

AMENDED IN SENATE JULY 13, 2005

AMENDED IN ASSEMBLY APRIL 25, 2005

AMENDED IN ASSEMBLY APRIL 11, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1625

Introduced by Assembly Member Klehs

February 22, 2005

An act to add Section 7550.7 to the Government Code, relating to state reports.

LEGISLATIVE COUNSEL'S DIGEST

AB 1625, as amended, Klehs. State government: reports: ~~perjury~~ declarations.

Existing law generally sets out the requirements for the submission of written reports by public agencies to the Legislature, the Governor, and state legislative and executive entities.

This bill would additionally require any of these written reports required to be submitted by any state agency, board, or commission to include a signed statement by the head of the agency or chair of the board or commission, with specified exceptions, or specified officers of certain boards *or commissions*, declaring ~~under~~ *subject to a misdemeanor* penalty ~~of perjury~~, that the contents of the report are true, accurate, and complete to the best of his or her knowledge. By ~~expanding the scope of~~ *creating a new* crime, this bill would impose a state-mandated local program.

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.

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

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

1 SECTION 1. Section 7550.7 is added to the Government
2 Code, to read:

3 7550.7. (a) (1) Notwithstanding any other provision of law,
4 every written report, as defined in paragraph (2) of subdivision
5 (a) of Section 7550.5, required to be submitted to the Legislature
6 by any state agency, board, or commission, shall include a signed
7 statement by the head of that agency, or chair of the board ~~of or~~
8 commission, as described in subdivision (b), declaring ~~under~~
9 ~~penalty of perjury~~ that the contents of the report are true,
10 accurate, and complete to the best of his or her knowledge.

11 (2) *In the case of a board or commission whose chair is*
12 *subject to paragraph (1), as described in subdivision (b), if the*
13 *board or commission has an executive officer or executive*
14 *director, the signed statement described in paragraph (1) shall*
15 *be made by the executive officer or executive director.*

16 ~~(2)~~
17 (3) With respect to the Franchise Tax Board, the signed
18 statement described in paragraph (1) shall be made by the
19 executive officer of that board, and with respect to the Board of
20 Equalization, the statement shall be made by the executive
21 director of that board.

22 (b) Paragraph (1) of subdivision (a) shall only apply to those
23 individuals appointed by the Governor and confirmed by the
24 Senate. It shall not be construed to apply to any elected official of
25 the state, or any official whose duties are prescribed by the
26 California Constitution.

27 (c) *Any person who declares as true any material matter*
28 *pursuant to this section that he or she knows to be false is guilty*
29 *of a misdemeanor, punishable by a fine not exceeding five*
30 *thousand dollars (\$5,000), by imprisonment in a county jail not*
31 *exceeding six months, or by both that fine and imprisonment.*

1 SEC. 2. No reimbursement is required by this act pursuant to
2 Section 6 of Article XIII B of the California Constitution because
3 the only costs that may be incurred by a local agency or school
4 district will be incurred because this act creates a new crime or
5 infraction, eliminates a crime or infraction, or changes the
6 penalty for a crime or infraction, within the meaning of Section
7 17556 of the Government Code, or changes the definition of a
8 crime within the meaning of Section 6 of Article XIII B of the
9 California Constitution.

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