

Assembly Bill No. 930

CHAPTER 128

An act to amend Section 14615.1 of the Government Code, relating to state government.

[Approved by Governor August 5, 2009. Filed with
Secretary of State August 6, 2009.]

LEGISLATIVE COUNSEL'S DIGEST

AB 930, Saldana. Department of General Services: Administrative Procedure Act.

Existing law provides that, commencing January 1, 1999, the processes, procedures, or policies maintained, developed, or prescribed by the Department of General Services in connection with the administration of its duties under specified provisions of the Public Contract Code or the Government Code are exempt from the Administrative Procedure Act, including actions taken by the department with respect to the State Administrative Manual and the State Contracting Manual.

This bill would also apply these provisions to actions taken by the department prior to January 1, 1999, with respect to competitive procurement in the State Administrative Manual and the State Contracting Manual.

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

SECTION 1. Section 14615.1 of the Government Code is amended to read:

14615.1. (a) Where the Legislature directs or authorizes the department to maintain, develop, or prescribe processes, procedures, or policies in connection with the administration of its duties under this chapter, Chapter 2 (commencing with Section 14650), or Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code, the action by the department shall be exempt from the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340), Chapter 4 (commencing with Section 11370), Chapter 4.5 (commencing with Section 11400), and Chapter 5 (commencing with Section 11500)). This section shall apply to actions taken by the department with respect to the State Administrative Manual and the State Contracting Manual.

(b) To the extent permitted by the United States and California Constitutions, subdivision (a) also applies to actions taken by the department

prior to January 1, 1999, with respect to competitive procurement in the State Administrative Manual and the State Contracting Manual.

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