

AMENDED IN ASSEMBLY MAY 29, 2002
AMENDED IN SENATE JANUARY 7, 2002
AMENDED IN SENATE APRIL 2, 2001

SENATE BILL

No. 1019

Introduced by Senator Torlakson

February 23, 2001

An act to amend Section 5499.4 of the Business and Professions Code, to amend Sections 1253.5, 1258, 5019, 5303, 5324, 5325, 5380, 5421, 15148, 15359.1, ~~and 19420~~ 19420, and 35001 of the Education Code, to amend Sections 307, 308, 8040, 9094, 10500, 10540, 11002, and 18546 of, and to repeal Section 311 of, the Elections Code, to amend Sections 6070, 6076, 6077, 6078, 6215, and 8456 of the Food and Agricultural Code, to amend Sections 4005, 23687, 23731, 25201, 25526, 25537, 26922, 27504.1, 29965, 30003, 36507, 65009, 66499.22, ~~and 76106~~ 71081, 76106, 81011.5, 84101, and 88001 of the Government Code, to amend Sections 5831, 5861, 5863, 5864, 5865, 5866, 5867, 5872, 5873, 5874, ~~6044, and 6045~~ 6020, 6031, 6035, 6039, 6044, 6045, 6053, 6054, 6055, 6056, and 6230 of the Harbors and Navigation Code, to amend Section 5053 of the Insurance Code, to amend Sections 1170, 1174, 1176, 1179, 1180, 1181, 1182, 1185, 1191, and 1255 of the Military and Veterans Code, to amend Section 6005 of the Penal Code, to amend Section 1865 of the Probate Code, to repeal Sections 4876, 9977, and 13021 of the Public Resources Code, to amend Sections 11825, 12816, 15702, 15703, 15704, 15705, 15706, 15794, 15796, 15842, 15956, 26405, 26654, 27405, 27424, 28746, 28747, 28747.4, 28750.4, 29664, 29714, 31405, 31411, 50033, 50039, 70033, 90773, 90933, 95163, 95194, 98043, 98100, 101170, 101285, 101286, 101287, and 101295 of the Public Utilities Code, to amend

Sections 909, 1181, 1186, 3111, 3112.5, 3114, 5026, 8653, 9019, 11302, ~~and 27123~~ 19090, 19092, 19093, 19094, 25206, 27044, 27045, 27046, 27047, 27048, 27062, 27063, 27080, 27082, 27100, 27102, 27109, 27123, and 27322 of the Streets and Highways Code, to amend Sections 9368, 9386, 20740, 20911, 22970.10, 22970.20, 22970.25, 30230, 30778, 31133, 34053, 35005, 35048, 35049, 35050, 35051, 35052, 35053, 41303, 45274, 45275, 45276, 50752, 50805, 50816, 50817, 50954, 60080, 60082, 60083, 60095, 60211, 60212, 60213, 60430, 60431, 60434, 60440, 70033, 70041, 71120, 71125, 71126, 71127, 71128, 71129, 71130, 71132, 71133, 71461, and 71463 of, and to repeal Sections 30061, 60049, 71031, and 71135 of, the Water Code, and to amend Sections 4117, 4457, 4804, and 5110 of the Welfare and Institutions Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 1019, as amended, Torlakson. Counties: clerks.

Existing law requires the county clerk to perform specific duties, including, among other things, giving notice of the time and place fixed for hearings, accepting documents and reports for filing, receiving notice of causes of action against the county and petitions, transmitting and receiving resolutions, and preparing and certifying to all proceedings on file relative to the issuance and sale of bonds. *Existing law prescribes the election procedures for various special districts.*

This bill would repeal obsolete provisions and revise references to the county clerk *and the registrar of voters* to, instead, refer to, as appropriate, the clerk of the board of supervisors, the county ~~election~~ *elections* official, the clerk of the legislative body, or the appropriate financial officer or other designated official in a county. *This bill would revise certain obsolete provisions relating to special district elections.*

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 5499.4 of the Business and Professions
- 2 Code is amended to read:
- 3 5499.4. The notice shall be substantially in the following
- 4 form:
- 5



1 NOTICE TO REMOVE ILLEGAL ADVERTISING DISPLAY

2

3 Notice is hereby given that on the ____ day of ____, 20__, the
4 (name of the legislative body) of (city or county) adopted a
5 resolution declaring that an illegal advertising display is located
6 upon or in front of this property which constitutes a public
7 nuisance and must be abated by the removal of the illegal display.
8 Otherwise, it will be removed, and the nuisance abated by the city
9 (or county). The cost of removal will be assessed upon the property
10 from or in front of which the display is removed and will constitute
11 a lien upon the property until paid. Reference is hereby made to the
12 resolution for further particulars. A copy of this resolution is on
13 file in the office of the clerk of the legislative body.

14 All property owners having any objection to the proposed
15 removal of the display are hereby notified to attend a meeting of
16 the (name of the legislative body) of (city or county) to be held
17 (give date, time, and place), when their objections will be heard
18 and given due consideration.

19

20 Dated this _____ day of _____, 20_____

21 _____

22 (Title)

23 (City or County of _____)

24

25 SEC. 2. *Section 1253.5 of the Education Code is amended to*
26 *read:*

27 1253.5. (a) If a unified school district, described in
28 subdivision (c), is subject to Section 1253, the county board of
29 supervisors of each county wherein the district is situated may by
30 agreement and pursuant to an appropriate resolution adopted by
31 each board, permit the voters of the district who lie outside the
32 county housing the county superintendent of schools who has
33 jurisdiction of the district the right to participate in the election of
34 such county superintendent of schools.

35 (b) The county ~~clerk or registrar of voters~~ *elections official* of
36 each county affected by the agreement described in subdivision (a)
37 shall be responsible for the conduct of the election within his or her
38 county.

39 (c) The provisions of this section shall apply only to a unified
40 school district which was formed on July 1, 1965, and ~~which~~ *that,*



1 as of the 1979–80 school year, maintained an enrollment of
2 between 12,000 and 15,000 pupils.

3 *SEC. 3. Section 1258 of the Education Code is amended to*
4 *read:*

5 1258. Whenever by this code the county superintendent of
6 schools is authorized or required to prepare for, hold, or conduct
7 any election in or for any public school district the county
8 superintendent may contract with the county clerk, ~~or with the~~
9 ~~registrar of voters if such office has been established in the county,~~
10 *elections official* for the performance under the supervision of the
11 county superintendent of any or all of the duties incident to the
12 preparation for and holding of elections.

13 The governing board of a school district may contract with the
14 county clerk, ~~or with the registrar of voters if the office has been~~
15 ~~established in the county,~~ *elections official* for the performance
16 under the supervision of the governing board of any or all duties
17 incident to the holding or conducting of an election in the district
18 for the issuance and sale of bonds of the district pursuant to Section
19 15100.

20 *SEC. 4. Section 5019 of the Education Code is amended to*
21 *read:*

22 5019. (a) Except in a school district governed by a board of
23 education provided for in the charter of a city or city and county,
24 in any school district or community college district the county
25 committee on school district organization shall have the power to
26 establish trustee areas, rearrange the boundaries of trustee areas,
27 abolish trustee areas, and increase to seven or decrease to five the
28 number of members of the governing board, or to adopt one of the
29 alternative methods of electing governing board members
30 specified in Section 5030.

31 (b) The county committee on school district organization shall
32 also have the power to establish a common governing board for a
33 high school district and an elementary school district within the
34 boundaries of the high school district. The resolution of the county
35 committee approving the establishment of a common governing
36 board shall be presented to the electors of the school districts as
37 specified in Section 5020.

38 (c) A proposal to make the changes described in subdivision (a)
39 or (b) may be initiated by the county committee or made to the
40 county committee either by a petition signed by 5 percent or 50,



1 whichever is less, of the qualified registered voters residing in a
 2 district in which there are 2,500 or fewer qualified registered
 3 voters, or by a petition signed by 2 percent, or 250, whichever is
 4 less, of the qualified registered voters residing in a district in which
 5 there are 2,501 or more qualified registered voters or by resolution
 6 of the governing board of the district. For this purpose, the number
 7 of qualified registered voters in the district shall be determined
 8 pursuant to the most recent report submitted by the county ~~clerk~~
 9 *elections official* to the Secretary of State under Section 610 or
 10 6460 of the Elections Code.

11 When the proposal is made, the county committee shall call and
 12 conduct at least one hearing in the district on the matter. At the
 13 conclusion of the hearing, the county committee shall approve or
 14 disapprove the proposal.

15 (d) If the county committee approves pursuant to subdivision
 16 (a) the rearrangement of the boundaries of trustee areas for a
 17 particular district, then the rearrangement of the trustee areas shall
 18 be effectuated for the next district election occurring at least 120
 19 days after its approval, unless at least 5 percent of the registered
 20 voters of the district sign a petition requesting an election on the
 21 proposed rearrangement of trustee area boundaries. The petition
 22 for an election shall be submitted to the elections official within 60
 23 days of the proposal’s adoption by the county committee. If the
 24 qualified registered voters approve pursuant to subdivision (b) the
 25 rearrangement of the boundaries to the trustee areas for a particular
 26 district, then the rearrangement of the trustee areas shall be
 27 effectuated for the next district election occurring at least 120 days
 28 after its approval by the voters.

29 *SEC. 5. Section 5303 of the Education Code is amended to*
 30 *read:*

31 5303. The county ~~clerk or the registrar of voters, if such office~~
 32 ~~has been established in the county,~~ *elections official* shall perform
 33 the duties incident to the preparation for, and holding of, all district
 34 elections.

35 In districts situated in two or more counties, or in elections to
 36 organize or reorganize districts in territory situated in two or more
 37 counties, the county ~~clerks, or the registrars of voters~~ *elections*
 38 *officials* in the counties in which any part of the district territory
 39 is situated, shall, by mutual agreement, provide for the
 40 performance of ~~such~~ *those* duties.



1 SEC. 6. Section 5324 of the Education Code is amended to
 2 read:

3 5324. At least 120 days prior to the date of the election in the
 4 case of an election for governing board members, the county
 5 superintendent of schools shall deliver to the county ~~clerk or~~
 6 ~~registrar of voters, if such office has been established~~ elections
 7 official in the county where the election is to be held, copies of:

- 8 (a) The order of election.
- 9 (b) The formal notice of election.

10 SEC. 7. Section 5325 of the Education Code is amended to
 11 read:

12 5325. Any school district election or community college
 13 district election, except a bond measure election, ordered to be
 14 held in accordance with this code shall be called by the county
 15 superintendent of schools having jurisdiction of the election by
 16 doing both of the following:

- 17 (a) Posting or publication of notices of election.
- 18 (b) Delivery of a copy of the formal notice of election to the
 19 county ~~clerk or registrar of voters~~ elections official at least 120
 20 days prior to the date of the election in the case of an election for
 21 governing board members.

22 SEC. 8. Section 5380 of the Education Code is amended to
 23 read:

24 5380. Any election officer serving at any school district
 25 election or community college district election may be paid out of
 26 the funds of the district as compensation for his *or her* services as
 27 an election officer ~~such a sum as is~~ determined by the county ~~clerk~~
 28 elections official and approved by the county board of supervisors,
 29 not to exceed the amount paid from the county treasury to officers
 30 of the preceding general election. In districts in which the polls are
 31 kept open less than 12 hours, the maximum compensation for
 32 election officers shall be the sum bearing the same relation to the
 33 amount paid to election officers of the last preceding general
 34 election as the number of hours the polls were open at the election
 35 bears to the number of hours the polls were open in the preceding
 36 general election.

37 SEC. 9. Section 5421 of the Education Code is amended to
 38 read:

39 5421. The cost of any election held within a single district
 40 shall be borne by the entire district, and shall be paid out of its



1 funds. Election costs shall be determined by the county clerk or
2 registrar of voters *elections official* and approved by the county
3 board of supervisors.

4 *SEC. 10.* Section 15148 of the Education Code is amended to
5 read:

6 15148. If satisfactory bids are received, the bonds offered for
7 sale shall be awarded to the highest responsible bidder or bidders,
8 and the clerk of the board of supervisors shall prepare and certify
9 to all of the proceedings on file in his or her office relative to the
10 issuance and sale of the bonds, which transcript of proceedings
11 shall be delivered to the successful bidder or bidders without
12 charge. If no bids are received, or if the board determines that the
13 bids received exceed either the maximum acceptable interest rate
14 prescribed by the governing board or the maximum rate prescribed
15 by Section 15143, or that they are not satisfactory as to price or
16 responsibility of the bidders, the board may reject all bids received,
17 if any, and without further authorization from the governing board,
18 either readvertise or sell the bonds at private sale.

19 For the purpose of determining whether or not a bid exceeds the
20 maximum acceptable interest rate, the interest rate of that bid shall
21 be deemed to be the interest rate resulting from the total net interest
22 cost arrived at by computing the total amount of interest which the
23 district would be required to pay from the date of the bonds to the
24 respective maturity dates thereof at the rate or rates specified in the
25 bid and by deducting therefrom any premium bid.

26 ~~SEC. 3.—~~

27 *SEC. 11.* Section 15359.1 of the Education Code is amended
28 to read:

29 15359.1. (a) If satisfactory bids are received, the bonds
30 offered for sale shall be awarded to the highest responsible bidder
31 or bidders, and the clerk of the board of supervisors shall prepare
32 and certify to all of the proceedings on file in his or her office
33 relative to the issuance and sale of the bonds, which transcript of
34 proceedings shall be delivered to the successful bidder or bidders
35 without charge. If no bids are received, or if the board determines
36 that the bids received exceed either the maximum acceptable
37 interest rate prescribed by the governing board or the maximum
38 rate prescribed by Section 15353, or that they are not satisfactory
39 as to price or responsibility of the bidders, the board may reject all
40 bids received, if any, and without further authorization from the



1 governing board of the school district or community college
2 district in which the school facilities improvement district is
3 located, either readvertise or sell the bonds at private sale.

4 (b) For the purpose of determining whether or not a bid exceeds
5 the maximum acceptable interest rate, the interest rate of that bid
6 shall be deemed to be the interest rate resulting from the total net
7 interest cost arrived at by computing the total amount of interest
8 that the school facilities improvement district would be required
9 to pay from the date of the bonds to the respective maturity dates
10 thereof at the rate or rates specified in the bid and by deducting
11 therefrom any premium bid.

