

Senate Bill No. 171

CHAPTER 119

An act to amend Section 33139 of the Water Code, relating to drainage.

[Approved by Governor August 16, 2013. Filed with
Secretary of State August 16, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

SB 171, Hueso. Drainage: Coachella Valley County Water District.

The County Water District Law governs the operations of the Coachella Valley County Water District. The County Water District Law authorizes a district to drain and reclaim lands within the district either by surface or underground works or both and to acquire, by appropriation or other lawful means, and divert, store, conserve, transport, or dispose of water resulting from these activities. Under existing law, the district is authorized to raise funds by special assessment on benefited land in proportion to the benefits derived by the benefited lands, as prescribed.

Article XIII C and Article XIII D of the California Constitution generally require that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. Existing law, the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with Article XIII C and Article XIII D of the California Constitution.

This bill would specify that the district is authorized to raise funds by special assessment pursuant to the Proposition 218 Omnibus Implementation Act, or by adopting prescribed property-related fees and charges.

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

SECTION 1. Section 33139 of the Water Code is amended to read:

33139. Notwithstanding anything contained in this part, the surviving district may provide for and carry on the construction, operation, and maintenance of works, improvements, and functions authorized by the Storm Water District Act of 1909 either as authorized in that act or as authorized by this division. The district may raise funds for these purposes in any manner authorized or permitted by either the Storm Water District Act of 1909 or this division, and is specifically authorized to raise funds by special assessment on benefited land in proportion to the benefits derived by the benefited lands pursuant to Section 53753 of the Government Code, or by

adopting fees and charges pursuant to Section 6 of Article XIII D of the California Constitution.

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