

ASSEMBLY BILL

No. 1566

Introduced by Assembly Member Wilk

January 4, 2016

An act to add Section 7550.7 to the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1566, as introduced, Wilk. Reports.

Existing law generally sets out the requirements for the submission of written reports by public agencies to the Legislature, the Governor, the Controller, and state legislative and other executive entities.

This bill would require a written report, as defined, submitted by any state agency or department to the Legislature, a Member of the Legislature, or any state legislative or executive body to include a signed statement by the head of the agency or department declaring that the factual contents of the written report are true, accurate, and complete to the best of his or her knowledge.

This bill would also make any person who declares as true any material matter pursuant to these provisions that he or she knows to be false liable for a civil penalty not to exceed \$20,000.

Vote: majority. 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 7550.7 is added to the Government Code,
2 to read:

1 7550.7. (a) (1) Notwithstanding any other law, a written report
2 submitted to the Legislature, a Member of the Legislature, or any
3 state legislative or executive body by any state agency or
4 department shall include a signed statement by the head of that
5 agency or department declaring that the factual contents of the
6 report are true, accurate, and complete to the best of his or her
7 knowledge.
8 (2) With respect to the Franchise Tax Board, the signed
9 statement described in paragraph (1) shall be made by the executive
10 officer of that board, and with respect to the State Board of
11 Equalization, the statement shall be made by the executive director
12 of that board.
13 (b) Paragraph (1) of subdivision (a) shall apply to the head of
14 every state agency or department, including, but not limited to,
15 elected officials of state government, and any state official whose
16 duties are prescribed by the California Constitution.
17 (c) For purposes of this section, a “written report” is either of
18 the following:
19 (1) A document required by statute to be prepared and submitted
20 to the Legislature, or any state legislative or executive body.
21 (2) A document, summary, or statement requested by a Member
22 of the Legislature.
23 (d) The declaration in the signed statement as to the truth,
24 accuracy, and completeness of the factual contents of the written
25 report shall not apply to any forecasts, predictions,
26 recommendations, or opinions contained in the written report.
27 (e) Any person who declares as true any material matter pursuant
28 to this section that he or she knows to be false shall be liable for
29 a civil penalty not to exceed twenty thousand dollars (\$20,000).
30 The civil penalties provided for in this section shall be exclusively
31 assessed and recovered in a civil action brought in the name of the
32 people of the State of California in any court of competent
33 jurisdiction by the Attorney General.