12 ~~SEC. 4.—~~

13 *SEC. 12.* Section 19420 of the Education Code is amended to
14 read:

15 19420. Within 30 days after the filing with the clerk of the
16 board of supervisors or county board of supervisors of the
17 resolution declaring the organization of the district, the
18 supervising board of supervisors shall appoint the required
19 number of library trustees from the district at large.

20 ~~SEC. 5.—~~

21 *SEC. 13.* Section 35001 of the Education Code is amended to
22 read:

23 35001. (a) Whenever a petition is presented to the governing
24 board of a school district, signed by at least 15 qualified electors
25 of that school district, asking that the name of the district be
26 changed and stating the new name requested, the governing board
27 shall designate a day upon which it will act upon the petition,
28 which shall not be less than 10 days nor more than 40 days after
29 the receipt of the petition.

30 The governing board shall give or cause to be given notice to all
31 parties interested by publication in a newspaper published within
32 the school district, or, if there is none, in any newspaper published
33 in the county, of the time set for the hearing of the petition. The
34 notice shall be published at least twice before the day set for
35 hearing. At the hearing the board shall by resolution either grant
36 or deny the petition, and, if granted, shall notify the county
37 superintendent of schools of the change of the name of the district.
38 The board shall also certify the name change to the county ~~clerk~~
39 *elections official* of each county in which any part of the school



1 district is situated. The name change shall also be entered in the
2 records of the governing board.

3 (b) As an alternative to the procedures set forth in subdivision
4 (a), a petition may be presented to the superintendent of schools
5 having jurisdiction of any high school district signed by at least
6 two-thirds of the members of the governing board of the high
7 school district asking that the name of the district be changed and
8 stating the new name desired. The procedure shall thereafter be the
9 same as is provided for electors' petitions in subdivision (a).

10 *SEC. 14. Section 307 of the Elections Code is amended to*
11 *read:*

12 307. "Clerk" means county ~~clerk~~ *elections official*, registrar
13 of voters, city clerk, or other officer or board charged with the duty
14 of conducting any election.

15 *SEC. 15. Section 308 of the Elections Code is amended to*
16 *read:*

17 308. "District elections official," for the purposes of
18 initiative and referendum under Article 1 (commencing with
19 Section 9300) of Chapter 4 of Division 9, includes the county ~~clerk~~
20 *elections official* or other officer or board charged with performing
21 the duties required of the clerk of the district by that chapter.

22 *SEC. 16. Section 311 of the Elections Code is repealed.*

23 ~~311. "County clerk" means "registrar of voters," in those~~
24 ~~counties in which the latter office has been established. In those~~
25 ~~counties in which the office of "registrar of voters" has not been~~
26 ~~established the "county clerk" may also be known as "ex officio~~
27 ~~registrar of voters."~~

28 *SEC. 17. Section 8040 of the Elections Code is amended to*
29 *read:*

30 8040. (a) The declaration of candidacy by a candidate shall
31 be substantially as follows:

32

33

DECLARATION OF CANDIDACY

34

35 I hereby declare myself a ____ Party candidate for nomination to the office
36 of ____ District Number ____ to be voted for at the primary election to be held
37 ____, 20__, and declare the following to be true:

38 My name is _____.

39 I want my name and occupational designation to appear on the ballot as
40 follows: _____.



1 official shall verify whether his or her address is within the
2 appropriate political subdivision and add the notation “verified”
3 where appropriate.

4 *SEC. 18. Section 9094 of the Elections Code is amended to*
5 *read:*

6 9094. (a) The Secretary of State shall mail ballot pamphlets
7 to voters, in those instances in which the county ~~clerk~~ *elections*
8 *official* uses data processing equipment to store the information set
9 forth in the affidavits of registration, before the election at which
10 measures contained in the ballot pamphlet are to be voted on unless
11 a voter has registered fewer than 29 days before the election. The
12 mailing shall commence not less than 40 days before the election
13 and shall be completed no later than 21 days before the election for
14 those voters who registered on or before the 60th day before the
15 election. The Secretary of State shall mail one copy of the ballot
16 pamphlet to each registered voter at the postal address stated on the
17 voter’s affidavit of registration, or the Secretary of State may mail
18 only one ballot pamphlet to two or more registered voters having
19 the same surname and the same postal address.

20 (b) In those instances in which the county ~~clerk~~ *elections*
21 *official* does not utilize data processing equipment to store the
22 information set forth in the affidavits of registration, the Secretary
23 of State shall furnish ballot pamphlets to the county ~~clerk~~ *elections*
24 *official* not less than 45 days before the election at which measures
25 contained in the ballot pamphlet are to be voted on and the county
26 ~~clerk~~ *elections official* shall mail ballot pamphlets to voters, on the
27 same dates and in the same manner provided by subdivision (a).

28 (c) The Secretary of State shall provide for the mailing of ballot
29 pamphlets to voters registering after the 60th day before the
30 election and before the 28th day before the election, by either: (1)
31 mailing in the manner as provided in subdivision (a), or (2)
32 requiring the county ~~clerk~~ *elections official* to mail ballot
33 pamphlets to those voters registering in the county after the 60th
34 day before the election and before the 28th day before the election
35 pursuant to the provisions of this section. The second mailing of
36 ballot pamphlets shall be completed no later than 10 days before
37 the election. The county ~~clerk~~ *elections official* shall mail a ballot
38 pamphlet to any person requesting a ballot pamphlet. Three
39 copies, to be supplied by the Secretary of State, shall be kept at



1 every polling place, while an election is in progress, so that they
2 may be freely consulted by the voters.

3 *SEC. 19. Section 10500 of the Elections Code is amended to*
4 *read:*

5 10500. (a) This part may be cited as the Uniform District
6 Election Law.

7 (b) As used in this part, the following definitions apply:

8 (1) “Affected county” means a county in which any land of the
9 district or agency is situated.

10 ~~(2) “County clerk” means the registrar of voters or, if there is~~
11 ~~none, the county clerk of an affected county.~~

12 ~~(3) “Director” means a member of the governing body.~~

13 ~~(4)~~

14 (3) “District” or “agency” means any district or agency of the
15 type designated by and formed pursuant to the provisions of any
16 principal act ~~which~~ *that* incorporates this part.

17 ~~(5)~~

18 (4) “Elective office” means any office ~~which~~ *that* may, under
19 the principal act of the district or agency, be filled by way of an
20 election.

21 ~~(6)~~

22 (5) “Elective officer” means “elective officer” as defined by
23 the principal act of each district or agency or if not defined, any
24 officer of a district or agency holding an office ~~which~~ *that* can be
25 filled by election.

26 ~~(7)~~

27 (6) “General district election” means an election held pursuant
28 to the provisions of this part.

29 ~~(8)~~

30 (7) “Governing body” means the board of directors of a
31 district or agency or the board or body which governs the activities
32 of the district or agency.

33 ~~(9)~~

34 (8) “Landowner voting district” means a district whose
35 principal act requires an elector to be an owner of land located
36 within the district.

37 ~~(10)~~

38 (9) “Principal act” means the law providing for the creation of
39 a particular district or agency or type of district or agency.

40 ~~(11)~~



1 (10) “Principal county” means the county in which all the land
2 in the district or agency is situated, or if the district or agency is
3 situated in more than one county, the county in which the greatest
4 portion of the land in the district or agency is situated.

5 ~~(12)–~~

6 (11) “Resident voting district” means any district other than a
7 landowner voting district.

8 ~~(13)–~~

9 (12) “Secretary” means the secretary of the governing body or
10 a person designated by him *or her* to perform a duty of the
11 secretary.

12 ~~(14)–~~

13 (13) “Supervising authority” means the board of supervisors
14 of the county in which is situated all or most of the land of a district.

15 ~~(15)–~~

16 (14) “Voter” means voter or elector as respectively defined in
17 the principal act of each district or agency.

18 *SEC. 20. Section 10540 of the Elections Code is amended to*
19 *read:*

20 10540. Candidates’ statements of their qualifications
21 submitted in accordance with Section 13307 shall be filed with the
22 county ~~clerk~~ *elections official*, who shall cause the voters’
23 pamphlet, if any is required, to be mailed.

24 *SEC. 21. Section 11002 of the Elections Code is amended to*
25 *read:*

26 11002. For the purposes of this division, “elections official”
27 means one of the following:

28 (a) A county elections official, ~~including, but not necessarily~~
29 ~~limited to, a county clerk~~, in the case of the recall of elective
30 officers of a county, school district, county board of education,
31 community college district, or resident voting district, and of
32 judges of trial courts.

33 (b) A city elections official, including, but not necessarily
34 limited to, a city clerk, in the case of the recall of elective officers
35 of a city.

36 (c) The secretary of the governing board in the case of the recall
37 of elective officers of a landowner voting district or any district in
38 which, at a regular election, candidate’s nomination papers are
39 filed with the secretary of the governing board.



1 SEC. 22. Section 18546 of the Elections Code is amended to
2 read:

3 18546. As used in this article:

4 (a) "Elections official" means county ~~clerk~~ elections official,
5 registrar of voters, or city clerk.

6 (b) "Immediate vicinity" means the area within a distance of
7 100 feet from the room or rooms in which the voters are signing
8 the roster and casting ballots.

9 SEC. 23. Section 6070 of the Food and Agricultural Code is
10 amended to read:

11 6070. The board of supervisors in every county where a
12 district has been organized and exists under the provisions of this
13 chapter shall direct the agricultural commissioner to file with the
14 board of supervisors on March 1st of each year a register of every
15 cottongrower intending to grow cotton during the growing season
16 immediately following that date, describing the net acreage of land
17 to be devoted to the growing of cotton by each grower. The
18 agricultural commissioner shall submit a preliminary estimate of
19 the information required to be filed on March 1st in order for the
20 board to prepare the district budget.

21 The agricultural commissioner shall submit a copy of the
22 register to the clerk of the board of supervisors during election
23 years.

24 ~~SEC. 6.—~~

25 SEC. 24. Section 6076 of the Food and Agricultural Code is
26 amended to read:

27 6076. In each cotton pests abatement district, a biennial
28 election shall be held in ~~April~~ March of each odd-numbered year
29 by the county ~~clerk~~ elections official of the county in which a
30 majority of the acreage in the district is contained. Notice of the
31 election, and of the offices to be filled, shall be published in a
32 newspaper of general circulation in the county once a week for
33 three successive weeks before the first day of ~~March~~ February. At
34 the election a sufficient number of directors shall be elected to fill
35 the places of those directors whose terms expire the first day of
36 ~~May~~ April immediately following the election.

37 The county ~~clerk~~ elections official shall make declarations of
38 candidacy available from ~~March 1st through March 15th~~ between
39 113 and 88 days before the election. Any person eligible for the
40 office of director, desiring to be a candidate for election, shall file



1 a declaration with the county ~~clerk~~ *elections official* on or before
2 ~~March 15th~~ *the 88th day before the election*. The county ~~clerk~~
3 *elections official* shall certify the qualified candidates and have
4 ballots prepared and printed. The election shall be conducted, as
5 nearly as practicable, in accordance with the general election laws
6 of this state.

7 *SEC. 25. Section 6077 of the Food and Agricultural Code is*
8 *amended to read:*

9 *6077. The county ~~clerk on or before April 1st,~~ elections*
10 *official on or after the 29th day before the election* shall mail a
11 ballot, an identification envelope, and a stamped and addressed
12 return envelope to each cottongrower on the register submitted by
13 the agricultural commissioner. The ballot shall indicate the
14 number of votes and the number shall be written on the ballot by
15 the clerk. Each cottongrower appearing on the register shall be
16 entitled to one vote for each acre of cotton for which a valid permit
17 to grow cotton is possessed for each office to be filled, or
18 proposition to be voted upon, at that election. Cumulative voting
19 is not authorized.

20 The ballot shall be printed in substantially the following form:



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2
3 NOTE TO PRINTING OFFICE: INSERT CAMERA-READY
4 COPY HERE
5
6 for Cotton Pest Abatement District official ballot
7
8 as printed on page 584 of the 1982 Statutes.
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2 The ballot shall be placed in the identification envelope by the
3 voter after the voter has indicated his or her choices. The
4 identification envelope shall be sealed and signed by the voter. The
5 identification envelope shall be returned to the county ~~clerk~~
6 *elections official* in the sealed return envelope.

7 Ballots in order to be counted shall be received by the ~~clerk~~
8 *elections official* not later than 12 o'clock noon of the ~~third~~
9 ~~Monday in April~~ *first Tuesday after the first Monday in March* and
10 the return envelopes containing the ballots shall not be opened
11 until that time. The ~~clerk~~ *elections official* shall then open the
12 return envelopes and deposit the ballot in its unopened envelope
13 in a ballot box. After deposit of all identification envelopes
14 received, the ~~clerk~~ *elections official* shall open the ballot box and
15 count the votes cast and certify the results of the election.

16 The returns of the election shall be reported to the board of
17 directors of the district who shall meet on the Monday following
18 the election and canvass the returns.

19 *SEC. 26. Section 6078 of the Food and Agricultural Code is*
20 *amended to read:*

21 6078. The persons declared elected shall take the oath of
22 office and file their official bonds with the county ~~clerk of the~~
23 ~~county~~ *elections official* on or before the first day of ~~May~~ *April*
24 following their election and shall take office at noon of that day.

25 *SEC. 27. Section 6215 of the Food and Agricultural Code is*
26 *amended to read:*

27 6215. (a) The board of supervisors shall fix a time and place
28 for the hearing of the petition.

29 (b) The hearing shall not be less than 20 days, or more than 40
30 days, after the filing of the petition with the board of supervisors.

31 (c) The board of supervisors shall order the clerk of the board
32 of supervisors to give notice of the time and place fixed for the
33 hearing upon the petition.

34 ~~SEC. 7.—~~

35 *SEC. 28. Section 8456 of the Food and Agricultural Code is*
36 *amended to read:*

37 8456. The board of supervisors shall order the clerk of the
38 board of supervisors to give notice of the time and place fixed for
39 the hearing upon the petition.

