

AMENDED IN ASSEMBLY MARCH 19, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 621

Introduced by Assembly Member Wagner

February 20, 2013

~~An act to amend Section 65401 of the Government Code, relating to land use. An act to add Section 53593.5 to the Government Code, relating to local government.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 621, as amended, Wagner. ~~Land use: general plan: public works. Local government: bonds.~~

Existing law prohibits an investment firm, as defined, from having specified interests in a new issue of bonds from a local agency.

This bill would prohibit a local agency from entering into a financial advisory, legal advisory, underwriting, or similar relationship with an individual or firm, with respect to a bond issue that requires voter approval on or after January 1, 2014, if that individual or firm, or an employee, agent, or person related to an employee or agent of the individual or firm, provided or will provide bond campaign services, as defined, to the bond campaign.

~~The Planning and Zoning Law requires a city or county to adopt a comprehensive, long-term general plan for the physical development of the city or county, and of any land outside its boundaries that bears relation to its planning. That law requires, if a general plan or portion thereof has been adopted, specified local government officials and entities to submit to a designated official agency a list of proposed public works recommended for the ensuing fiscal year. That law also requires the recipient agency to list and classify these recommendations~~

and to prepare a coordinated program of proposed public works for the ensuing fiscal year:

~~This bill would make technical, nonsubstantive changes to those submission, listing, and coordinated program requirements.~~

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. Section 53593.5 is added to the Government Code,
2 to read:

3 53593.5. (a) A local agency shall not enter into a financial
4 advisory, legal advisory, underwriting, or other similar relationship
5 with an individual or firm, with respect to a new issue of bonds
6 that requires voter approval on or after January 1, 2014, if that
7 individual or firm, or an employee, agent, or person related to an
8 employee or agent of the individual or firm, provided or will
9 provide bond campaign services to the bond campaign.

10 (b) For purposes of this section, “related” includes, but is not
11 limited to, a family relationship by blood or marriage, a financial
12 relationship, an affiliation between business associations, or
13 business associations with directors or principals in common.

14 (c) (1) For purposes of this section, “bond campaign services”
15 includes fundraising, donation by the individual or firm to the
16 bond campaign, public opinion polling, election strategy and
17 management, organization of campaign volunteers, get-out-the-vote
18 services, development of campaign literature, and advocacy
19 materials.

20 (2) “Bond campaign services” does not include either of the
21 following:

22 (A) Advice and support related to the preparation of tax rate
23 statements and other documentation required for inclusion in the
24 voter pamphlet published by the applicable county registrar of
25 voters.

26 (B) Public opinion polling that is conducted before a bond
27 measure is placed on the ballot for the purposes of gathering
28 information regarding, and evaluating the potential for, the
29 adoption of the bond measure by the electorate.

30 ~~SECTION 1. Section 65401 of the Government Code is~~
31 ~~amended to read:~~

1 ~~65401. If a general plan or part thereof has been adopted, within~~
2 ~~the time fixed by the legislative body, each county or city officer,~~
3 ~~department, board, or commission, and each governmental body,~~
4 ~~commission, or board, including the governing body of any special~~
5 ~~district or school district, whose jurisdiction lies wholly or partially~~
6 ~~within the county or city, whose functions include recommending,~~
7 ~~preparing plans for, or constructing major public works, shall~~
8 ~~submit to the official agency, as designated by the respective~~
9 ~~county board of supervisors or city council, a list of the proposed~~
10 ~~public works recommended for planning, initiation, or construction~~
11 ~~during the ensuing fiscal year. The official agency receiving the~~
12 ~~list of proposed public works shall list and classify all of these~~
13 ~~recommendations and shall prepare a coordinated program of~~
14 ~~proposed public works for the ensuing fiscal year. The coordinated~~
15 ~~program shall be submitted to the county or city planning agency~~
16 ~~for review and report to the official agency as to conformity with~~
17 ~~the adopted general plan or part thereof.~~

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