

**ASSEMBLY BILL**

**No. 1**

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**Introduced by Assembly Member Brown**

December 1, 2014

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An act to add Section 8627.7 to the Government Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 1, as introduced, Brown. Drought: local governments: fines.

The California Constitution requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable and that the waste or unreasonable use or unreasonable method of use of water be prevented. Existing law, the California Emergency Services Act, sets forth the emergency powers of the Governor under its provisions and empowers the Governor to proclaim a state of emergency for certain conditions, including drought.

This bill would prohibit a city, county, or city and county from imposing a fine under any local maintenance ordinance or other relevant ordinance for a failure to water a lawn or having a brown lawn during a period for which the Governor has issued a proclamation of a state of emergency based on drought conditions.

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. The Legislature finds and declares that this act
- 2 is in furtherance of the policy contained in Section 2 of Article X
- 3 of the California Constitution and is a matter of statewide concern.

1 SEC. 2. Section 8627.7 is added to the Government Code, to  
2 read:

3 8627.7. (a) During a period for which the Governor has issued  
4 a proclamation of a state of emergency under this chapter based  
5 on drought conditions, a city, county, or city and county shall not  
6 impose a fine under any local maintenance ordinance or other  
7 relevant ordinance for a failure to water a lawn or for having a  
8 brown lawn.

9 (b) A violation of this section is not subject to the criminal  
10 penalties set forth in Section 8665.