

AMENDED IN SENATE APRIL 7, 2014

SENATE BILL

No. 904

Introduced by Senator Vidak

(Coauthors: Senators Fuller and Walters)

(Coauthors: Assembly Members Donnelly, Gorell, Harkey, Jones, and Olsen)

January 16, 2014

An act to add Section 185037.6 to the Public Utilities Code, relating to high-speed rail, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 904, as amended, Vidak. High-speed rail: private property: owner consent.

(1) Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed train system. Existing law, for any project along the high-speed rail network, authorizes the authority to contract with the Department of Transportation to perform specified project design services, including construction inspection services.

This bill would require the authority to require *that* any employee of the authority, or any employee working for a public or private entity that has contracted with the authority, prior to entering onto any ~~privately-owned~~ *privately owned* property, to identify himself or herself to the property owner and obtain the consent of the property owner, as specified.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. Section 185037.6 is added to the Public Utilities
2 Code, to read:
3 185037.6. Notwithstanding any other law, the authority shall
4 require *that* any employee of the authority, or any employee of a
5 public or private entity that has contracted with the authority, ~~to~~
6 do both of the following before entering onto any privately owned
7 property to perform a survey or inspection or for any other purpose:
8 (a) Identify himself or herself to the property owner as an
9 employee of the authority or a contractor of the authority working
10 on the high-speed rail project.
11 (b) Obtain the consent of the property owner to enter upon the
12 property.
13 SEC. 2. This act is an urgency statute necessary for the
14 immediate preservation of the public peace, health, or safety within
15 the meaning of Article IV of the Constitution and shall go into
16 immediate effect. The facts constituting the necessity are:
17 In order to make statutory changes necessary to permit the
18 High-Speed Rail Authority to acquire real property to be used for
19 the high-speed rail system, at the earliest possible time, it is
20 necessary that this act take effect immediately.