40 ~~SEC. 8.—~~



1 SEC. 29. Section 4005 of the Government Code is amended
2 to read:

3 4005. Within 60 days from the completion of any public
4 work, the engineer shall prepare and file in the office of the clerk
5 of the board of supervisors of the county in which the public work
6 is performed, or if the engineer maintains an office in the county
7 where the work is performed, then in that office, or if any
8 reclamation, irrigation or other ~~such~~ district maintains an office,
9 then in the office of his *or her* own district instead of the office of
10 the clerk of the board of supervisors, the following information in
11 addition to that required by Section 4004:

- 12 (a) Names of bidders with prices bid, if bids there be.
- 13 (b) Changes in adopted or approved plans and specifications or
14 a work authorization describing the work to be performed.
- 15 (c) That the work performed has or has not been done in
16 accordance with these plans and specifications or work
17 authorization.
- 18 (d) The total cost of the work, segregated so as to show the
19 actual cost of all labor, materials, equipment, engineering or
20 architectural services, including the services of public employees
21 in connection with ~~such~~ *that* work, and other expense. The cost
22 shown for equipment shall include rentals paid or, if the equipment
23 is publicly owned, a reasonable amount for depreciation and the
24 cost of repairs thereon while so used.

25 ~~SEC. 9.—~~

26 SEC. 30. Section 23687 of the Government Code is amended
27 to read:

28 23687. The statement by the board of supervisors showing the
29 result of the election shall be deposited in the office of the county
30 ~~clerk~~ *elections official*.

31 SEC. 31. Section 23731 of the Government Code is amended
32 to read:

33 23731. The county ~~clerk~~ *elections official* shall prepare and
34 mail to each eligible registered voter in the county a sample ballot.
35 In all other respects, ~~every such~~ *the* election shall be held and
36 conducted, the returns canvassed and the result declared by the
37 governing body in the same manner as provided by law for general
38 elections.

39 SEC. 32. Section 25201 of the Government Code is amended
40 to read:



1 25201. Subject to the provisions of the Elections Code, the
2 board may establish, abolish, and change election precincts,
3 appoint inspectors, clerks, and judges of election, canvass all
4 election returns, declare the result, and order the county ~~clerk~~
5 *elections official* to issue certificates of election.

6 *SEC. 33.* Section 25526 of the Government Code is amended
7 to read:

8 25526. Before ordering the sale or lease of any property the
9 board of supervisors shall, in a regular open meeting, by a
10 two-thirds vote of all its members, adopt a resolution, declaring its
11 intention to sell the property, or a resolution declaring its intention
12 to lease it, as the case may be. The resolution shall describe the
13 property proposed to be sold, or leased, in ~~such~~ a manner as to
14 identify it and shall specify the minimum price, or rental, and the
15 terms upon which it will be sold, or leased, and shall fix a time, not
16 less than three weeks thereafter for a public meeting of the board
17 of supervisors to be held at its regular place of meeting, at which
18 sealed proposals to purchase or lease will be received and
19 considered.

20 When the minimum price or annual rental is not over two
21 thousand dollars (\$2,000) or one hundred fifty dollars (\$150) per
22 month for a period of one year or less, instead of describing in
23 detail the property and the terms on which it will be sold or leased,
24 the resolution may briefly identify the property, state the minimum
25 price or rental, and refer to the proposed form of conveyance or
26 lease on file in the office of the clerk of the board of supervisors
27 in which the terms for selling or leasing the property may be seen.

28 ~~SEC. 10.—~~

29 *SEC. 34.* Section 25537 of the Government Code is amended
30 to read:

31 25537. (a) In any county the board of supervisors may
32 prescribe by ordinance a procedure alternative to that required by
33 Sections 25526 to 25535, inclusive, for the leasing or licensing of
34 any real property belonging to, leased by, or licensed by, the
35 county. Any alternative procedure so prescribed shall require that
36 the board of supervisors either accept the highest proposal for the
37 proposed lease or license submitted in response to a call for bids
38 posted in at least three public places for not less than 15 days and
39 published for not less than two weeks in a newspaper of general



1 circulation, if the newspaper is published in the county, or reject
2 all bids.

3 (b) Leases or licenses of a duration not exceeding 10 years and
4 having an estimated monthly rental of not exceeding five thousand
5 dollars (\$5,000) may be excluded from the bidding procedure
6 specified in subdivision (a), except that notice shall be given
7 pursuant to Section 6061, posted in the office of the clerk of the
8 board of supervisors, and if the lease or license involves residential
9 property, notice shall be given to the housing sponsors, as defined
10 by Sections 50074 and 50074.5 of the Health and Safety Code. The
11 notice shall describe the property proposed to be leased or
12 licensed, the terms of the lease or license, the location where offers
13 to lease or license the property will be accepted, the location where
14 leases or licenses will be executed, and any county officer
15 authorized to execute the lease or license. If a lease or license is
16 excluded from the bidding procedure, the actual monthly rental in
17 the executed lease or license shall not exceed five thousand dollars
18 (\$5,000), the term of the executed lease or license shall not exceed
19 10 years, and the lease or license is not renewable. The board of
20 supervisors may, by resolution, authorize the county officer or
21 officers as are deemed appropriate, to execute leases or licenses
22 pursuant to this section. The county officer authorized by the board
23 of supervisors to execute licenses pursuant to this section shall
24 provide a notice to the supervisorial district office in which the
25 property proposed to be licensed is located at least five working
26 days prior to execution of the license. The notice shall describe the
27 property proposed to be licensed, the terms and conditions of the
28 license, and the name of the proposed licensee. If the supervisorial
29 district office has not responded in writing objecting to the
30 proposed license within five working days after the notice has been
31 provided, the proposed license shall be deemed approved by the
32 district office. If the supervisorial district office objects to the
33 proposed license in writing within five working days, the license
34 may be submitted for approval by the board of supervisors at a
35 regular meeting.

36 (c) Notice pursuant to this section shall also be mailed or
37 delivered at least 15 days prior to accepting offers to lease or
38 license pursuant to this section to any person who has filed a
39 written request for notice with either the clerk of the board or with
40 any other person designated by the board to receive these requests.



1 The county may charge a fee that is reasonably related to the costs
2 of providing this service and the county may require each request
3 to be annually renewed. The notice shall describe the property
4 proposed to be leased or licensed, the terms of the lease or license,
5 the location where offers to lease or license the property will be
6 accepted, the location where leases or licenses will be executed,
7 and any county officer authorized to execute the lease or license.

8 ~~SEC. 11.—~~

9 *SEC. 35.* Section 26922 of the Government Code is amended
10 to read:

11 26922. One copy of the ~~statement or~~ report prepared pursuant
12 to Section 26920 shall be filed in the office of the clerk of the board
13 of supervisors, and the auditor shall post and maintain the other in
14 his or her office for at least one ~~month~~ *quarter*.

15 ~~SEC. 12.—~~

16 *SEC. 36.* Section 27504.1 of the Government Code is
17 amended to read:

18 27504.1. If the findings are that the deceased met his or her
19 death at the hands of another, the coroner shall, in addition to filing
20 the report in his or her office or with the county clerk, as
21 determined by the board of supervisors pursuant to Section 27503,
22 transmit his or her written findings to the district attorney, the
23 police agency wherein the dead body was recovered, and any other
24 police agency requesting copies of the findings.

25 The findings and conclusions provided for in this article shall
26 be sufficient to satisfy the cause of death information required in
27 death certificates under Section 102875 of the Health and Safety
28 Code.

29 ~~SEC. 13.—~~

30 *SEC. 37.* Section 29965 of the Government Code is amended
31 to read:

32 29965. Unless prevented by petition protesting the passage of
33 the ordinance, signed and filed with the board pursuant to Division
34 4 of the ~~Election~~ *Elections* Code, the bonds shall be publicly
35 canceled at the time and place fixed, and the clerk of the board of
36 supervisors shall enter on the minutes of the board of supervisors
37 a record of the bonds canceled sufficient to identify them and the
38 fact and date of the cancellation.

39 ~~SEC. 14.—~~



1 SEC. 38. Section 30003 of the Government Code is amended
2 to read:

3 30003. The bonds shall bear interest at the rate of 5 percent a
4 year and be payable at ~~such~~ *the* time as the board orders, not
5 exceeding 20 years from date of issuance. The bonds shall be
6 signed by the chair of the board of supervisors and the clerk of the
7 board of supervisors.

8 ~~SEC. 15.—~~

9 SEC. 39. Section 36507 of the Government Code is amended
10 to read:

11 36507. Before entering upon his *or her* duties, each city
12 officer shall take and file with the city clerk the constitutional oath
13 of office, except that the ~~councilmen~~ *councilmember* elected at the
14 incorporation election shall deposit ~~said~~ *his or her* oath with the
15 county ~~clerk~~ *elections official* of the county wherein the city is
16 located, to be held by him *or her* for delivery to the city clerk at
17 ~~such~~ *the* time as the city clerk officially assumes office.

18 SEC. 40. Section 65009 of the Government Code is amended
19 to read:

20 65009. (a) (1) The Legislature finds and declares that there
21 currently is a housing crisis in California and it is essential to
22 reduce delays and restraints upon expeditiously completing
23 housing projects.

24 (2) The Legislature further finds and declares that a legal action
25 or proceeding challenging a decision of a city, county, or city and
26 county has a chilling effect on the confidence with which property
27 owners and local governments can proceed with projects. Legal
28 actions or proceedings filed to attack, review, set aside, void, or
29 annul a decision of a city, county, or city and county pursuant to
30 this division, including, but not limited to, the implementation of
31 general plan goals and policies that provide incentives for
32 affordable housing, open-space and recreational opportunities,
33 and other related public benefits, can prevent the completion of
34 needed developments even though the projects have received
35 required governmental approvals.

36 (3) The purpose of this section is to provide certainty for
37 property owners and local governments regarding decisions made
38 pursuant to this division.

39 (b) (1) In an action or proceeding to attack, review, set aside,
40 void, or annul a finding, determination, or decision of a public



1 agency made pursuant to this title at a properly noticed public
2 hearing, the issues raised shall be limited to those raised in the
3 public hearing or in written correspondence delivered to the public
4 agency prior to, or at, the public hearing, except where the court
5 finds either of the following:

6 (A) The issue could not have been raised at the public hearing
7 by persons exercising reasonable diligence.

8 (B) The body conducting the public hearing prevented the issue
9 from being raised at the public hearing.

10 (2) If a public agency desires the provisions of this subdivision
11 to apply to a matter, it shall include in any public notice issued
12 pursuant to this title a notice substantially stating all of the
13 following: “If you challenge the (nature of the proposed action)
14 in court, you may be limited to raising only those issues you or
15 someone else raised at the public hearing described in this notice,
16 or in written correspondence delivered to the (public entity
17 conducting the hearing) at, or prior to, the public hearing.”

18 (3) The application of this subdivision to causes of action
19 brought pursuant to subdivision (d) applies only to the final action
20 taken in response to the notice to the city or clerk of the board of
21 supervisors. If no final action is taken, then the issue raised in the
22 cause of action brought pursuant to subdivision (d) shall be limited
23 to those matters presented at a properly noticed public hearing or
24 to those matters specified in the notice given to the city or clerk of
25 the board of supervisors pursuant to subdivision (d), or both.

26 (c) (1) Except as provided in subdivision (d), no action or
27 proceeding shall be maintained in any of the following cases by
28 any person unless the action or proceeding is commenced and
29 service is made on the legislative body within 90 days after the
30 legislative body’s decision:

31 (A) To attack, review, set aside, void, or annul the decision of
32 a legislative body to adopt or amend a general or specific plan. This
33 paragraph does not apply where an action is brought based upon
34 the complete absence of a general plan or a mandatory element
35 thereof, but does apply to an action attacking a general plan or
36 mandatory element thereof on the basis that it is inadequate.

37 (B) To attack, review, set aside, void, or annul the decision of
38 a legislative body to adopt or amend a zoning ordinance.



1 (C) To determine the reasonableness, legality, or validity of any
2 decision to adopt or amend any regulation attached to a specific
3 plan.

4 (D) To attack, review, set aside, void, or annul the decision of
5 a legislative body to adopt, amend, or modify a development
6 agreement. An action or proceeding to attack, review, set aside,
7 void, or annul the decisions of a legislative body to adopt, amend,
8 or modify a development agreement shall only extend to the
9 specific portion of the development agreement that is the subject
10 of the adoption, amendment, or modification. This paragraph
11 applies to development agreements, amendments, and
12 modifications adopted on or after January 1, 1996.

13 (E) To attack, review, set aside, void, or annul any decision on
14 the matters listed in Sections 65901 and 65903, or to determine the
15 reasonableness, legality, or validity of any condition attached to a
16 variance, conditional use permit, or any other permit.

17 (F) Concerning any of the proceedings, acts, or determinations
18 taken, done, or made prior to any of the decisions listed in
19 subparagraphs (A), (B), (C), (D), and (E).

20 (2) In the case of an action or proceeding challenging the
21 adoption or revision of a housing element pursuant to this
22 subdivision, the action or proceeding may, in addition, be
23 maintained if it is commenced and service is made on the
24 legislative body within 60 days following the date that the
25 Department of Housing and Community Development reports its
26 findings pursuant to subdivision (h) of Section 65585.

27 (d) An action or proceeding shall be commenced and the
28 legislative body served within one year after the accrual of the
29 cause of action as provided in this subdivision, if the action or
30 proceeding meets both of the following requirements:

31 (1) It is brought in support of or to encourage or facilitate the
32 development of housing that would increase the community's
33 supply of housing affordable to persons and families with low or
34 moderate incomes, as defined in Section 50079.5 of the Health and
35 Safety Code, or with very low incomes, as defined in Section
36 50105 of the Health and Safety Code, or middle-income
37 households, as defined in Section 65008 of this code. This
38 subdivision is not intended to require that the action or proceeding
39 be brought in support of or to encourage or facilitate a specific
40 housing development project.



1 (2) It is brought with respect to actions taken pursuant to Article
2 10.6 (commencing with Section 65580) of Chapter 3 of this
3 division, pursuant to Section 65589.5, 65863.6, 65915, or 66474.2
4 or pursuant to Chapter 4.2 (commencing with Section 65913).

5 A cause of action brought pursuant to this subdivision shall not
6 be maintained until 60 days have expired following notice to the
7 city or clerk of the board of supervisors by the party bringing the
8 cause of action, or his or her representative, specifying the
9 deficiencies of the general plan, specific plan, or zoning ordinance.
10 A cause of action brought pursuant to this subdivision shall accrue
11 60 days after notice is filed or the legislative body takes a final
12 action in response to the notice, whichever occurs first. A notice
13 or cause of action brought by one party pursuant to this subdivision
14 shall not bar filing of a notice and initiation of a cause of action by
15 any other party.

16 (e) Upon the expiration of the time limits provided for in this
17 section, all persons are barred from any further action or
18 proceeding.

