

ASSEMBLY BILL

No. 1052

Introduced by Assembly Member Quirk

February 22, 2013

An act to amend Section 4614.13 of the Health and Safety Code, relating to community facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1052, as introduced, Quirk. Community facilities: district formation.

The Community Facilities Law of 1911 authorizes districts to be formed for purposes of making any improvement that will be of benefit to territory partially within the initiating city and partially within any other city or within an unincorporated area of the same county, or both. Existing law authorizes the initiating city to call and hold bond elections. The law requires the governing body of the initiating city on or before July 15 of each year, if bonds are authorized, as provided, to certify, to the board of supervisors of the county in which the district is located, the amount to be raised for the payment of the principal of and interest on the bonds.

This bill would change the date by which the governing body is required to provide certification to the board of supervisors to on or before July 16 of each year.

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 4614.13 of the Health and Safety Code
2 is amended to read:
3 4614.13. If bonds are authorized and are issued or are expected
4 to be issued on behalf of ~~any a district which~~ *that* is organized
5 pursuant to this article, the governing body of the initiating city
6 shall, on or before the ~~15th~~ *16th* day of July of each year, certify
7 to the board of supervisors of the county in which the district is
8 located, the amount to be raised for the payment of the principal
9 of and interest on the bonds in accordance with Section 4638 and,
10 if applicable, Section 4639.5. The county auditor shall determine
11 the rate of taxation ~~which that~~ shall be clearly sufficient to raise
12 ~~such the~~ amount. The county auditor shall compute and enter in a
13 separate column in the county assessment roll the respective sums
14 to be paid as the district tax on the taxable property in the district.
15 The board of supervisors of the county in which the district is
16 located shall, at the time of fixing the general county tax levy and
17 in the manner ~~which that~~ is provided for ~~such the~~ tax levy, levy
18 and collect each year upon all of the taxable property in the district
19 a tax in accordance with Section 4638 and, if applicable, Section
20 4639.5. The *levied* taxes ~~so levied~~ shall be in addition to all other
21 taxes levied for county or city purposes ~~and in addition to taxes~~
22 ~~levied pursuant to Section 4614.14~~ and shall be collected at the
23 same time and in the same manner as county taxes are collected.
24 When ~~such the~~ taxes are collected they shall be paid to the county
25 treasurer who shall forthwith remit them to the city treasurer of
26 the initiating city. The taxes are a lien on all taxable property in
27 the district and shall be of the same force and effect as the lien for
28 county taxes. Their collection shall be enforced by the same means
29 as provided for the enforcement of the lien of county taxes. The
30 city treasurer of the initiating city shall hold ~~such the~~ taxes in trust,
31 separate and apart from all other city funds and use and apply them
32 solely to the payment of bond principal and interest.

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