
Introduced by Senator Hollingsworth

February 22, 2007

An act to amend Section 8690.6 of the Government Code, relating to emergency services, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 548, as introduced, Hollingsworth. California Emergency Services Act: Disaster Response-Emergency Assistance Account: repeal date.

The California Emergency Services Act establishes the Disaster Response-Emergency Response Operations Account in the Special Fund for Economic Uncertainties, and continuously appropriates moneys in the account for allocation by the Director of Finance to state agencies for qualifying disaster response operation costs, subject to specified conditions. These provisions are repealed as of July 1, 2013.

This bill would extend the repeal date of these provisions to January 1, 2007. By extending the existence of a continuously appropriated fund, this bill would make an appropriation.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

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

- 1 SECTION 1. Section 8690.6 of the Government Code is
- 2 amended to read:
- 3 8690.6. (a) The Disaster Response-Emergency Operations
- 4 Account is hereby established in the Special Fund for Economic

1 Uncertainties. Notwithstanding Section 13340, moneys in the
2 account are continuously appropriated, subject to the limitations
3 specified in subdivisions (c) and (d), without regard to fiscal years,
4 for allocation by the Director of Finance to state agencies for
5 disaster response operation costs incurred by state agencies as a
6 result of a proclamation by the Governor of a state of emergency,
7 as defined in subdivision (b) of Section 8558. These allocations
8 may be for activities that occur within 120 days after a
9 proclamation of emergency by the Governor.

10 (b) It is the intent of the Legislature that the Disaster
11 Response-Emergency Operations Account have an unencumbered
12 balance of one million dollars (\$1,000,000) at the beginning of
13 each fiscal year. If this account requires additional moneys to meet
14 claims against the account, the Director of Finance may transfer
15 moneys from the Special Fund for Economic Uncertainties to the
16 account in an amount sufficient to pay the amount of the claims
17 that exceed the unencumbered balance in the account.

18 (c) Funds shall be allocated from the account subject to the
19 conditions of this section and upon notification by the Director of
20 Finance to the chairperson of the Joint Legislative Budget
21 Committee and the chairpersons of the fiscal committees in each
22 house.

23 (d) Notwithstanding any other provision of law, authorizations
24 for acquisitions, relocations, and environmental mitigations related
25 to activities, as described in subdivision (a), shall be authorized
26 pursuant to this section. However, these funds may only be
27 authorized for needs that are a direct consequence of the proclaimed
28 emergency where failure to undertake the project may interrupt
29 essential state services or jeopardize public health or safety. In
30 addition, any acquisition accomplished under this subdivision shall
31 comply with any otherwise applicable law, except as provided in
32 the first sentence of this subdivision.

33 (e) No funds allocated under this section shall be used to
34 supplant federal funds otherwise available in the absence of state
35 financial relief.

36 (f) The amount of financial assistance provided to an individual,
37 business, or governmental entity under this section, or pursuant to
38 any other program of state-funded disaster assistance, shall be
39 deducted from sums received in payment of damage claims asserted

1 against the state, its agents, or employees, for causing or
2 contributing to the effects of the proclaimed disaster.

3 (g) No public entity administering disaster assistance to
4 individuals shall receive funds under this section unless it
5 administers that assistance pursuant to the following criteria:

6 (1) All applications, forms, and other written materials presented
7 to persons seeking assistance shall be available in English and in
8 the same language as that used by the major non-English-speaking
9 group within the disaster area.

10 (2) Bilingual staff who reflect the demographics of the disaster
11 area shall be available to applicants.

12 (h) This section shall remain in effect only until ~~July 1, 2007~~
13 *January 1, 2013*, and as of that date is repealed, unless a later
14 enacted statute, that is enacted before ~~July 1, 2007~~ *January 1,*
15 *2013*, deletes or extends that date.

16 SEC. 2. This act is an urgency statute necessary for the
17 immediate preservation of the public peace, health, or safety within
18 the meaning of Article IV of the Constitution and shall go into
19 immediate effect. The facts constituting the necessity are:

20 In order that the Disaster Response-Emergency Operations
21 Account established pursuant to Section 8690.6 of the Government
22 Code may continue in uninterrupted existence, it is necessary that
23 this act take effect immediately.