19 (f) Notwithstanding Sections 65700 and 65803, or any other
20 provision of law, this section shall apply to charter cities.

21 (g) Except as provided in subdivision (d), this section shall not
22 affect any law prescribing or authorizing a shorter period of
23 limitation than that specified herein.

24 (h) Except as provided in paragraph (4) of subdivision (c), this
25 section shall be applicable to those decisions of the legislative
26 body of a city, county, or city and county made pursuant to this
27 division on or after January 1, 1984.

28 ~~SEC. 16.—~~

29 *SEC. 41.* Section 66499.22 of the Government Code is
30 amended to read:

31 66499.22. A proceeding for exclusion shall be initiated by
32 filing a petition therefor in the offices of the county surveyor and
33 clerk of the board of supervisors of the county in which the
34 subdivision or the portion thereof sought to be excluded is situated.
35 ~~Such~~ *The* petition shall accurately and distinctly describe the real
36 property sought to be excluded by reference to the recorded map
37 or by any accurate survey, shall show the names and addresses of
38 all owners of real property in the subdivision or in the portion
39 thereof sought to be excluded as far as the same are known to the
40 petitioners, and shall set forth the reasons for the requested



1 exclusion. The petition shall be signed and verified by the owners
2 of at least two-thirds of the total area of the real property sought
3 to be excluded.

4 ~~SEC. 17.—~~

5 *SEC. 42. Section 71081 of the Government Code is amended*
6 *to read:*

7 71081. Whenever the judge of an existing court would be
8 entitled pursuant to this article to become the judge of more than
9 one court, he *or she* shall file a written statement with the county
10 ~~clerk~~ *elections official* electing the judicial office to which he *or*
11 *she* will assert his *or her* claim of eligibility. Failure to file a
12 statement is deemed an election by the judge to assert his *or her*
13 claim of eligibility to office in the court of the district in which the
14 existing court is located.

15 *SEC. 43. Section 76106 of the Government Code is amended*
16 *to read:*

17 76106. With respect to any fund established pursuant to this
18 chapter, the penalty amounts to be deposited in the fund shall be
19 specified by resolution adopted by the board of supervisors of each
20 county consistent with the authorizations set forth in this article
21 and Article 3 (commencing with Section 76200). Each resolution
22 shall state that the implementation of the applicable sections is
23 necessary to the county for the establishment of adequate
24 courtroom or criminal justice facilities or other authorized
25 purposes of the fund. The resolution shall set forth the amounts to
26 be placed in the fund and shall instruct the clerk of the board of
27 supervisors to transmit, on the next business day following the
28 adoption of the resolution, a copy of the resolution to the clerk of
29 each court in the county.

30 ~~SEC. 18.—~~

31 *SEC. 44. Section 81011.5 of the Government Code is amended*
32 *to read:*

33 81011.5. Any provision of law to the contrary
34 notwithstanding, the election precinct of a person signing a
35 statewide petition shall not be required to appear on the petition
36 when it is filed with the county ~~clerk~~ *elections official*, nor any
37 additional information regarding a signer other than the
38 information required to be written by the signer.

39 *SEC. 45. Section 84101 of the Government Code is amended*
40 *to read:*



1 84101. (a) A committee that is a committee by virtue of
2 subdivision (a) of Section 82013 shall file with the Secretary of
3 State a statement of organization within 10 days after it has
4 qualified as a committee. The committee shall file the original of
5 the statement of organization with the Secretary of State and shall
6 also file a copy of the statement of organization with the local filing
7 officer, if any, with whom the committee is required to file the
8 originals of its campaign reports pursuant to Section 84215. The
9 original and copy of the statement of organization shall be filed
10 within 10 days after the committee has qualified as a committee.
11 The Secretary of State shall assign a number to each committee
12 that files a statement of organization and shall notify the
13 committee of the number. The Secretary of State shall send a copy
14 of statements filed pursuant to this section to the ~~clerk~~ *county*
15 *elections official* of each county which he or she deems
16 appropriate. A county-~~clerk~~ *elections official* who receives a copy
17 of a statement of organization from the Secretary of State pursuant
18 to this section shall send a copy of the statement to the clerk of each
19 city in the county that he or she deems appropriate.

20 (b) In addition to filing the statement of organization as
21 required by subdivision (a), if a committee qualifies as a
22 committee under subdivision (a) of Section 82013 before the date
23 of an election in connection with which the committee is required
24 to file preelection statements, but after the closing date of the last
25 campaign statement required to be filed before the election
26 pursuant to Section 84200.7 or 84200.8, the committee shall file,
27 by telegram or personal delivery within 24 hours of qualifying as
28 a committee, the information required to be reported in the
29 statement of organization. The information required by this
30 subdivision shall be filed with the filing officer with whom the
31 committee is required to file the originals of its campaign reports
32 pursuant to Section 84215.

33 (c) If an independent expenditure committee qualifies as a
34 committee pursuant to subdivision (a) of Section 82013 during the
35 time period described in Section 82036.5 and makes independent
36 expenditures of one thousand dollars (\$1,000) or more to support
37 or oppose a candidate or candidates for office, the committee shall
38 file by facsimile transmission, online transmission, telegram or
39 personal delivery within 24 hours of qualifying as a committee, the
40 information required to be reported in the statement of



1 organization. The information required by this section shall be
2 filed with the filing officer with whom the committee is required
3 to file the original of its campaign reports pursuant to Section
4 84215, and to file at all locations required for the candidate or
5 candidates supported or opposed by the independent expenditures.
6 The filings required by this section are in addition to filings that
7 may be required by Sections 84203.5 and 84204.

8 (d) For purposes of this section, in calculating whether one
9 thousand dollars (\$1,000) in contributions has been received,
10 payments for a filing fee or for a statement of qualifications to
11 appear in a sample ballot shall not be included if these payments
12 have been made from the candidate's personal funds.

13 *SEC. 46. Section 88001 of the Government Code is amended*
14 *to read:*

15 88001. The ballot pamphlet shall contain all of the following:

16 (a) A complete copy of each state measure.

17 (b) A copy of the specific constitutional or statutory provision,
18 if any, ~~which~~ *that* would be repealed or revised by each state
19 measure.

20 (c) A copy of the arguments and rebuttals for and against each
21 state measure.

22 (d) A copy of the analysis of each state measure.

23 (e) Tables of contents, indexes, art work, graphics and other
24 materials ~~which~~ *that* the Secretary of State determines will make
25 the ballot pamphlet easier to understand or more useful for the
26 average voter.

27 (f) A notice, conspicuously printed on the cover of the ballot
28 pamphlet, indicating that additional copies of the ballot pamphlet
29 will be mailed by the county ~~clerk~~ *elections official* upon request.

30 (g) A written explanation of the judicial retention procedure as
31 required by Section 9083 of the Elections Code.

32 *SEC. 47. Section 5831 of the Harbors and Navigation Code*
33 *is amended to read:*

34 5831. A certificate issued by the assessor of the county and
35 filed in the proceedings, which states that the name of any signer
36 of the petition appears upon the last equalized assessment-roll of
37 the county for land assessed to him and located within the
38 boundaries of the proposed district, is prima facie evidence that the
39 signer is a freeholder within the proposed district.



1 A certificate signed by the county ~~clerk~~ *elections official*, which
2 states that the name of any signer of the petition is registered and
3 uncanceled as ~~an elector~~ *a voter* of the county and that he *or she*
4 resides within the boundaries of the proposed district, is prima
5 facie evidence that the signer is a registered voter within the
6 proposed district.

7 *SEC. 48. Section 5861 of the Harbors and Navigation Code*
8 *is amended to read:*

9 5861. This resolution of the board of supervisors shall:

10 (a) Fix the date of the election which shall be not less than ~~thirty~~
11 ~~nor more than sixty~~ 130 days after the date of the passage of the
12 resolution.

13 (b) Designate one or more voting precincts and generally
14 describe the boundaries of each precinct.

15 (c) Designate a place within each precinct at which the polls
16 will be opened for the purpose of the election on the date of the
17 election.

18 (d) Appoint a board of election for each precinct, consisting of
19 one inspector, one judge, and one clerk, each of whom shall be a
20 registered elector of, and reside within, the precinct for which he
21 *or she* is appointed.

22 (e) State the object and purposes for which the indebtedness is
23 proposed to be incurred and the amount of the principal of the
24 indebtedness.

25 (f) Recite a maximum rate of interest to be paid on
26 indebtedness, not exceeding seven per cent per annum, payable
27 semiannually.

28 *SEC. 49. Section 5863 of the Harbors and Navigation Code*
29 *is amended to read:*

30 5863. The resolution shall invite the qualified voters residing
31 in the proposed district to vote upon the proposition by ~~stamping~~
32 ~~a cross (+) marking~~ on the ballot opposite the proposition of the
33 formation of the district and of the incurring of indebtedness
34 thereby.

35 *SEC. 50. Section 5864 of the Harbors and Navigation Code*
36 *is amended to read:*

37 5864. The ballot to be used at the election shall be
38 substantially in the following form:
39



HARBOR DISTRICT.

OFFICIAL BALLOT.

Instructions to voters: To vote in favor of the formation of the harbor district and the incurring of the indebtedness thereby, stamp a cross (+) mark in the voting square area at the right of the words "For the harbor district."

To vote against the formation of the harbor district and the incurring of the indebtedness thereby, stamp a cross (+) mark in the voting square area at the right of the words "Against the harbor district."

All erasures and distinguishing marks are forbidden and make the ballot void. If you wrongly stamp, tear, or deface this ballot, return it to the inspector of election and obtain another.

PROPOSITION.

"For the harbor district" (here set forth a general statement of the purposes for which the indebtedness is to be incurred, and the amount of the indebtedness).

"Against the harbor district" (here set forth a general statement of the purposes for which the indebtedness is to be incurred and the amount of the indebtedness).

SEC. 51. Section 5865 of the Harbors and Navigation Code is amended to read:

5865. The resolution calling the election shall be published seven times in a newspaper of general circulation printed, published, and circulated within the proposed district at least six days a week, or if no newspaper is published therein at least six days a week, then the resolution shall be published twice in a weekly or semi-weekly newspaper published within the proposed district pursuant to Section 6061 of the Government Code.

The passage of the resolution and its publication constitute the notice of election and no other notice need be given.

SEC. 52. Section 5866 of the Harbors and Navigation Code is amended to read:

5866. On the day of the election the polls at each of the polling places designated by the board of supervisors shall be opened at the hour of six seven o'clock a.m. and shall be kept opened until the



1 hour of ~~seven~~ *eight* o'clock p.m. of the same day, when the polls
2 shall be closed. Any elector within the polling place or standing in
3 line thereat who has not had an opportunity to vote and desires to
4 vote shall be permitted to vote after the hour of ~~seven~~ *eight* o'clock
5 p.m. of the day of election.

6 *SEC. 53. Section 5867 of the Harbors and Navigation Code*
7 *is amended to read:*

8 5867. When the polls are closed, the board of election in each
9 precinct shall ~~canvass the votes, make up and certify the returns as~~
10 ~~near as practicable~~ *close the polls* in accordance with the election
11 laws of the state governing general elections, and deposit ~~them~~ *the*
12 *ballots* with the county ~~clerk~~ *elections official* of the county in
13 which the election is held.

14 *SEC. 54. Section 5872 of the Harbors and Navigation Code is*
15 *amended to read:*

16 5872. The Secretary of State shall file the certificate in his or
17 her office, and within five days thereafter shall execute under the
18 great seal of the State, and transmit to the clerk of the board of
19 supervisors of the county in which the proceedings were had, ~~his~~
20 *a* certificate that a harbor district under the name set forth in the
21 petition has been formed and exists in that county.

22 ~~SEC. 19.—~~

23 *SEC. 55. Section 5873 of the Harbors and Navigation Code is*
24 *amended to read:*

25 5873. The clerk of the board of supervisors shall file the
26 certificate in his or her office and upon the filing of the certificate
27 of the Secretary of State in the office of the clerk of the board of
28 supervisors, the formation of the district is complete, and an
29 indebtedness is authorized in the sum specified in the resolution
30 calling the election.

31 ~~SEC. 20.—~~

32 *SEC. 56. Section 5874 of the Harbors and Navigation Code is*
33 *amended to read:*

34 5874. An action or proceeding shall not be maintained or
35 prosecuted in any court whatever to test or to invalidate the
36 formation of the district or the authorized indebtedness unless it is
37 commenced in a court of competent jurisdiction within 60 days
38 after the date of the filing of the certificate of the Secretary of State
39 in the office of the clerk of the board of supervisors.

40 ~~SEC. 21.—~~



1 SEC. 57. Section 6020 of the Harbors and Navigation Code
2 is amended to read:

3 6020. At the time and place specified in the notice, the board
4 of supervisors shall consider the petition and may continue the
5 hearing from time to time, not exceeding a period of ~~ninety~~ 90
6 days.

7 At the hearing by the board of supervisors a certificate issued by
8 the assessor of the county and filed with the clerk of the board of
9 supervisors in the proceedings stating that the name of any signer
10 of the petition appears upon the last equalized assessment roll of
11 the county for land assessed to ~~any such~~ that signer and located
12 within the boundaries of the proposed district, is prima facie
13 evidence that the signer is a freeholder within the proposed district.

14 A certificate signed by the county ~~clerk~~ elections official that the
15 name of any signer of the petition is a registered and uncanceled
16 ~~elector~~ voter of the county, residing within the boundaries of the
17 proposed district, is prima facie evidence that the signer is a
18 registered voter within the boundaries of the proposed district.

19 SEC. 58. Section 6031 of the Harbors and Navigation Code
20 is amended to read:

21 6031. The board of supervisors, by resolution, shall fix the
22 date of the election, which shall not be less than ~~thirty nor more~~
23 ~~than sixty~~ 130 days from the date of its passage and it shall divide
24 the proposed district into one or more voting precincts and
25 generally describe or otherwise designate the boundaries of each
26 precinct and designate a place within each precinct at which the
27 polls will be opened for the purpose of the election on the day of
28 the election.

29 SEC. 59. Section 6035 of the Harbors and Navigation Code
30 is amended to read:

31 6035. The ballot to be used at the election shall be
32 substantially in the following form:

33
34
35

(Name) Harbor District Official Ballot.

