

AMENDED IN SENATE JULY 7, 2005

AMENDED IN SENATE JUNE 22, 2005

AMENDED IN SENATE MAY 16, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1318**

---

---

**Introduced by Assembly Member Evans**

February 22, 2005

---

---

An act to amend Sections 24011 and 24300 of, and to add Sections 24304.2 and 27550.2 to, the Government Code, relating to county officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1318, as amended, Evans. County officers: public administrators.

(1) Existing law authorizes the boards of supervisors of specified counties to provide, by ordinance, that the public administrator be appointed by the board. Existing law also authorizes the boards of supervisors of specified counties, by ordinance, to appoint the same person to the offices of public administrator, veteran service officer, and public guardian.

This bill would include Sonoma County within those counties whose boards of supervisors are authorized to provide for the appointment of the public administrator by the board and within those counties whose boards of supervisors are authorized to appoint the same person to the offices of public administrator, veteran service officer, and public guardian.

(2) Existing law authorizes the board of supervisors, by ordinance, to consolidate the duties of certain county offices. Existing law

requires the county surveyor to be elected unless the board of supervisors of the county provide for the surveyor’s appointment by ordinance.

This bill would authorize the board of supervisors, by ordinance, to consolidate the duties of the county surveyor and the Director of Transportation. The bill would specify that for Solano County, the county surveyor is not an elected position and may be appointed by the Director of Transportation if the board of supervisors have so provided for that appointment by ordinance and the surveyor, if so appointed, would serve at the will of the director.

This bill would authorize the Sonoma County Board of Supervisors, by ordinance, to consolidate the duties of the offices of Auditor-Controller and Treasurer-Tax Collector into the elected office of Auditor-Controller-Treasurer-Tax Collector.

(3) This bill would incorporate additional changes in Section 24011 of the Government Code, proposed by SB 282, to be operative only if SB 282 and this bill are both chaptered and become effective on or before January 1, 2006, and this bill is chaptered last.

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

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

1 SECTION 1. Section 24011 of the Government Code is  
2 amended to read:  
3 24011. Notwithstanding the provisions of Section 24009:  
4 (a) The Boards of Supervisors of Glenn County, Madera  
5 County, Mendocino County, Napa County, Solano County,  
6 Sonoma County, Trinity County, Tuolumne County, and Lake  
7 County may, by ordinance, provide that the public administrator  
8 shall be appointed by the board.  
9 (b) The Boards of Supervisors of Madera County, Mendocino  
10 County, Napa County, Trinity County, Tuolumne County, and  
11 Lake County may appoint the same person to the offices of  
12 public administrator, veteran service officer, and public guardian.  
13 The Boards of Supervisors of Glenn County, Solano County, and  
14 Sonoma County may, by ordinance, appoint the same person to  
15 the offices of public administrator and public guardian.  
16 (c) The Boards of Supervisors of Glenn County, Madera  
17 County, Mendocino County, Napa County, Trinity County,

1 Tuolumne County, and Lake County may separate the  
2 consolidated offices of district attorney and public administrator  
3 at any time in order to make the appointments permitted by this  
4 section. Upon approval by the board of supervisors, the officer  
5 elected to these offices at any time may resign, or decline to  
6 qualify for, the office of public administrator without resigning  
7 from, or declining to qualify for, the office of district attorney.

8 SEC. 2. Section 24011 of the Government Code is amended  
9 to read:

10 24011. Notwithstanding the provisions of Section 24009:

11 (a) The Boards of Supervisors of Glenn County, Lassen  
12 County, Madera County, Mendocino County, Monterey County,  
13 Napa County, Solano County, Sonoma County, Trinity County,  
14 Tuolumne County, and Lake County may, by ordinance, provide  
15 that the public administrator shall be appointed by the board.

16 (b) The Boards of Supervisors of Madera County, Mendocino  
17 County, Napa County, Trinity County, Tuolumne County, and  
18 Lake County may appoint the same person to the offices of  
19 public administrator, veteran service officer, and public guardian.  
20 The Boards of Supervisors of Glenn County, Lassen County,  
21 Monterey County, Solano County, and Sonoma County may, by  
22 ordinance, appoint the same person to the offices of public  
23 administrator and public guardian.

