

AMENDED IN SENATE MAY 31, 2011

AMENDED IN SENATE APRIL 28, 2011

AMENDED IN SENATE APRIL 14, 2011

SENATE BILL

No. 662

**Introduced by Senator DeSaulnier
(Principal coauthor: Senator Wolk)**

February 18, 2011

An act to add Section 13084 to the Government Code, relating to public services.

LEGISLATIVE COUNSEL'S DIGEST

SB 662, as amended, DeSaulnier. Public services.

Existing law requires counties to administer various public safety programs, including, among others, mental health services for children, substance abuse recovery services, jail services, and fire protection and support services.

This bill would, contingent upon a specified finding made by the Director of Finance, authorize the Department of Finance and any county to enter into a contract that would authorize the county to integrate public services, as specified. The bill would require the Legislative Analyst's Office to provide an analysis of any contract entered into pursuant to these provisions, and would require the Legislature to ratify the contract by ~~a~~ *an* enactment of a bill ~~vote~~. ~~This~~ *The* bill would also require the applicable county board of supervisors to ratify the contract. The bill would provide that a contract would last 10 years, and would require the county to report to the Department of Finance and the Legislature on the progress towards meeting the goals of the contract during the 5th year.

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

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

1 SECTION 1. This act is titled and may be cited as the 2011
2 Realignment.
3 SEC. 2. Section 13084 is added to the Government Code, to
4 read:
5 13084. (a) The department may enter into a contract with a
6 county, whether general law or charter, that would authorize the
7 county to integrate public services as provided in this section. A
8 contract is not fully executed pursuant to this section until the
9 Legislature and the applicable county board of supervisors have
10 ratified the contract pursuant to subdivision (d).
11 (b) Any contract entered into pursuant to this section shall
12 include all of the following:
13 (1) A list of statutes and regulations that, in order to achieve the
14 goals of the contract, must be waived with respect to the county
15 that is a party to the contract and the public services subject to the
16 contract.
17 (2) A plan to integrate public services that shall be cost neutral
18 to both the state and the county. ~~The range of defined services to~~
19 ~~be integrated shall be at the discretion of the applicable county.~~
20 (3) Benchmarks and expected outcomes that the county shall
21 achieve over the life of the contract.
22 (4) A list of any regional or intragovernmental agency
23 agreements, including, but not limited to, agreements between two
24 or more counties or joint powers agreements, that the county has
25 made, or intends to make, in order to achieve the goals of the
26 contract.
27 (5) A plan submitted by the county that specifies the steps the
28 county intends to take to comply with any applicable federal law.
29 (c) (1) Any contract entered into pursuant to this section shall
30 be for a period of 10 years. The county shall, in the fifth year of
31 the contract, submit to the department and the Assembly Committee
32 on Budget and the Senate Committee on Budget and Fiscal Review
33 a statement of the county's progress in achieving the goals of the
34 contract.

1 (2) In the ninth year of the contract, the department and the
2 county may negotiate a renewal of the contract that shall comply
3 with the requirements of this section.

4 (d) Within 30 days of entering into the contract, the department
5 shall submit the contract to the Legislature and the Legislative
6 Analyst's Office.

7 (1) Within 60 days of receipt of the proposed contract, the
8 Legislative Analyst's Office shall issue a report on the policy and
9 fiscal effects of the proposed contract.

10 (2) Prior to the contract becoming operative, the Legislature
11 shall enact a bill to ratify the contract. The contract shall not take
12 effect until the Legislature enacts a bill that implements the
13 provisions of the contract, including waiver of any statutes or
14 regulation specified in the contract pursuant to paragraph (1) of
15 subdivision (b).

16 (3) Prior to the contract becoming operative, the applicable
17 county board of supervisors shall ratify the contract.

18 (4) If the act to ratify the contract is not enacted within one year
19 of the initial date of agreement, the department may, after 60 days
20 submit a new or revised contract to the Legislature and Legislative
21 Analyst's Office.

22 (e) For purposes of this section, the term "public services"
23 includes all of the following:

24 (1) Employing and training public safety officials, including
25 law enforcement personnel, attorneys assigned to criminal
26 proceedings, and court security staff.

27 (2) Managing local jails and providing housing, treatment, and
28 services for, and supervision of, juvenile and adult offenders.

29 (3) Providing fire protection and support services.

30 (4) Preventing child abuse, neglect, or exploitation; providing
31 services to children who are abused, neglected, or exploited, or
32 who are at risk of abuse, neglect, or exploitation, and the families
33 of those children; providing adoption services, providing
34 transitional housing and other services to emancipated youth and
35 providing adult protective services.

36 (5) Providing mental health services to children and adults to
37 reduce failure in school, harm to self or others, homelessness, and
38 preventable incarceration or institutionalization.

39 (6) Preventing, treating, and providing recovery services for
40 substance abuse.

- 1 (f) This section shall not become operative until the Director of
- 2 Finance makes a finding that full funding is available for the
- 3 implementation of a plan for realignment of public services
- 4 proposed by the Governor in 2011 and enacted by the Legislature.