36 Instructions to voters: to vote in favor of the formation of the
37 harbor district, ~~stamp a cross (+) mark~~ in the voting ~~square~~ area at
38 the right of the words "For the harbor district." To vote against the
39 formation of the harbor district ~~stamp a cross (+) mark~~ in the voting
40 ~~square~~ area at the right of the words "Against the harbor district."



1 To vote for a candidate for harbor commissioner ~~stamp a cross (+)~~
2 *mark* after the name of the candidate; but no more persons shall be
3 voted for than there are offices of harbor commissioner to be filled
4 at this election.

5 All erasures and distinguishing marks are forbidden and make
6 the ballot void. If you wrongfully stamp, tear or deface this ballot,
7 return it to the inspector of election and obtain another.

8 “For the harbor district.”

9 “Against the harbor district.”

10 “For harbor commissioners.”

11

12 *SEC. 60. Section 6039 of the Harbors and Navigation Code*
13 *is amended to read:*

14 6039. When the polls are closed, the board of election in every
15 precinct at the election to be held for the formation of the district,
16 shall ~~canvass the votes and make up and certify the returns as~~
17 ~~nearly as practicable~~ *close the polls* in accordance with the general
18 laws governing the election, and deposit ~~them~~ *the ballots* with the
19 county ~~clerk~~ *elections official* in the county in which the election
20 is held. At all subsequent elections, the returns shall be deposited
21 with the board.

22 *SEC. 61. Section 6044 of the Harbors and Navigation Code is*
23 *amended to read:*

24 6044. The clerk of the board of supervisors shall file the
25 certificate in his or her office and from the filing of the certificate
26 of the Secretary of State in the office of the clerk of the board of
27 supervisors, the formation of district is complete.

28 ~~SEC. 22.—~~

29 *SEC. 62. Section 6045 of the Harbors and Navigation Code is*
30 *amended to read:*

31 6045. An action or proceeding shall not be thereafter
32 maintained or prosecuted in any court whatever to test or to
33 invalidate the formation of the district unless it is commenced in
34 a court of competent jurisdiction within 60 days after the date of
35 the filing of the certificate of the Secretary of State in the office of
36 the clerk of the board of supervisors.

37 ~~SEC. 23.—~~

38 *SEC. 63. Section 6053 of the Harbors and Navigation Code is*
39 *amended to read:*



1 6053. A candidate for harbor commissioner shall be a ~~resident~~
2 ~~and qualified elector~~ *registered voter* of the proposed or existing
3 district, and shall qualify for election by securing a nomination
4 paper proposing his *or her* candidacy for the office of harbor
5 commissioner signed by not less than ~~twenty-five~~ 25 but not more
6 than ~~fifty~~ 50 qualified electors of the district.

7 *SEC. 64. Section 6054 of the Harbors and Navigation Code*
8 *is amended to read:*

9 6054. Any qualified voter in the proposed or existing district
10 may sign as many nomination papers as there are commissioners
11 to be elected.

12 At the first *and any subsequent* election for commissioners, all
13 candidates shall file their nomination papers with the county ~~clerk~~
14 *elections official* of the county, not more than ~~65~~ 113 nor less than
15 ~~50~~ 88 days before the day of election, ~~and all candidates for harbor~~
16 ~~commissioners at any subsequent election shall file nomination~~
17 ~~papers with the board not more than 99 nor less than 74 days before~~
18 ~~the day of election.~~

19 *SEC. 65. Section 6055 of the Harbors and Navigation Code*
20 *is amended to read:*

21 6055. The commissioners elected at the first election shall,
22 within 10 days from the date of the canvass of the returns of the
23 election, enter upon the duties of office. Before entering upon the
24 duties of his *or her* office, each commissioner shall take and
25 subscribe the official oath before the secretary or any officer
26 authorized by law to administer oaths and shall file it with the
27 county ~~clerk~~ *elections official* of the county in which the district
28 is situated.

29 They shall elect one of their number as president and one of their
30 number as secretary. The president and secretary shall serve during
31 the pleasure of the board.

32 *SEC. 66. Section 6056 of the Harbors and Navigation Code*
33 *is amended to read:*

34 6056. Each commissioner upon taking the oath of office, and
35 for each term, shall file with the county ~~clerk~~ *elections official* of
36 the county in which the district is situated, a bond in the sum of five
37 thousand dollars (\$5,000), made payable to the district and
38 conditioned on the faithful performance of his duties; the bonds are
39 subject to approval by the board of supervisors of the county.



1 *SEC. 67. Section 6230 of the Harbors and Navigation Code*
2 *is amended to read:*

3 6230. An election shall be held within ~~sixty~~ 130 days of the
4 call, to determine whether the district shall be organized. The
5 election shall be conducted in conformity with the general election
6 laws. At the election the proposition shall be placed on the ballot,
7 permitting each voter to vote “yes” or “no.”

8 *SEC. 68. Section 5053 of the Insurance Code is amended to*
9 *read:*

10 5053. The duly executed articles of incorporation and a copy
11 of the certificate of the commissioner shall be filed with the
12 Secretary of State in conformity with Section 200 of the
13 Corporations Code. Upon organizing under ~~such~~ *the* articles of
14 incorporation and obtaining from the commissioner a certificate
15 of authority, ~~such~~ *the* county mutual fire insurer may carry on a fire
16 insurance business as provided by this chapter. The term and
17 nature of ~~such~~ *the* certificate of authority, annual renewal fee
18 therefor, the due date and delinquent date of ~~such~~ *the* fee shall be
19 the same as prescribed by Article 3, ~~Chapter 1, Part 2, Division 1,~~
20 ~~of this code~~ *(commencing with Section 699) of Chapter 1 of Part*
21 *2 of Division 1* for stock and mutual insurers governed by ~~said~~ *that*
22 article.

23 ~~SEC. 24.—~~

24 *SEC. 69. Section 1170 of the Military and Veterans Code is*
25 *amended to read:*

26 1170. As used in this chapter, unless the context otherwise
27 indicates:

28 (a) “District” means a memorial district organized under the
29 provisions of this chapter.

30 (b) “Board” means the board of directors of a memorial
31 district.

32 ~~(c) “County clerk” includes registrar of voters.~~

33 *SEC. 70. Section 1174 of the Military and Veterans Code is*
34 *amended to read:*

35 1174. The petition shall be addressed to the board of
36 supervisors of the county within which the proposed district is
37 situated, shall be signed by the number of qualified registered
38 ~~electors~~ *voters* specified in section 1173, and shall propose and set
39 forth:

40 (a) The formation of a district under this chapter.



1 (b) The calling by the board of supervisors of a special election
2 to vote upon the question whether the proposed district shall be
3 formed and to elect the first board of directors of the district.

4 (c) The name of the proposed district, as “____ memorial
5 district.”

6 (d) An accurate description of the boundaries of the proposed
7 district specifying what portion of the territory is incorporated
8 territory and what portion unincorporated territory.

9 *SEC. 71. Section 1176 of the Military and Veterans Code is*
10 *amended to read:*

11 1176. Within ~~40~~ 30 days after the filing of ~~such the~~ petition the
12 county ~~clerk~~ *elections official* shall find and certify whether the
13 petition is signed by the requisite number of qualified registered
14 ~~electors~~ voters of the proposed district and of the incorporated and
15 unincorporated portions thereof and shall present the petition with
16 the certificate of his *or her* findings attached thereto to the board
17 of supervisors at its first regular meeting held 10 days from the date
18 of ~~filing~~ *certification* of the petition. The board shall fix a time and
19 place for the hearing of the petition not less than 20 days nor more
20 than 40 days after the date of ~~such the~~ meeting, and shall direct the
21 clerk of the board to publish a notice once a week for three
22 successive weeks in a newspaper circulated in the territory ~~which~~
23 *that* it is proposed to organize into a district, and ~~which that~~
24 board deems most likely to give notice to the inhabitants of the
25 territory.

26 *SEC. 72. Section 1179 of the Military and Veterans Code is*
27 *amended to read:*

28 1179. The special election shall be held upon a date not later
29 than the ~~sixtieth~~ *130th* day after the meeting of the board at which
30 the petition was presented. At the special election, the proposition
31 submitted shall be “Shall the proposed ____ memorial district be
32 formed?” There shall be elected at the same election a board of
33 directors consisting of five members.

34 *SEC. 73. Section 1180 of the Military and Veterans Code is*
35 *amended to read:*

36 1180. The special election shall be called, noticed, held, and
37 conducted, election officers appointed, voting precincts
38 designated, candidates nominated, ballots printed, polls opened
39 and closed, ballots counted and returned, returns canvassed,
40 results declared, certificates of election issued, oaths of office



1 administered, and all other proceedings incidental to and
2 connected with the election shall be regulated and done, in
3 accordance with the provisions of law regulating ~~municipal~~
4 elections ~~in general-law cities~~ *conducted pursuant to the Uniform*
5 *District Election Law (Part 4 (commencing with Section 10500)*
6 *of Division 10 of the Elections Code).*

7 *SEC. 74. Section 1181 of the Military and Veterans Code is*
8 *amended to read:*

9 1181. For the purposes of this chapter the board of supervisors
10 and the county ~~clerk~~ *elections official*, respectively, shall have all
11 the powers and duties ~~which that~~ boards of trustees and city clerks
12 have under ~~section~~ *Section 1180* and the terms “city,” “municipal
13 election,” “board of trustees,” and “city clerk,” shall mean
14 “proposed memorial district,” “proposed memorial district
15 election,” “board of supervisors,” and “county clerk.”

16 *SEC. 75. Section 1182 of the Military and Veterans Code is*
17 *amended to read:*

18 1182. If a majority of the votes cast at the special election are
19 in favor of formation of the district, the county ~~clerk~~ *elections*
20 *official* shall, within ten days after the board of supervisors has
21 declared the result thereof, record in the office of the county
22 recorder a complete certified copy of the statement of results
23 entered on the minutes of the board of supervisors in accordance
24 with ~~section~~ *Section 1180*, together with a complete certified copy
25 of the petition for formation of the district, except that the
26 signatures on the petition need not be certified and recorded.

27 *SEC. 76. Section 1185 of the Military and Veterans Code is*
28 *amended to read:*

29 1185. A district may be formed in the manner prescribed by
30 this article ~~which that~~ is within an existing memorial district, if, in
31 addition to the petition required by Section 1173, there is filed with
32 the county ~~clerk~~ *elections official* a verified copy of a resolution
33 by the board of the existing district consenting to the formation of
34 the new district.

35 *SEC. 77. Section 1191 of the Military and Veterans Code is*
36 *amended to read:*

37 1191. (a) Every district may do all of the following:
38 (1) Provide and maintain memorial halls, assembly halls,
39 buildings, or meetingplaces, together with suitable indoor and
40 outdoor park and recreation facilities, including swimming pools,



1 picnic areas, and playgrounds, for the use of persons or
2 organizations other than veterans, pursuant to paragraphs (8) and
3 (9), and veteran soldiers, sailors, and marines who have honorably
4 served the United States in any wars or campaigns recognized by
5 law for the purposes of Section 3 of Article XIII of the California
6 Constitution, or for the use of patriotic, fraternal, or benevolent
7 associations of those persons. However, no district shall provide
8 and maintain indoor and outdoor park and recreation facilities,
9 including swimming pools, picnic areas, and playgrounds, unless
10 these projects have been approved by a majority of the voters at
11 either the general district election or at a special election called for
12 that purpose. The question of whether the district shall provide and
13 maintain indoor and outdoor park and recreation facilities may be
14 submitted to the ~~electors~~ *registered voters* of the district by the
15 board on its own motion and shall be submitted by the board upon
16 petition signed by 8 percent of the registered ~~electors~~ *voters* of the
17 district, at either the general district election or at a special election
18 called for that purpose. If submitted at a special election, the
19 election shall be called, conducted, governed, and regulated in the
20 same manner as the general district election.

21 All plans for indoor and outdoor park and recreation facilities,
22 including swimming pools, picnic areas, and playgrounds, shall be
23 approved initially by the board of supervisors.

24 (2) Purchase, receive by donation, condemn, lease, or acquire
25 real or personal property necessary or convenient for the
26 construction or maintenance of halls, buildings, meetingplaces,
27 and facilities, and improve, preserve, manage, and control these
28 facilities.

29 (3) Purchase, construct, lease, build, furnish, or repair halls,
30 buildings, meetingplaces, and facilities upon sites owned or leased
31 by the district or made available to the district, and provide
32 custodians, employees, attendants, and supplies for the proper
33 maintenance, care, and management of those halls, buildings,
34 meetingplaces, and facilities.

35 (4) Furnish sites for halls, buildings, meetingplaces, or
36 facilities, to be built either by the district or by or for patriotic,
37 fraternal, or benevolent associations of veterans, if the funds for
38 these sites are supplied by the district or from other sources.

39 (5) Enter into agreements with county, municipal, school, park,
40 or other public authorities or agencies conveying, leasing, or



1 making available to the district, either gratuitously or for
2 compensation, sites upon public land for the construction,
3 maintenance, and management by the district of assembly or
4 memorial halls, buildings, meetingplaces, or facilities, and
5 construct and maintain on those sites halls, buildings,
6 meetingplaces, or facilities.

7 (6) Sell or lease any district property to the highest responsible
8 bidder, as determined by the board, except as provided by Section
9 1191.3. The board shall, prior to any sale, make a call for bids and
10 advertise that call pursuant to Section 6062 of the Government
11 Code in a newspaper of general circulation in the district, inviting
12 sealed bids for the sale or lease of the property. The board may
13 either accept the highest responsible bid or reject all bids. The
14 board may require the successful bidder to file with the board good
15 and sufficient undertaking to be approved by the board to insure
16 faithful performance of the contract of sale or lease. No sale or
17 lease shall be transacted, however, if a petition has been filed with
18 the board requesting it not to enter into the sale or lease of the
19 property.

20 The petition shall have affixed to it, as petitioners, the
21 signatures, indicating place of residence and place of signing, of
22 the ~~electors~~ *registered voters* of the district in a number equal to at
23 least 10 percent of the votes cast in the district at the last preceding
24 general election held in the state.

25 If the petition meets these requirements, as determined by the
26 records of the county ~~clerk or registrar of voters~~ *elections official*
27 for the county or counties in which the district is situated, the board
28 either shall not convey the property or shall submit the matter to
29 the ~~electors~~ *registered voters* of the district to be voted upon at the
30 next primary or general election, or at a special election called for
31 the purpose of ratifying or rejecting the action of the district to sell
32 or lease the property.

