

**Introduced by Senator Wolk**

February 26, 2015

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An act to add Section 167 to the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 554, as introduced, Wolk. California Water Commission: disqualifying financial interest: removal from office.

Existing law, the Political Reform Act of 1974, prohibits a public official at any level of state or local government from making, participating in making, or in any way attempting to use his or her official position to influence a governmental decision in which he or she knows, or has reason to know, that he or she has a financial interest. Existing law provides that a public official has a financial interest in a decision if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on the official, a member of his or her immediate family, or as specified.

This bill would remove a member of the California Water Commission from office if after trial a court finds that the commission member has knowingly participated in any commission decision in which the member has a disqualifying financial interest in the decision.

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 167 is added to the Water Code, to read:
- 2     167. (a) A member of the commission shall not participate in
- 3     any commission decision in which the member has a disqualifying

1 financial interest in the decision within the meaning of Section  
2 87103 of the Government Code.  
3 (b) Upon the request of any person, or on the Attorney General's  
4 own initiative, the Attorney General may file a complaint in the  
5 Superior Court for the County of Sacramento alleging that a  
6 commission member has knowingly violated this section and the  
7 facts upon which the allegation is based and asking that the member  
8 be removed from office. Further proceedings shall be in accordance  
9 as near as may be with rules governing civil actions. If after trial  
10 the court finds that the commission member has knowingly violated  
11 this section, it shall pronounce judgment that the member be  
12 removed from office.

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