4051. An association, with the approval of ~~both~~ the Department
- 4 of Food and Agriculture ~~and the Department of General Services,~~
- 5 may do any of the following:
- 6 (a) Contract.
- 7 (b) Purchase, acquire, hold, sell, exchange, or convey any
- 8 interest in real or personal property and beautify or improve that
- 9 property. Any acquisition of land or other real property shall be
- 10 subject to the Property Acquisition Law (Part 11 (commencing
- 11 with Section 15850) of Division 3 of Title 2 of the Government
- 12 Code).
- 13 (c) Lease, let, or grant licenses for the use of its real estate or
- 14 personal property, or any portion of that property, to any person
- 15 or public body for whatever purpose may be approved by the board.
- 16 (d) Use or manage its real estate or personal property, or any
- 17 portion of that property, for any or all of the purposes of this section
- 18 jointly with any lessee, sublessee, or licensee, or otherwise use or
- 19 manage the property in connection with the lease, sublease, or
- 20 license which is made or granted.
- 21 (e) Lease or let its real property for *use as a public park, or for*
- 22 recreational; or playground purposes.
- 23 (f) Rent or permit the use of its premises for any purpose which
- 24 is beneficial to the agricultural industry, including, but not limited
- 25 to, the holding of sales or auctions of cattle or other livestock.
- 26 (g) Contract with any county or county fair association for
- 27 holding a fair jointly with the county or county fair association.
- 28 The joint fair is a district fair of the association.
- 29 (h) Make permanent improvements upon publicly owned real
- 30 property adjacent to real property of the district when the
- 31 improvements materially benefit the property of the district.

1 (i) Pledge any and all revenues, moneys, accounts, accounts
2 receivable, contract rights, and other rights to payment of whatever
3 kind, pursuant to such terms and conditions as are approved by
4 the board. The revenues, moneys, accounts, accounts receivable,
5 contract rights, and other rights to payment of whatever kind
6 pledged by the association or its assignees constitute a lien and
7 security interest which immediately attaches to the property so
8 pledged and is effective, binding, and enforceable against the
9 association, its successors, purchasers of the property so pledged,
10 creditors, and all others asserting rights therein, to the extent set
11 forth, and in accordance with, the terms and conditions of the
12 pledge, irrespective of whether those persons have notice of the
13 pledge and without the need for any physical delivery, recordation,
14 filing, or further act.

15 ~~SECTION 1. Section 7502 of the Business and Professions~~
16 ~~Code is amended to read:~~

17 ~~7502. No person shall engage in this state in the activities of~~
18 ~~a repossession agency as defined in Section 7500.2 unless the~~
19 ~~person holds a valid repossession agency license or is exempt from~~
20 ~~licensure pursuant to Section 7500.2 or 7500.3.~~