33 (7) Sell or lease any district property to any political
34 subdivision, or portion thereof, in which the district is situated for
35 purposes of roads, streets, or highways, or for the improvement of
36 roads, streets, or highways, without regard to the highest
37 responsible bidder but otherwise meeting the petition
38 requirements of paragraph (6).

39 (8) Adopt, from time to time, reasonable rules and regulations
40 for the use of halls, buildings, meetingplaces, and facilities by



1 veterans or by organizations of veterans, and to allow the halls,
2 buildings, meetingplaces, and facilities to be used for lawful
3 purposes consistent with the objects of this section by persons or
4 organizations other than veterans either free of charge or for stated
5 compensation to aid in defraying the cost of maintenance of the
6 facilities, if that use will not unduly interfere with the reasonable
7 use of the facilities by veterans' associations.

8 (9) Enter into a joint powers agreement for recreational or
9 senior citizens' services within the district.

10 (b) In conformance with this section, a district may provide
11 recreational facilities or services at any location within the district
12 regardless of the location of district-owned facilities. A district
13 may not increase its tax levy for the purpose of providing
14 recreational services for persons other than veterans unless that
15 increase is first approved by a majority of the ~~electors~~ *registered*
16 *voters* of the district who vote upon the proposal.

17 *SEC. 78. Section 1255 of the Military and Veterans Code is*
18 *amended to read:*

19 1255. Within ~~40~~ 30 days after the filing of ~~such~~ *the* petition the
20 county ~~clerk~~ *elections official* shall find and certify whether the
21 petition is signed by the requisite number of qualified registered
22 ~~electors~~ *voters* of the territory proposed to be annexed and of the
23 incorporated and unincorporated portions thereof and shall
24 present the petition with the certificate of his *or her* findings
25 attached thereto to the board of supervisors at its first regular
26 meeting held 10 days from the date of ~~filing~~ *certification* of the
27 petition. At ~~such~~ *the* regular meeting the board shall ascertain
28 whether the petition in all respects complies with the requirements
29 therefor, except that the certificate shall be conclusive evidence of
30 the sufficiency of the signatures to the petition. If the board finds
31 that the petition complies with ~~such~~ *the* requirements, it shall at the
32 same regular meeting fix a time and place for the hearing of the
33 petition not less than 20 days nor more than 40 days after the date
34 of ~~such~~ *the* meeting, and shall direct the clerk of the board to
35 publish a notice once a week for three successive weeks in a
36 newspaper circulated in the territory ~~which~~ *that* is proposed to be
37 annexed, and ~~which~~ *that* the board deems most likely to give
38 notice to the inhabitants of the territory.

39 *SEC. 79. Section 6005 of the Penal Code is amended to read:*



1 6005. Whenever a person confined to a correctional
2 institution under the supervision of the Department of the Youth
3 Authority is charged with a public offense committed within the
4 confines of that institution and is tried for ~~such that~~ public offense,
5 the appropriate financial officer or other designated official of a
6 county or the city finance officer of a city incurring any costs in
7 connection with ~~such that~~ matter must make out a statement of all
8 the costs incurred by the county or city for the investigation, and
9 the preparation of the trial, and the actual trial of ~~such the~~ case, and
10 of all guarding and keeping of ~~such the~~ person, and of the
11 execution of the sentence of ~~such the~~ person, properly certified to
12 by a judge of the superior court of ~~such the~~ county. The statement
13 shall be sent to the department for its approval. After ~~such the~~
14 approval the department must cause the amount of ~~such the~~ costs
15 to be paid out of the money appropriated for the support of the
16 department to the county treasurer of the county or the city finance
17 officer of the city incurring ~~such those~~ costs.

18 ~~SEC. 25.—~~

19 *SEC. 80. Section 1865 of the Probate Code is amended to*
20 *read:*

21 1865. If the conservatee has been disqualified from voting
22 pursuant to Section 2208 or 2209 of the Elections Code, upon
23 termination of the conservatorship, the court shall notify the
24 county ~~clerk~~ *elections official* of the county of residence of the
25 former conservatee that the former conservatee's right to register
26 to vote is restored.

27 *SEC. 81. Section 4876 of the Public Resources Code is*
28 *repealed.*

29 ~~SEC. 26.—~~

30 *SEC. 82. Section 9977 of the Public Resources Code is*
31 *amended to read:*

32 9977. At least ~~110~~ 125 days prior to the day fixed for the
33 general district election, the secretary of the district shall deliver
34 to the county ~~clerk~~ *elections official* a map and description of the
35 boundaries of the divisions from which directors shall be
36 nominated. The number designated shall equal the number of
37 directors to be elected at that election as determined in accordance
38 with subdivision (d) of Section 9975.

39 *SEC. 83. Section 13021 of the Public Resources Code is*
40 *repealed.*



1 ~~SEC. 27.~~—

2 *SEC. 84. Section 11825 of the Public Utilities Code is*
 3 *amended to read:*

4 11825. Not more than 113 days prior to the election, upon
 5 request, the county ~~clerk~~ *elections official* of the principal county
 6 containing the majority of the population of the ward from which
 7 the candidate is seeking election shall issue nomination papers and
 8 all other forms required for nomination to the office of director.

9 *SEC. 85. Section 12816 of the Public Utilities Code is*
 10 *amended to read:*

11 12816. At least 90 days prior to the election provided for in
 12 Sections 12815 and 12815.1, notice of the election shall be
 13 published within the district. Any voter or group of voters may, not
 14 less than ~~60~~ 88 days prior to ~~such~~ the election, prepare and file with
 15 the county ~~clerk~~ *elections official* of the county containing the
 16 largest number of voters within the district an argument for or
 17 against the proposition to be submitted. The argument shall not be
 18 greater than 300 words in length. If more than one argument for
 19 or more than one argument against the proposition is filed within
 20 the time permitted the ~~clerk~~ *county elections official* shall select
 21 one of the arguments for printing. No more than three signatures
 22 shall appear with any argument. The ~~clerk~~ *county elections official*
 23 of each county in the district shall mail, or cause to be mailed, to
 24 each registered voter in that county in the district one copy of the
 25 argument for and one copy of the argument against the proposition.
 26 ~~Such~~ *The* arguments shall be mailed with the sample ballot.

27 *SEC. 86. Section 15702 of the Public Utilities Code is*
 28 *amended to read:*

29 15702. Whenever the people of unincorporated territory
 30 desire to organize a district, they shall present to the board of
 31 supervisors of the county within which the territory is situated a
 32 petition describing the territory, and signed by ~~electors~~ *registered*
 33 *voters* of the territory equal in number to 15 percent of all votes cast
 34 for all candidates for Governor within the same territory at the last
 35 preceding general election at which a Governor was elected.

36 *SEC. 87. Section 15703 of the Public Utilities Code is*
 37 *amended to read:*

38 15703. The petition may consist of any number of separate
 39 instruments, all of which shall constitute one petition. A separate
 40 petition is required from each unit of the proposed district. All



1 unincorporated territory participating in the proceedings and
2 situated in one county is a unit for purposes of the proceedings. No
3 ~~elector~~ *registered voter* within any one unit of the proposed district
4 shall sign a petition of any other unit of the proposed district.

5 *SEC. 88. Section 15704 of the Public Utilities Code is*
6 *amended to read:*

7 15704. Each petition shall name or describe the territory
8 within which the ~~electors~~ *registered voters* signing it reside. Every
9 petition shall set forth the boundaries and name of the proposed
10 district, which shall include the words “public utility district.”
11 Every petition shall contain a prayer that a public utility district
12 comprising all of the proposed territory, or ~~such~~ *any* portions
13 thereof as are designated in the petitions as essential to its
14 formation, be incorporated pursuant to this division. Every ~~elector~~
15 *registered voter* signing a petition shall write his address opposite
16 his signature.

17 *SEC. 89. Section 15705 of the Public Utilities Code is*
18 *amended to read:*

19 15705. The ~~clerk of the board of supervisors~~ *county elections*
20 *official* shall ~~immediately~~ *within 30 days* examine and verify the
21 signatures to the petition and certify the result of the examination
22 to the board of supervisors.

23 *SEC. 90. Section 15706 of the Public Utilities Code is*
24 *amended to read:*

25 15706. If the county ~~clerk~~ *elections official*, by his or her
26 certificate, finds that a petition is insufficient, he or she shall
27 certify to the number of additional signatures of qualified electors
28 required to make the petition sufficient, and the petition may be
29 amended by a supplemental petition filed within 10 days from the
30 date of the certificate. Within 10 days after a supplemental petition
31 has been filed, the county ~~clerk~~ *elections official* shall examine it
32 and certify to the result of ~~such~~ *the* examination. If this certificate
33 shows the petition as amended to be insufficient, it shall be filed
34 by the ~~clerk~~ *county elections official* in his or her office and kept
35 as a public record, without prejudice to the filing of any other
36 petition to the same effect not less than six months thereafter. If the
37 certificate shows the petition or petition as amended to be
38 sufficient, the ~~clerk~~ *county elections official* shall present it to the
39 board of supervisors without delay with his or her certificate
40 attached and properly dated.



1 SEC. 91. Section 15794 of the Public Utilities Code is
2 amended to read:

3 15794. The board of supervisors shall immediately deposit
4 one roll for filing in the office of the Secretary of State, and cause
5 the other roll to be recorded in the office of the recorder of each
6 county in which any part of the district is situated and filed in the
7 office of the county ~~clerk~~ elections official of the county in which
8 the district, or the greater part of its population, is situated.

9 SEC. 92. Section 15796 of the Public Utilities Code is
10 amended to read:

11 15796. No charge shall be made by either the Secretary of
12 State or any county recorder or county ~~clerk~~ elections official for
13 the services required of him or her under this article.

14 SEC. 93. Section 15842 of the Public Utilities Code is
15 amended to read:

16 15842. Verification deputies required to verify signatures to
17 petitions for the formation of a district, or to certificates or
18 petitions nominating candidates for election to the first board of
19 directors of newly formed districts, shall be appointed by the
20 county ~~clerk~~ elections official of any county in which the territory
21 of the district is situated, and verification deputies required for any
22 other purpose after the formation of a district shall be appointed
23 by the clerk of the district.

24 SEC. 94. Section 15956 of the Public Utilities Code is
25 amended to read:

26 15956. Candidates for directors at large shall be designated in
27 all declarations of candidacy, nominating certificates, and on all
28 official election ballots as candidates for a particular directorship
29 at large, in accordance with the declarations of candidacy which
30 the candidates have filed with the county ~~clerk~~ elections official or
31 the clerk of the district, as the case may be. Each office of director
32 at large shall be designated as “director at large” number one,
33 number two, number three, or number four, there being as many
34 numbers as there are directors at large to be elected.

35 SEC. 95. Section 26405 of the Public Utilities Code is
36 amended to read:

37 26405. The petition may include one or more separate
38 documents, but each document shall contain the affidavit of the
39 party who circulated it, certifying that each name signed thereto is
40 the true signature of the person whose name it purports to be. The



1 secretary of the district shall compare the signatures on the petition
2 with the affidavits of registration on file with the county ~~clerk~~
3 *elections official* and if he *or she* finds that the petition has been
4 signed by the ~~required~~ *required* number of voters he *or she* shall
5 attach his *or her* signature thereto and present the petition to the
6 board.

7 *SEC. 96. Section 26654 of the Public Utilities Code is*
8 *amended to read:*

9 26654. The secretary shall compare the signatures on the
10 petition with the affidavits of registration on file with the county
11 ~~clerk~~ *elections official* and if he *or she* finds that the petition has
12 been signed by the required number of voters he *or she* shall attach
13 his *or her* signature thereto and present the petition to the board.

14 *SEC. 97. Section 27405 of the Public Utilities Code is*
15 *amended to read:*

16 27405. The secretary of the district shall compare the
17 signatures on the petition with the affidavits of registration on file
18 with the county ~~clerk~~ *elections official* and ~~he~~ shall certify to the
19 board as to the sufficiency or insufficiency of the petition.

20 *SEC. 98. Section 27424 of the Public Utilities Code is*
21 *amended to read:*

22 27424. The secretary of the district shall compare the
23 signatures with the affidavits of registration on file with the county
24 ~~clerk~~ *elections official* and shall certify to the board as to the
25 sufficiency or insufficiency of the petition.

26 *SEC. 99. Section 28746 of the Public Utilities Code is*
27 *amended to read:*

28 28746. The resolution establishing the election districts shall
29 describe the boundaries of the election districts by reference to a
30 map or maps on file with the district secretary. Immediately upon
31 adoption of the resolution, the secretary shall file a certified copy
32 of the map or maps describing all nine election districts with the
33 Secretary of State and with the county ~~clerk~~ *elections official* of
34 each county with territory within the boundaries of the district.

35 *SEC. 100. Section 28747 of the Public Utilities Code is*
36 *amended to read:*

37 28747. Each candidate for the board shall file a declaration of
38 candidacy in the form and manner prescribed in the Uniform
39 District Election Law (*Part 4 (commencing with Section 10500)*
40 *of Division 10 of the Elections Code*) with the county ~~clerk~~



1 *elections official* of the county in which the candidate resides.
2 Candidates for the board shall be residents and voters of the district
3 and of the geographical area making up the election district from
4 which they are to be elected.

5 *SEC. 101. Section 28747.4 of the Public Utilities Code is*
6 *amended to read:*

7 28747.4. The county ~~clerk~~ *elections official* of each county
8 within the boundaries of the district shall conduct the election and
9 canvass the returns for those election districts or portions of
10 election districts which are within the county of his *or her*
11 jurisdiction as county ~~clerk~~ *elections official*. After the official
12 canvass has been taken, the county ~~clerk~~ *elections official* shall
13 report the returns, by election district number, to the board. The
14 board shall declare the results of the election. The secretary of the
15 district shall issue certificates of election, signed by him *or her* and
16 duly authenticated, to each candidate declared elected,
17 immediately following determination of the results of the election
18 by the board.

19 *SEC. 102. Section 28750.4 of the Public Utilities Code is*
20 *amended to read:*

21 28750.4. The resolution reestablishing the election districts
22 shall describe the new boundaries of the election districts by
23 reference to a map or maps on file with the secretary of the district.
24 Immediately upon adoption of the resolution, the secretary shall
25 file a certified copy of the resolution and the map or maps
26 describing all election districts with the Secretary of State and with
27 the county ~~clerk~~ *elections official* of each county with territory
28 within the boundaries of the district.

