

Introduced by Senator Wolk

February 22, 2013

An act to amend Section 21100 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 614, as amended, Wolk. Irrigation districts: directors.

Existing law, the Irrigation District Law, with certain exceptions, requires a director elected at a formation election to be a resident, landowner, and voter in the proposed district at the time of his or her nomination and a resident of the division that he or she represents during his or her entire term. Existing law, with certain exceptions, requires a director of the board of an irrigation district to be a voter and, unless exempted under certain circumstances, a landowner in the district and a resident of the division that the director represents at the time of his or her nomination or appointment and during the director's entire term.

This bill would eliminate the ~~landownership requirement pertaining to a director of the board of an irrigation district~~ *circumstances in which a director of the board of an irrigation district may be exempt from the landownership requirement.*

Existing law requires a director on the board of an irrigation district that provides retail electricity for residents of the district to be a voter of the district and a resident of the division that the director represents at the time of his or her nomination or appointment and during his or her entire term. Existing law requires a director elected at a formation election to be a resident in the proposed district at the time of his or her nomination and a resident of the division that he or she represents during his or her entire term.

This bill would apply these requirements to a director on the board of an irrigation district that provides water for agricultural purposes and water for municipal or industrial purposes.

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 21100 of the Water Code is amended to
2 read:

3 21100. (a) Each director, except as *provided in subdivisions*
4 *(c) or (d) or otherwise provided in this division*, shall be a voter
5 *and a landowner* in the district and a resident of the division that
6 he or she represents at the time of his or her nomination or
7 appointment and through his or her entire term, except in the case
8 of the director elected at a formation election. A director elected
9 at a formation election shall be a ~~resident~~ *resident, landowner*, and
10 voter in the proposed district at the time of his or her nomination
11 and a resident of the division that he or she represents during his
12 or her entire term.

13 (b) In any district having no more than 15 landowners who are
14 voters in the district, a person need not be a voter but shall be
15 qualified to be a director of the district if he or she is a landowner
16 of the district at the time of his or her nomination or appointment
17 and during his or her entire term.

18 (c) In a district ~~providing~~ *that provides* retail electricity for
19 residents of the district, each director, except as otherwise provided
20 in this division, shall be a voter of the district and a resident of the
21 division that he or she represents at the time of his or her
22 nomination or appointment and during his or her entire term, except
23 in the case of a director elected at a formation election. A director
24 elected at a formation election shall be a resident in the proposed
25 district at the time of his or her nomination and a resident of the
26 division that he or she represents during his or her entire term.

27 (d) *In a district that provides water for agricultural purposes*
28 *and water for municipal or industrial purposes, each director,*
29 *except as otherwise provided in this division, shall be a voter of*
30 *the district and a resident of the division that he or she represents*
31 *at the time of his or her nomination or appointment and during*
32 *his or her entire term, except in the case of a director elected at a*

1 *formation election. A director elected at a formation election shall*
2 *be a resident in the proposed district at the time of his or her*
3 *nomination and a resident of the division that he or she represents*
4 *during his or her entire term.*

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