

**Assembly Bill No. 2259**

CHAPTER 736

An act to amend Section 60317 of the Water Code, relating to water replenishment.

[Approved by Governor September 28, 2014. Filed with Secretary of State September 28, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2259, Ridley-Thomas. Water replenishment: assessments.

Existing law, the Water Replenishment District Act, provides for the formation of water replenishment districts and grants authority to a water replenishment district relating to the replenishment, protection, and preservation of groundwater supplies within that district. The act requires the governing board of each district to follow specified procedural processes when determining whether to assess, and the amount of, a replenishment assessment.

This bill would require that a judicial action or proceeding to attack, review, set aside, void, or annul a resolution or motion made on or after January 1, 2015, levying a replenishment assessment pursuant to those provisions be commenced within 180 days of the adoption of the resolution or motion. The bill would also require that an action brought on or after January 1, 2015, regarding the replenishment assessment be brought pursuant to specified provisions regarding civil proceedings.

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

SECTION 1. Section 60317 of the Water Code is amended to read:

60317. (a) If the board determines that a replenishment assessment shall be levied upon the production of groundwater from groundwater supplies within the district during the ensuing fiscal year, immediately following the making of that determination the board shall levy a replenishment assessment on the production of groundwater from the groundwater supplies within the district during the fiscal year commencing the following July 1st, and the replenishment assessment shall be fixed by the board at a uniform rate per acre-foot of groundwater produced. The producers of that groundwater shall pay the replenishment assessment to the district at the times and in the manner provided in this division. That part of the assessment levied pursuant to the determination provided in subdivision (c) of Section 60316, exclusive of any part of the assessment for district administrative and overhead expenses, shall not exceed 50 percent of the average assessment levied for the current and four preceding fiscal years pursuant to determinations under

subdivisions (a) and (b) of Section 60316, exclusive of any part of the assessment for district administrative and overhead expenses.

(b) A judicial action or proceeding to attack, review, set aside, void, or annul a resolution or motion made on or after January 1, 2015, levying a replenishment assessment pursuant to this part shall be commenced within 180 days following the adoption of the resolution or motion.

(c) An action brought on or after January 1, 2015, under this section shall be brought pursuant to Title 1 (commencing with Section 1067) of Part 3 of the Code of Civil Procedure.