29 *SEC. 103. Section 29664 of the Public Utilities Code is*
30 *amended to read:*

31 29664. The secretary of the district shall compare the
32 signatures in the petition with the affidavits of registration on file
33 with the county ~~clerk~~ *elections official*, and he shall certify to the
34 board as to the sufficiency or insufficiency of the petition.

35 *SEC. 104. Section 29714 of the Public Utilities Code is*
36 *amended to read:*

37 29714. The secretary of the district shall compare the
38 signatures with the affidavits of registration on file with the county
39 ~~clerk~~ *elections official*, and shall certify to the board as to the
40 sufficiency or insufficiency of the petition.



1 SEC. 105. Section 31405 of the Public Utilities Code is
2 amended to read:

3 31405. Upon the filing in his *or her* office of the ~~aforsaid~~
4 certificate of proceedings, the Secretary of State shall, within 10
5 days, issue ~~his a~~ certificate, reciting the filing of ~~such those~~ papers
6 in his *or her* office and the annexation of the corporate area of ~~such~~
7 *the city* as of the date of the election or ~~such the~~ unincorporated
8 county territory to the district. The Secretary of State shall transmit
9 the original of ~~his said the~~ certificate to the secretary of the district
10 and shall forward a certified copy thereof to the county ~~clerk~~
11 *elections official* of each county in which ~~is situated such the~~
12 district or any portion thereof *is situated*.

13 SEC. 106. Section 31411 of the Public Utilities Code is
14 amended to read:

15 31411. Any city whose corporate area is a part of the district
16 and any county with regard to any unincorporated territory which
17 is a part of the district, may apply to the board of directors of the
18 district for consent to exclude ~~such the~~ area from the district. The
19 board of directors may grant or deny ~~such the~~ application and in
20 granting the same may fix the terms and conditions upon which a
21 corporate area of the city or ~~such the~~ unincorporated county
22 territory may be excluded from the district. ~~Such~~ The terms and
23 conditions shall include, without limitation, exclusion of the city
24 or unincorporated county territory, as the case may be, from
25 representation on the board or in an advisory capacity to the board.
26 The action of the board of directors evidenced by resolution shall
27 be promptly transmitted to the governing body of ~~such the~~
28 applying city or board of supervisors and if ~~such the~~ action shall
29 grant consent to ~~such the~~ exclusion the governing body of the city
30 or the board or supervisors of the county, as the case may be, may
31 submit to the electors of the city or ~~such the~~ unincorporated county
32 territory at any general or special election the proposition of
33 excluding from the district the corporate area of ~~such the~~ city or
34 ~~such the~~ unincorporated county territory. Notice of ~~such the~~
35 election shall be given in the manner provided in Section 31402.
36 ~~Such~~ The election shall be conducted and the returns thereof
37 canvassed in the manner provided by law for the conduct of
38 elections in ~~such the~~ city or county. In the event that the majority
39 of the electors voting thereon vote in the favor of ~~such the~~
40 withdrawal, the result thereof shall be certified by the governing



1 body of ~~such the~~ city or the board of supervisors of ~~such the~~ county
2 to the board of directors of the district. A certificate of the
3 proceedings hereunder shall be made by the secretary of the
4 district and filed with the Secretary of State, and upon the filing of
5 ~~such the~~ certificate the corporate area of ~~such the~~ city or ~~such the~~
6 unincorporated county territory shall be excluded from the district,
7 and shall no longer be a part thereof; provided, however, that the
8 property within ~~such the~~ city as ~~such the~~ city shall exist at the time
9 of ~~such the~~ exclusion, or within ~~such the~~ unincorporated county
10 territory shall continue taxable pursuant to Section 30981. Upon
11 the filing in his *or her* office of the ~~aforsaid~~ certificate of
12 proceedings the Secretary of State shall, within 10 days, issue ~~his~~
13 a certificate, reciting the filing of ~~said the~~ papers in his *or her* office
14 and the exclusion of the corporate area of ~~such the~~ city or ~~such the~~
15 unincorporated county territory from the district. The Secretary of
16 State shall transmit the original of his certificate to the secretary
17 of the district and shall forward a certified copy thereof to the
18 county ~~clerk elections official~~ of each county in which ~~is situated~~
19 ~~such the~~ district or any portion thereof *is situated*.

20 *SEC. 107. Section 50033 of the Public Utilities Code is*
21 *amended to read:*

22 50033. The County ~~Clerk Elections Official~~ of the County of
23 San Joaquin shall compare the signatures to the petition with the
24 affidavits of registration and certify to their sufficiency or
25 insufficiency.

26 *SEC. 108. Section 50039 of the Public Utilities Code is*
27 *amended to read:*

28 50039. The election shall be called by publishing notice
29 calling the election pursuant to Section 6066 of the Government
30 Code not less than 20 days before the election. ~~Said~~ The notice
31 need only specify the time and place of the election, the hours
32 during which the polls will be open, the purpose of the election,
33 and the description of ~~the~~ the exterior boundaries of the proposed
34 district as determined by the board of supervisors.

35 No notice of the election other than the notice prescribed by this
36 section need be given except that the county ~~clerk elections official~~
37 shall mail notice of polling place and purpose of election to each
38 qualified elector of the proposed district.

39 *SEC. 109. Section 70033 of the Public Utilities Code is*
40 *amended to read:*



1 70033. The County ~~Clerk~~ *Elections Official* of the County of
2 Marin shall compare the signatures to the petition with the
3 affidavits of registration and certify to their sufficiency or
4 insufficiency.

5 *SEC. 110. Section 90773 of the Public Utilities Code is*
6 *amended to read:*

7 90773. The petition may include one or more separate
8 documents, but each document shall contain the affidavit of the
9 party who circulated it, certifying that each name signed thereto is
10 the true signature of the person whose name it purports to be. The
11 secretary of the district shall compare the signatures on the petition
12 with the affidavits of registration on file with the county ~~clerk~~
13 *elections official* and if he *or she* finds that the petition has been
14 signed by the required number of voters he *or she* shall attach his
15 *or her* signature thereto and present the petition to the board.

16 *SEC. 111. Section 90933 of the Public Utilities Code is*
17 *amended to read:*

18 90933. The secretary shall compare the signatures on the
19 petition with the affidavits of registration on file with the county
20 ~~clerk~~ *elections official* and if he *or she* finds that the petition has
21 been signed by the required number of voters he *or she* shall attach
22 his *or her* signature thereto and present the petition to the board.

23 *SEC. 112. Section 95163 of the Public Utilities Code is*
24 *amended to read:*

25 95163. The County ~~Clerk~~ *Elections Official* of the County of
26 Santa Barbara shall compare the signatures to the petition with the
27 affidavits of registration and certify to their sufficiency or
28 insufficiency.

29 *SEC. 113. Section 95194 of the Public Utilities Code is*
30 *amended to read:*

31 95194. The election shall be called by publishing notice
32 calling the election pursuant to Section 6066 of the Government
33 Code not less than 20 days before the election. ~~Said~~ *The* notice
34 need only specify the time and place of the election, the hours
35 during which the polls will be open, the purpose of the election,
36 and the description of the exterior boundaries of the proposed
37 district as determined by the board of supervisors.

38 No notice of the election other than the notice prescribed by this
39 section need be given except that the county ~~clerk~~ *elections official*



1 shall mail notice of polling place and purpose of election to each
2 qualified elector of the proposed district.

3 *SEC. 114. Section 98043 of the Public Utilities Code is*
4 *amended to read:*

5 98043. The County ~~Clerk~~ *Elections Official* of the County of
6 Santa Cruz shall compare the signatures to the petition with the
7 affidavits of registration and certify to their sufficiency or
8 insufficiency.

9 *SEC. 115. Section 98100 of the Public Utilities Code is*
10 *amended to read:*

11 98100. The district shall be governed by a board of directors
12 of seven members, which may be increased to 9 or 11 members if
13 the board finds that an increase in the membership of the board is
14 necessary to insure adequate representation to all of the areas in the
15 County of Santa Cruz served by the district. The membership shall
16 be composed of one member appointed by the City Council of
17 Santa Cruz, one member appointed by the City Council of
18 Capitola, one member appointed by the City Council of Scotts
19 Valley, one member appointed by the City Council of Watsonville,
20 one member appointed by the governing bodies of any other
21 incorporated areas in the county within the district to represent
22 those incorporated areas, one member appointed by the Board of
23 Supervisors of the County of Santa Cruz, and other members to be
24 appointed by the above entities in accordance with their
25 proportionate population within the district. However, the
26 membership of the board shall not exceed the number determined
27 by the board.

28 The apportionment shall be based upon the population
29 distribution within the district, and the board shall reapportion its
30 membership whenever any part of the district is excluded or new
31 territory is added or unincorporated territory within the district
32 incorporates, and, as a result of the exclusion, annexation, or
33 incorporation, representation on the board no longer reflects the
34 population distribution within the district. The board shall also
35 reapportion whenever the county ~~clerk~~ *elections official* advises
36 the board that the latest official census indicates a need for
37 reapportionment.

38 *SEC. 116. Section 101170 of the Public Utilities Code is*
39 *amended to read:*



1 101170. The treasurer of the district, if one is appointed by the
2 board, shall give bond for the faithful performance of his *or her*
3 duties. The board may require any other officer to give a similar
4 bond. The amount of each bond shall be fixed by the board. All
5 bonds shall be approved by the board and shall be recorded in the
6 office of the county recorder and filed in the office of the ~~county~~
7 clerk *of the district*.

8 *SEC. 117. Section 101285 of the Public Utilities Code is*
9 *amended to read:*

10 101285. Whenever any ~~petition~~ *petition* signed by voters
11 within the district equal in number to at least 15 percent of the total
12 vote cast within the district at the last general statewide election is
13 presented to the board asking for the acquisition, construction, or
14 completion of the whole, or any portion, of any transit facilities or
15 for acquiring any works, lands, structures, rights, equipment, or
16 other property necessary or convenient to carry out the objects,
17 purposes, or powers of the district, and also asking that a bonded
18 indebtedness be incurred to pay for the cost thereof, the secretary
19 of the district shall forthwith transmit the petition to the county
20 ~~clerk~~ *elections official* for certification.

21 *SEC. 118. Section 101286 of the Public Utilities Code is*
22 *amended to read:*

23 101286. Within ~~40~~ 30 days after the receipt of the petition, the
24 county ~~clerk~~ *elections official* shall examine the petition and
25 determine the number of valid signers thereof by comparing the
26 signatures thereon with the signatures of registered voters as
27 appear on the affidavits of voter registration on file with him *or*
28 *her*. The county ~~clerk~~ *elections official* then shall certify to the
29 secretary of the district all the following:

30 (a) The total number of voters registered within the district at
31 the time of the last general statewide election immediately
32 preceding the filing of the petition.

33 (b) The total number of registered voters of the district who
34 have signed the petition.

35 (c) The percentage which the number of such signers bears to
36 the total number of voters registered to vote within the district at
37 such time.

38 *SEC. 119. Section 101287 of the Public Utilities Code is*
39 *amended to read:*



1 101287. If the county ~~clerk~~ *elections official* certifies that the
2 percentage of registered voters signing the petition is less than that
3 required by Section 101284, a supplemental petition may be
4 presented to the secretary of the district within 30 days after the
5 county ~~clerk's~~ *elections official's* certification of the first petition.
6 The supplemental petition shall thereupon be processed as
7 provided in Sections 101284 and 101285.

8 *SEC. 120. Section 101295 of the Public Utilities Code is*
9 *amended to read:*

10 101295. If the ordinance calling the election so provides, the
11 election shall be conducted by the county ~~clerk~~ *elections official*
12 in accord with the manner of holding the election prescribed by the
13 board pursuant to the provisions of Section 101289.

14 *SEC. 121. Section 909 of the Streets and Highways Code is*
15 *amended to read:*

16 909. No agreement entered into by the board of supervisors
17 for the purchase, hire, or rental of any apparatus used in the
18 construction, improvement, or maintenance of highways shall
19 create a charge against the county, unless the agreement complies
20 with all of the following:

21 (a) The agreement is in writing.

22 (b) The writing is signed by the chair of the board of
23 supervisors.

24 (c) A copy of the writing is certified by and filed with the clerk
25 of the board of supervisors.

26 All of these writings and copies are public documents.

27 If a county purchases, hires, or rents any apparatus specified
28 herein pursuant to a local purchasing ordinance, including
29 competitive bidding procedures, it does not have to comply with
30 subdivisions (a), (b), and (c) herein to create a charge against the
31 county. Compliance with the local purchasing ordinance shall be
32 sufficient to create a charge against the county for said purchase,
33 hire, or rental.

34 ~~SEC. 28.—~~

35 *SEC. 122. Section 1181 of the Streets and Highways Code is*
36 *amended to read:*

37 1181. The notice of election shall contain:

38 (a) The time and place of holding the election.

39 (b) The boundaries of the election districts. No election
40 precinct shall be partly in each of two or more ~~of such~~ districts.



1 (c) The names of three judges for each election district, to
2 conduct the election.

3 (d) The hours, which shall not be less than eight, during which
4 the polls will be open.

5 (e) The amount and denomination of the bonds, the rate of
6 interest, and the greatest number of years for which the
7 last-maturing bonds will run.

8 (f) The purpose for which the proceeds of the bonds are to be
9 used, including a brief description of the proposed work and the
10 materials to be used.

11 (g) The signature of the ~~chairman~~ chair of the board, attested
12 by the clerk of the board of supervisors.

13 ~~SEC. 29.—~~

14 *SEC. 123.* Section 1186 of the Streets and Highways Code is
15 amended to read:

16 1186. The interest on ~~such~~ the bonds shall be payable
17 annually. Each bond and each coupon shall bear the signature or
18 facsimile printed signature of the ~~chairman~~ chair of the board and
19 of the clerk of the board of supervisors. The county treasurer shall,
20 after reasonable notice, sell the bonds to the highest and best
21 bidder, but not for less than par plus any accrued interest.

22 ~~SEC. 30.—~~

23 *SEC. 124.* Section 3111 of the Streets and Highways Code is
24 amended to read:

25 3111. On the original and on at least one copy of the map of
26 the district, the clerk of the legislative body shall endorse his or her
27 certificate evidencing the date and adoption of the resolution or
28 ordinance describing the proposed boundaries of the district. The
29 clerk of the legislative body shall file the original of the map in his
30 or her office and, within 15 days after the adoption of the resolution
31 or ordinance fixing the time and place of the hearing on the
32 formation or extent of the district and in no event later than 15 days
33 prior to the hearing, shall file a copy thereof with the county
34 recorder of each county in which all or any part of the proposed
35 district is located upon payment of the filing fee.

