

Assembly Bill No. 575

CHAPTER 140

An act to amend Sections 13019 and 13035 of, to add Section 13035.1 to, and to repeal Section 13050.1 of, the Public Resources Code, relating to resort improvement districts.

[Approved by Governor July 27, 1997. Filed with
Secretary of State July 28, 1997.]

LEGISLATIVE COUNSEL'S DIGEST

AB 575, Richter. Resort improvement districts: voting.

(1) Under existing law, the Resort Improvement District Law, voters in resort improvement districts are required to be owners of real property, or the officer appointed therefor by the board of directors of a corporation owner, or the legal representative of the owner, as specified, unless the voters of the district approve a proposition entitling residents of the district to vote in district elections, and prescribes procedures for the submission of such a proposition to the voters.

The district law prescribes procedures for the election of members to the board of directors of the district and requires that the district board of directors, exclusive of the supervisorial member, be registered electors in the district or landowners, or officers or legal representatives of landowners.

This bill would require that district directors, exclusive of the supervisorial member, be voters, as defined, in the district. The bill would require that, at the first general district election held after January 1, 1998, the number of directors elected by voters in the district be equal to the number of directors whose terms have expired by the date of that election, and would allow any director whose term has not expired by the date of that election, to continue to serve until the person's term of office expires and the person's successor has been elected by the voters in the district.

The bill would, as a conforming change, delete those provisions prescribing procedures for landowner voters to elect to allow residents of the district to vote in district elections.

By imposing new requirements on resort improvement districts with regard to district elections, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

SECTION 1. Section 13019 of the Public Resources Code is amended to read:

13019. "Voter" means a voter, as defined in Section 359 of the Elections Code, who resides within the boundaries of the district.

SEC. 2. Section 13035 of the Public Resources Code is amended to read:

13035. Exclusive of the supervisory member, the directors shall be voters in the district.

SEC. 3. Section 13035.1 is added to the Public Resources Code, to read:

13035.1. The number of directors elected by voters in the district at the first general district election held after January 1, 1998, shall be equal to the number of directors whose terms have expired by the date of that election. Any director whose term has not expired by the date of that election shall continue to serve until the person's term of office expires and the person's successor has been elected by the voters in the district. At the first general district election held after January 1, 1998, and at all subsequent general district elections, the form of the ballot and the conduct of the election shall comply with the requirements of the Uniform District Election Law (Part 4 (commencing with Section 10500) of Division 10 of the Elections Code) governing resident voting elections.

SEC. 4. Section 13050.1 of the Public Resources Code is repealed.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district are the result of a program for which legislative authority was requested by that local agency or school district, within the meaning of Section 17556 of the Government Code and Section 6 of Article XIII B of the California Constitution.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

