

AMENDED IN ASSEMBLY APRIL 25, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2638**

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**Introduced by Assembly Member Gatto**

February 19, 2016

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An act to amend Section ~~120370~~ of the Health and Safety Code, relating to ~~public health~~, 16429.2 of the Government Code, relating to local government finance.

LEGISLATIVE COUNSEL'S DIGEST

AB 2638, as amended, Gatto. ~~Public health: vaccinations. Local Investment Advisory Board: members.~~

Existing law creates the Local Agency Investment Fund, a trust fund in the custody of the Treasurer, in which local governments and other specified governmental entities may deposit, for investment, moneys that are not required for immediate needs. Existing law authorizes the Treasurer, with the advice of the Local Investment Advisory Board, to invest the moneys in the fund. Existing law requires the board to be made up of 5 members, including the Treasurer or his or her representative, 2 members appointed by the Treasurer who are experienced in the field of investment, and 2 members appointed by the Treasurer who are treasurers, finance or fiscal officers, or business managers employed by a county, city or local district, or municipal corporation of this state. Existing law establishes that the term of office of each appointed member of the board is 2 years.

This bill would extend the term of each of the appointed members of the board to 3 years. The bill would also make several nonsubstantive changes.

~~Existing law authorizes a parent or guardian to file with the governing authority of a school district or school a written statement by a licensed physician to the effect that immunization is not considered safe for a particular child, in which case that child shall be exempt from specified immunization requirements, to the extent indicated by the physician's statement, as specified.~~

~~This bill would specify that a licensed physician is not subject to discipline or liability for writing the statement described above.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: no.

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

1     *SECTION 1. Section 16429.2 of the Government Code is*  
2     *amended to read:*

3     16429.2. There is created the Local Investment Advisory Board  
4     consisting of five members. The ~~chairman~~ *chair* shall be the State  
5     Treasurer or his or her designated representative. Two members  
6     who are qualified by training and experience in the field of  
7     investment or finance, shall be appointed by the State Treasurer.  
8     Two members who are treasurers, finance or fiscal ~~officers~~ *officers*,  
9     or business ~~managers~~, *managers* employed by any county, city or  
10    local ~~district~~ *district*, or municipal corporation of ~~this~~ *the* state,  
11    shall be appointed by the Treasurer.

12    The term of office of each appointed member of the board is  
13    ~~two~~ *three* years, but each appointed member serves at the pleasure  
14    of the appointing authority. A vacancy in the appointed  
15    membership, occurring other than by expiration of term, shall be  
16    filled in the same manner as the original appointment, but for the  
17    unexpired term only.

18    Members of the board who are not state officers or employees  
19    shall not receive a salary, but shall be entitled to a per diem  
20    allowance of fifty dollars (\$50) for each day's attendance at a  
21    meeting of the board, not to exceed three hundred dollars (\$300)  
22    in any month. All members shall be entitled to reimbursement for  
23    expenses incurred in the performance of their duties under this  
24    part, including travel and other necessary expenses.

25    The board's primary purpose shall be to advise and assist the  
26    State Treasurer in formulating the investment and reinvestment of  
27    moneys in the Local Agency Investment Fund, and the acquisition,

1 retention, management, and disposition of investments of the fund.  
2 The board, from time to time, shall review those policies and advise  
3 therein as it considers necessary or desirable. The board shall  
4 advise the State Treasurer in the management of the fund and  
5 consult the State Treasurer on any matter relating to the investment  
6 and reinvestment of moneys in the fund.

7 SECTION 1. ~~Section 120370 of the Health and Safety Code~~  
8 ~~is amended to read:~~

9 120370. (a) ~~If the parent or guardian files with the governing~~  
10 ~~authority of a school district or school a written statement by a~~  
11 ~~licensed physician to the effect that the physical condition of the~~  
12 ~~child is such, or medical circumstances relating to the child are~~  
13 ~~such, that immunization is not considered safe for the child,~~  
14 ~~indicating the specific nature and probable duration of the medical~~  
15 ~~condition or circumstances, including, but not limited to, family~~  
16 ~~medical history, for which the physician does not recommend~~  
17 ~~immunization, that child shall be exempt from the requirements~~  
18 ~~of Chapter 1 (commencing with Section 120325, but excluding~~  
19 ~~Section 120380) and Sections 120400, 120405, 120410, and~~  
20 ~~120415 to the extent indicated by the physician's statement.~~

21 (b) ~~If there is good cause to believe that a child has been exposed~~  
22 ~~to a disease listed in subdivision (b) of Section 120335 and his or~~  
23 ~~her documentary proof of immunization status does not show proof~~  
24 ~~of immunization against that disease, that child may be temporarily~~  
25 ~~excluded from the school or institution until the local health officer~~  
26 ~~is satisfied that the child is no longer at risk of developing or~~  
27 ~~transmitting the disease.~~

28 (c) ~~A licensed physician shall not be subject to discipline or~~  
29 ~~liability for writing a statement as described in subdivision (a).~~