

AMENDED IN ASSEMBLY APRIL 11, 2016

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1840

Introduced by Assembly Member Gipson

February 9, 2016

~~An act to amend Section 8546.10 of the Government Code, relating to state government.~~ *An act to amend Section 18220 of the Government Code, relating to public employment.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1840, as amended, Gipson. ~~California State Auditor.~~ *State agencies: interns and student assistants: hiring preference.*

Existing law requires state agencies, when hiring for internships and student assistant positions, to give preference, as defined, to persons who are, or have been, dependent children in foster care. Existing law requires the preference to be granted to applicants up to 26 years of age.

This bill would require state agencies, when hiring for internships and student assistant positions, also to give preference to homeless youth and formerly incarcerated youth, as defined. This bill would also require any application for an internship and student assistant position with a state agency to allow the applicant to identify that the applicant is eligible for these preferences, but would prohibit the application from requiring the applicant to identify the specific category that entitles him or her for eligibility.

~~Existing law establishes the California State Auditor's Office, headed by the appointed California State Auditor and under the direction of~~

~~the Milton Marks “Little Hoover” Commission on California State Government Organization and Economy, with specified duties that include, among others, conducting financial and performance audits as directed by statute. Existing law also establishes the State Audit Fund as a continuously appropriated fund for the expenses of the office. Existing law authorizes the auditor to establish a high-risk local government agency audit program for the purpose of identifying, auditing, and issuing reports on any local government agency he or she identifies as at high risk for, among others, fraud and abuse. Existing law requires the office to be responsible for the state costs associated with the program and further requires an audit conducted pursuant to the program to be approved by the Joint Legislative Audit Committee.~~

~~This bill would further require the auditor to obtain approval from the Joint Legislative Audit Committee to conduct onsite assessments or any work at a local government agency.~~

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 18220 of the Government Code is
2 amended to read:

3 18220. (a) State agencies, when hiring for internships and
4 student assistant positions, shall give preference to a qualified
5 ~~applicants~~ applicant who ~~are, is, or have~~ has been, a dependent
6 ~~children~~ child in foster ~~care. care, a homeless youth, or a formerly~~
7 ~~incarcerated youth.~~ The preference shall be granted to applicants
8 up to 26 years of age.

9 (b) Any application for an internship and student assistant
10 position with a state agency shall allow the applicant to identify
11 that the applicant is eligible for a preference under this section,
12 but the application shall not require the applicant to identify the
13 specific category that entitles him or her for eligibility.

14 (c) For the purpose of this section, the following definitions
15 shall apply:

16 ~~(b) For the purpose of this section, “preference”~~

17 (1) “Preference” means priority over similarly qualified
18 applicants for placement in the position.

19 (2) “Homeless youth” means an applicant up to 26 years of
20 age, who has been verified as a homeless child or youth, as defined

1 *in subsection (2) of Section 725 of the federal McKinney-Vento*
2 *Homeless Assistance Act (42 U.S.C. Sec. 11434a(2)), by at least*
3 *one of the following:*

4 (A) *A homeless services provider, as defined in paragraph (3)*
5 *of subdivision (d) of Section 103577 of the Health and Safety Code.*

6 (B) *The director, or his or her designee, of a federal TRIO*
7 *program or a Gaining Early Awareness and Readiness for*
8 *Undergraduate Programs program.*

9 (C) *A financial aid administrator.*

10 (3) *“Formerly incarcerated youth” means an individual who*
11 *has been sentenced to incarceration in, or the custody of, the*
12 *Division of Adult Operations in the Department of Corrections*
13 *and Rehabilitation, Division of Juvenile Justice in the Department*
14 *of Corrections and Rehabilitation, or county jail and released*
15 *from that incarceration or custody before the individual attained*
16 *21 years of age.*

17 ~~SECTION 1. Section 8546.10 of the Government Code is~~
18 ~~amended to read:~~

19 ~~8546.10. (a) The California State Auditor may establish a~~
20 ~~high-risk local government agency audit program for the purpose~~
21 ~~of identifying, auditing, and issuing reports on any local~~
22 ~~government agency, including, but not limited to, any city, county,~~
23 ~~special district, or any publicly created entity, whether created by~~
24 ~~the California Constitution or otherwise, that the California State~~
25 ~~Auditor identifies as being at high risk for the potential of waste,~~
26 ~~fraud, abuse, or mismanagement or that has major challenges~~
27 ~~associated with its economy, efficiency, or effectiveness.~~

28 ~~(b) In addition to identifying a local government agency as high~~
29 ~~risk on the basis of weaknesses identified in audit and investigative~~
30 ~~reports produced by the office, the California State Auditor may~~
31 ~~consult with the Controller, Attorney General, and other state~~
32 ~~agencies that have oversight responsibilities over any local~~
33 ~~government agency, in identifying local governments that are at~~
34 ~~high risk.~~

35 ~~(c) The California State Auditor’s Office shall be responsible~~
36 ~~for the state costs associated with the high-risk local government~~
37 ~~agency audit program, shall conduct the program as funds permit,~~
38 ~~shall only conduct the program to the extent that it does not~~
39 ~~interfere with duties related to mandated audits and requests from~~
40 ~~the Joint Legislative Audit Committee, and shall obtain approval~~

1 from the Joint Legislative Audit Committee to conduct any work
2 at a local government agency.
3 ~~(d) (1) The California State Auditor shall notify the Joint~~
4 ~~Legislative Audit Committee whenever he or she identifies a local~~
5 ~~government as at high risk.~~
6 ~~(2) The California State Auditor shall provide the Joint~~
7 ~~Legislative Audit Committee, at a public hearing of the committee,~~
8 ~~an annual update of all audits in progress.~~
9 ~~(3) If a local government agency has taken significant corrective~~
10 ~~measures for deficiencies identified by the California State Auditor,~~
11 ~~that agency shall be removed from the high-risk local government~~
12 ~~agency audit program.~~
13 ~~(e) Notwithstanding the requirements of Section 10231.5, if the~~
14 ~~California State Auditor establishes the program provided for in~~
15 ~~this section and the California State Auditor determines that a local~~
16 ~~agency is at high risk, the California State Auditor shall issue audit~~
17 ~~reports at least once every two years with recommendations for~~
18 ~~improvement in such a local government so identified.~~
19 ~~(f) Audits, onsite assessments, and any other work at a local~~
20 ~~government agency conducted pursuant to this section shall be~~
21 ~~approved by the Joint Legislative Audit Committee.~~