24 (c) The Boards of Supervisors of Glenn County, Lassen  
25 County, Madera County, Mendocino County, Napa County,  
26 Trinity County, Tuolumne County, and Lake County may  
27 separate the consolidated offices of district attorney and public  
28 administrator at any time in order to make the appointments  
29 permitted by this section. Upon approval by the board of  
30 supervisors, the officer elected to these offices at any time may  
31 resign, or decline to qualify for, the office of public administrator  
32 without resigning from, or declining to qualify for, the office of  
33 district attorney.

34 SEC. 3. Section 24300 of the Government Code is amended  
35 to read:

36 24300. By ordinance the board of supervisors may  
37 consolidate the duties of certain of the county offices in one or  
38 more of these combinations:

39 (a) Sheriff and tax collector.

40 (b) Auditor and recorder.

- 1 (c) County clerk, auditor, and recorder.
- 2 (d) County clerk and public administrator.
- 3 (e) County clerk and recorder.
- 4 (f) County clerk and auditor.
- 5 (g) Treasurer and tax collector.
- 6 (h) Treasurer and recorder.
- 7 (i) Treasurer and assessor.
- 8 (j) Treasurer and public administrator.
- 9 (k) Public administrator and coroner.
- 10 (l) District attorney and public administrator.
- 11 (m) District attorney and coroner.
- 12 (n) Sheriff and coroner.
- 13 (o) Sheriff and public administrator.
- 14 (p) County agricultural commissioner and county sealer of
- 15 weights and measures.
- 16 (q) Road commissioner and surveyor. A county may create an
- 17 office entitled public works director, combining the duties of
- 18 road commissioner and surveyor and any other compatible duties
- 19 not legally required to be performed by another county officer.
- 20 (r) County surveyor and director of transportation.
- 21 By the ordinance that consolidates the duties of the appointive
- 22 county offices described in subdivision (p), notwithstanding
- 23 Section 2122 and Sections 2181 to 2187, inclusive, of the Food
- 24 and Agricultural Code, and Sections 12200 and 12214 of the
- 25 Business and Professions Code, the board of supervisors may
- 26 provide that the first term only of the newly consolidated office
- 27 expires when the first of the remaining unexpired terms of the
- 28 two unconsolidated offices would have expired. Where a vacancy
- 29 in either of the unconsolidated offices exists the term of office of
- 30 the newly consolidated office shall be the longer of the remaining
- 31 unexpired terms.
- 32 SEC. 4. Section 24304.2 is added to the Government Code, to
- 33 read:
- 34 24304.2. Notwithstanding Section 24300, in Sonoma County,
- 35 the board of supervisors, by ordinance, may consolidate the
- 36 duties of the offices of Auditor-Controller and Treasurer-Tax
- 37 Collector into the elected office of
- 38 Auditor-Controller-Treasurer-Tax Collector.
- 39 SEC. 5. Section 27550.2 is added to the Government Code, to
- 40 read:

1 27550.2. Notwithstanding Section 27550, in Solano County,  
2 the county surveyor is not an elected position and may be  
3 appointed by the Director of Transportation if the board of  
4 supervisors have so provided by ordinance for that appointment.  
5 If so appointed, the surveyor shall serve at the will of the  
6 director.

7 SEC. 6. Section 2 of this bill incorporates amendments to  
8 Section 24011 of the Government Code proposed by both this  
9 bill and Senate Bill 282. It shall only become operative if (1)  
10 both bills are enacted and become effective on or before January  
11 1, 2006, (2) each bill amends Section 24011 of the Government  
12 Code, and (3) this bill is enacted after Senate Bill 282, in which  
13 case Section 1 of this bill shall not become operative.

14 *SEC. 7. Due to the unique circumstances of the Counties of*  
15 *Solano and Sonoma, with respect to the reorganization of their*  
16 *county offices, the Legislature hereby finds and declares that a*  
17 *general statute cannot be made applicable within the meaning of*  
18 *Section 16 of Article IV of the California Constitution. Therefore,*  
19 *the special legislation contained in Sections 1 to 5, inclusive, of*  
20 *this act is necessarily applicable only to the Counties of Solano*  
21 *and Sonoma.*