

AMENDED IN ASSEMBLY APRIL 4, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1941

Introduced by Assembly Member Lopez
(Coauthor: Assembly Member Chu)

February 12, 2016

An act to amend Sections 14998.2 and 14998.4 of the Government Code, relating to the California Film Commission.

LEGISLATIVE COUNSEL'S DIGEST

AB 1941, as amended, Lopez. California Film Commission: membership and duties.

Existing law establishes the California Film Commission within the Governor's Office of Business and Economic Development. Under existing law, the Governor appoints 13 of the 26 members of the commission, with 6 of those appointments based upon specified occupational criteria. Existing law requires the commission to, among other duties, adopt guidelines for a standardized film permit. Existing law creates the Film Promotion and Marketing Fund, which, upon appropriation by the Legislature, is available to the commission to carry out its duties.

This bill would increase the number of members of the commission to 27 by adding an additional Governor's appointee and would require that the additional Governor's appointee be an independent filmmaker. The bill would also require the commission to establish procedures and services specifically directed to independent films.

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 14998.2 of the Government Code is
2 amended to read:

3 14998.2. (a) There is in the Governor's Office of Business
4 and Economic Development, the California Film Commission
5 consisting of 27 members. The Governor shall appoint 14 members,
6 the Senate Committee on Rules shall appoint four members, the
7 Speaker of the Assembly shall appoint four members, and five
8 members shall be ex officio. The members of the commission
9 appointed by the Governor may include representatives of state
10 and local government, motion picture development companies,
11 employee and professional organizations composed of persons
12 employed in the motion picture industry, and other appropriate
13 members of this or related industries.

14 All members of the commission, except legislators who are
15 appointed either by the Senate Committee on Rules or by the
16 Speaker of the Assembly, shall serve at the pleasure of the
17 appointing authority for a term of two years from the effective
18 date of the appointment.

19 (b) (1) One of the members appointed by the Senate Committee
20 on Rules shall, and another one may, be a Senator and one of the
21 members appointed by the Speaker of the Assembly shall, and
22 another one may, be a Member of the Assembly. These persons
23 shall be appointed for terms of four years.

24 (2) Of the legislators appointed to the commission, no more
25 than three legislators from the same political party may be
26 appointed to or serve on the commission at the same time.

27 (c) Any legislator appointed shall serve as a voting member of
28 the commission, and shall meet with, and participate in the
29 activities of, the commission to the extent that participation is not
30 incompatible with his or her position as a Member of the
31 Legislature, but shall only serve in that capacity while concurrently
32 serving as a Member of the Legislature. Whenever a legislator
33 vacates an office, the appointing power shall appoint another person
34 for a new full term.

35 (d) Seven of the 14 members appointed by the Governor shall
36 be as follows:

37 (1) One shall be a member or employee of a union or guild of
38 motion picture artists.

1 (2) One shall be a member or employee of a union or guild
2 representing motion picture craftsmen, technicians, or
3 photographers.

4 (3) Two shall be from major motion picture studios.

5 (4) One shall be a member of the city council or a member of
6 the county board of supervisors of a city or a county with a
7 population of at least two million people.

8 (5) One shall be a member of the city council or a member of
9 the county board of supervisors of a city or a county with a
10 population of less than two million people.

11 (6) (A) One shall be an independent filmmaker.

12 (B) *For purposes of this section, "independent filmmaker"*
13 *means a producer of a film that meets all of the following criteria:*

14 (i) *Has a running time of at least 75 minutes.*

15 (ii) *Is intended for commercial distribution to a motion picture*
16 *theater, directly to the home video market, directly to television,*
17 *or through the Internet.*

18 (iii) *Is produced by a company that is not publicly traded and*
19 *publicly traded companies do not own, directly or indirectly, more*
20 *than 25 percent of the producing company.*

21 (e) The Director of Transportation shall serve as an ex officio
22 nonvoting member.

23 (f) The Director of Parks and Recreation shall serve as an ex
24 officio nonvoting member.

25 (g) The Commissioner of the California Highway Patrol shall
26 serve as an ex officio nonvoting member.

27 (h) The State Fire Marshal shall serve as an ex officio nonvoting
28 member.

29 (i) The director of the commission shall serve as an ex officio
30 nonvoting member.

31 SEC. 2. Section 14998.4 of the Government Code is amended
32 to read:

33 14998.4. (a) The commission shall meet at least quarterly and
34 shall select a chairperson and a vice chairperson from among its
35 members. The vice chairperson shall act as chairperson in the
36 chairperson's absence.

37 (b) Each commission member shall serve without compensation
38 but shall be reimbursed for traveling outside the county in which
39 he or she resides to attend meetings.

- 1 (c) The commission shall work to encourage motion picture and
2 television filming in California and to that end, shall exercise all
3 of the powers provided in this chapter.
- 4 (d) The commission shall make recommendations to the
5 Legislature, the Governor, the Governor’s Office of Business and
6 Economic Development, and other state agencies on legislative or
7 administrative actions that may be necessary or helpful to maintain
8 and improve the position of the state’s motion picture industry in
9 the national and world markets.
- 10 (e) In addition, subject to the provision of funding appropriated
11 for these purposes, the commission shall do all of the following:
 - 12 (1) Adopt guidelines for a standardized permit to be used by
13 state agencies and the director.
 - 14 (2) Approve or modify the marketing and promotion plan
15 developed by the director pursuant to subdivision (d) of Section
16 14998.9 to promote filmmaking in the state.
 - 17 (3) Conduct workshops and trade shows.
 - 18 (4) Provide expertise in promotional activities.
 - 19 (5) Establish procedures and services specifically directed to
20 independent films.
 - 21 (6) Hold hearings.
 - 22 (7) Adopt its own operational rules and procedures.
 - 23 (8) Counsel the Legislature and the Governor on issues relating
24 to the motion picture industry.

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