36 ~~SEC. 31.—~~

37 *SEC. 125.* Section 3112.5 of the Streets and Highways Code
38 is amended to read:

39 3112.5. The clerk of the board of supervisors of any county in
40 whose office maps of proposed districts are filed shall transmit the



1 maps to the county recorder, who shall receive the maps with the
2 same effect and manner as maps filed with the county recorder
3 pursuant to Section 3112.

4 ~~SEC. 32.~~

5 *SEC. 126.* Section 3114 of the Streets and Highways Code is
6 amended to read:

7 3114. (a) This section applies only to assessment districts.

8 (b) After the confirmation by the legislative body of any
9 assessment, the clerk of the legislative body shall file, in the office
10 of the county recorder, a copy of the assessment diagram.

11 (c) The assessment diagram shall be prepared by the engineer
12 responsible for engineering work. The assessment diagram shall
13 be legibly drawn, and at least one copy shall be printed or
14 reproduced by a process that provides a permanent record. Each
15 sheet of paper or other material used for the permanent record map
16 shall be 18 by 26 inches in size, shall clearly show the particular
17 number of the sheet, the total number of sheets comprising the
18 map, its relation to each adjoining sheet, and shall have
19 encompassing its border a line that leaves a blank margin one inch
20 in width.

21 The map shall be labeled substantially as follows: Assessment
22 Diagram, (here insert name or number of district) Assessment
23 District, (here insert city and name of county thereafter), State of
24 California.

25 The map shall also have legends reading substantially as
26 follows:

27 (1) Filed in the office of the (clerk of the legislative body), this
28 ____ day of ____, 20__.

29 _____
30 (Clerk of the legislative body)

31
32 (2) Recorded in the office of the (superintendent of streets) this
33 ____ day of ____, 20__.

34 _____
35 (Superintendent of Streets)

36
37 (3) An assessment was levied by the city council (or other
38 appropriate legislative body) on the lots, pieces, and parcels of
39 land shown on this assessment diagram. The assessment was
40 levied on the ____ day of ____, 20__; the assessment diagram and



1 the assessment roll were recorded in the office of the
 2 superintendent of streets of that city on the ____ day of ____, 20__.
 3 Reference is made to the assessment roll recorded in the office of
 4 the superintendent of streets for the exact amount of each
 5 assessment levied against each parcel of land shown on this
 6 assessment diagram.

7 _____
 8 (Clerk of the legislative body)
 9

10 (4) Filed this ____ day of ____, 20__, at the hour of ____
 11 o'clock _m. in Book ____ of Maps of Assessment and Community
 12 Facilities Districts at page ____, in the office of the county
 13 recorder of the County of ____, State of California.

14 _____
 15 (County Recorder of County of _____)
 16

17 (d) The clerk of the legislative body shall file a copy of the
 18 assessment diagram referred to in subdivision (c) in the office of
 19 the county recorder of the county in which all or any part of the
 20 assessment district shown on the assessment diagram is located
 21 upon payment of the filing fee. The filing of the assessment
 22 diagram shall be made by the clerk of the legislative body.

23 (e) The county recorder shall endorse upon the assessment
 24 diagram filed with him or her, pursuant to subdivision (d), the time
 25 and date of filing and shall fasten it securely in the “Book of Maps
 26 of Assessment and Community Facilities Districts” in which the
 27 county recorder is obligated to keep boundary maps under Section
 28 3112. The county recorder shall cross-index the assessment
 29 diagram by reference to the city conducting the proceedings and
 30 by reference to the page of the book of maps of assessment and
 31 community facilities districts in which the boundary map of the
 32 district was filed in the book.

33 (f) After the confirmation by the legislative body of any
 34 assessment and the recording of the assessment and diagram in the
 35 office of the street superintendent or other officer of the city in
 36 whose office the assessment and diagram have been recorded, the
 37 clerk of the legislative body shall execute and record a notice of
 38 assessment in the office of the county recorder of each county in
 39 which all or any part of the assessment district is located. The
 40 notice of assessment shall be in substantially the following form:



NOTICE OF ASSESSMENT

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Pursuant to the requirements of Section 3114 of the Streets and Highways Code, the undersigned clerk of the legislative body of _____, State of California, hereby gives notice that a diagram and assessment were recorded in the office of the _____ of that city as provided for in Section 3114 of the Streets and Highways Code, and relating to the following described real property:

(The real property in the assessment district may be described by: (a) stating its exterior boundaries; or (b) describing the property according to any official or recorded map; or (c) referring to the assessment diagram filed in accordance with subdivisions (d) and (e) of Section 3114 and the book and page number in the office of the county recorder of the filed plat or map.)

Notice is further given that upon the recording of this notice in the office of the county recorder, the several assessments assessed on the lots, pieces, and parcels shown on the filed assessment diagram shall become a lien upon the lots or portions of lots assessed, respectively.

Reference is made to the assessment diagram and assessment roll recorded in the office of the _____ of that city.

Dated: _____

If the assessment district is located in two or more counties, the assessment notice, in lieu of the paragraph following the description of the property, shall state:

Notice is further given that the above-described real property is located in the Counties of _____ and _____ and upon the recording of this notice in the office of the county recorder of all those counties, effective upon the date of the last recording, the several assessments on the lots, pieces, and parcels shown on the filed assessment diagram shall become a lien upon the lots or portions of lots assessed, respectively.

~~SEC. 33.—~~

SEC. 127. Section 5026 of the Streets and Highways Code is amended to read:



1 5026. The legislative body of a county, city or city and county,
2 may by resolution adopt a name for any street, boulevard, park or
3 place which is to be improved under this division, for which a
4 name has not been provided under the provisions of Sections 970.5
5 and 971, or otherwise, and may by resolution change the name of
6 any ~~such~~ street, boulevard, park or place heretofore established;
7 provided further, that a copy of the resolution or order providing
8 for ~~such~~ *the* new name or change of name made by any city shall
9 be promptly forwarded by the city clerk to the clerk of the board
10 of supervisors and county surveyor of the county in which ~~such~~ *the*
11 municipality is situated.

12 ~~SEC. 34.—~~

13 *SEC. 128.* Section 8653 of the Streets and Highways Code is
14 amended to read:

15 8653. The bonds shall be signed by the treasurer and the clerk
16 of the legislative body. However, the legislative body may by order
17 authorize the use upon the bonds of an engraved, printed, or
18 lithographed signature of the treasurer and the clerk of the
19 legislative body in place of a signature by hand. It may also
20 authorize the seal to be placed in like manner on the bonds.

21 ~~SEC. 35.—~~

22 *SEC. 129.* Section 9019 of the Streets and Highways Code is
23 amended to read:

24 9019. “Clerk” means:

25 (a) When used with reference to a county, the clerk of the board
26 of supervisors.

27 (b) When used with reference to a city, the person who is or acts
28 as clerk of the legislative body of the city.

29 ~~SEC. 36.—~~

30 *SEC. 130.* Section 11302 of the Streets and Highways Code
31 is amended to read:

32 11302. A copy of the resolution shall be mailed, not less than
33 45 days prior to the hearing to each person to whom any of the
34 following described lands is assessed as shown on the last
35 equalized assessment roll, at his or her address as shown upon that
36 roll, and to any person, whether owner in fee or having a lien upon,
37 or legal or equitable interest in, any of those lands whose name and
38 address and a designation of the land in which he or she is
39 interested is on file in the office of the city clerk or clerk of the



1 board of supervisors, as the case may be. Those lands are as
2 follows:

3 (a) All parcels of land abutting upon any portion of the
4 pedestrian mall or any portion of any intersecting street.

5 (b) If assessments are to be levied as contemplated by Section
6 11202, then the notice procedures shall comply with Section
7 53753 of the Government Code.

8 The legislative body may determine that the resolution shall also
9 be mailed to other persons as it may specify.

10 ~~SEC. 37.—~~

11 *SEC. 131. Section 19090 of the Streets and Highways Code is*
12 *amended to read:*

13 19090. Within 30 days after acquiring jurisdiction to proceed,
14 the board of supervisors shall by resolution order that an election
15 be held in the proposed district to determine whether or not the
16 district shall be formed. The board may establish one or more
17 voting precincts within the district and appoint one inspector, one
18 judge, and two clerks residing in the district for each voting
19 precinct to conduct the election, which ~~must~~ shall be held on the
20 next established election date not less than ~~74~~ 130 days after the
21 date of the resolution ordering it to be held.

22 *SEC. 132. Section 19092 of the Streets and Highways Code is*
23 *amended to read:*

24 19092. The election shall be conducted in accordance with the
25 general election laws of this ~~State~~ state, where applicable. The
26 ballots shall contain the words, “For lighting district,” and
27 “Against lighting district,” and the voter shall ~~stamp~~ mark his or
28 her ballot ~~with a rubber stamp~~ in the space provided for that
29 purpose, in accordance with the general election laws of this ~~State~~
30 state.

31 *SEC. 133. Section 19093 of the Streets and Highways Code is*
32 *amended to read:*

33 19093. Every ~~qualified elector, who has resided within the~~
34 ~~proposed district for the period necessary to enable him to vote at~~
35 ~~a general election,~~ registered voter in the jurisdiction shall be
36 entitled to vote at this election.

37 *SEC. 134. Section 19094 of the Streets and Highways Code is*
38 *amended to read:*

39 19094. The precinct boards shall canvass the votes in
40 accordance with the general laws of this ~~State~~ state. The board of



1 supervisors may order the county ~~clerk or the registrar of voters~~
2 *elections official* to conduct the official canvass within seven days
3 subsequent to the holding of the election.

4 *SEC. 135. Section 25206 of the Streets and Highways Code is*
5 *amended to read:*

6 25206. The matter may be submitted at a special election
7 called for that purpose or may be consolidated with any other
8 election involving the entire county. All laws governing county
9 elections shall apply to ~~such~~ *the* election in so far as they may be
10 applicable. The notice of election, in addition to the matters
11 otherwise required, shall refer to the report of the project, a copy
12 of which shall be on file in the office of the county ~~clerk~~ *elections*
13 *official*.

14 *SEC. 136. Section 27044 of the Streets and Highways Code is*
15 *amended to read:*

16 27044. The copies of the petition from each county shall be
17 grouped or fastened together and submitted to the county ~~clerk~~
18 *elections official* of that county for examination and verification.
19 The county ~~clerk~~ *elections official* shall have ~~40~~ 30 days' time for
20 the examination of the copies of the petition left with him *or her*
21 for verification. Within that period of time he *or she* shall verify
22 each of the signatures on the copies of the petition left with him *or*
23 *her*, attach thereto his *or her* certificate that the copies of the
24 petition have been signed by the requisite number of registered
25 voters and forward the copies of the petition with his *or her*
26 certificate attached to the Secretary of State.

27 *SEC. 137. Section 27045 of the Streets and Highways Code is*
28 *amended to read:*

29 27045. If the county ~~clerk~~ *elections official* finds that the
30 copies of the petition are not signed by the requisite number of
31 registered voters residing within ~~his~~ *the* county he *or she* shall
32 certify to the number of registered voters required to make the
33 petition sufficient. Within 20 days from the date of ~~such~~ *that*
34 certificate, copies of the petition containing additional signatures
35 secured either by the same persons theretofore appointed to secure
36 signatures, or by other persons appointed by the board of
37 supervisors for that purpose may be filed with the county ~~clerk~~
38 *elections official*.

39 *SEC. 138. Section 27046 of the Streets and Highways Code is*
40 *amended to read:*



1 27046. The county ~~clerk~~ *elections official* shall within ~~10~~ 30
2 days after the filing of the supplemental copies of the petition
3 examine and verify each of the signatures thereon and certify to the
4 result of ~~his~~ *the* examination as he *or she* did in connection with
5 the original copies of the petition.

6 *SEC. 139. Section 27047 of the Streets and Highways Code is*
7 *amended to read:*

8 27047. If the petition as supplemented contains a sufficient
9 number of signatures the county ~~clerk~~ *elections official* shall
10 present it with his certificate to that effect attached to the Secretary
11 of State without delay.

12 *SEC. 140. Section 27048 of the Streets and Highways Code is*
13 *amended to read:*

14 27048. If the certificate of the county ~~clerk~~ *elections official*
15 shows that any petition as originally filed or as supplemented is
16 insufficient he *or she* shall so certify and the petition with ~~his~~ *the*
17 certificate attached shall be filed ~~by him~~ with the Secretary of State
18 and kept by the Secretary of State as a public record, without
19 prejudice however, to the filing of a new petition to the same effect.

20 *SEC. 141. Section 27062 of the Streets and Highways Code is*
21 *amended to read:*

22 27062. The election shall be called and held in accordance
23 with the ~~general provisions of the election laws governing the~~
24 ~~calling and holding of special elections in counties~~ *Uniform*
25 *District Election Law (Part 4 (commencing with Section 10500)*
26 *of Division 10 of the Elections Code).*

27 *SEC. 142. Section 27063 of the Streets and Highways Code is*
28 *amended to read:*

29 27063. The county ~~clerk~~ *elections official* shall certify the
30 results of the election to the Secretary of State together with a copy
31 of the action of the board of supervisors calling the election.

32 *SEC. 143. Section 27080 of the Streets and Highways Code is*
33 *amended to read:*

34 27080. If, within 120 days after application is made to it the
35 board of supervisors of any county named in the petitions from
36 other counties engaged in the formation of the district fails to adopt
37 an ordinance of intention to unite with the other counties in the
38 formation of the district, and no proceedings for the adoption of
39 ~~such~~ an ordinance under the provisions of law relating to the
40 initiative are on file with the county ~~clerk~~ *elections official*, the



1 ~~clerk~~ *county elections official* shall upon receipt of an affidavit of
2 an elector of the county, setting forth: (a) The date the original
3 application was made to the board of supervisors and (b) the failure
4 of that body to act thereon for 60 days thereafter, issue ~~his~~ a
5 certificate to the Secretary of State certifying that on the date of the
6 issuing thereof no proceedings have been filed in his *or her* office
7 to submit ~~such~~ an ordinance to the electors under the provisions
8 applicable to the initiative. The ~~clerk~~ *county elections official* shall
9 immediately transmit the certificate and affidavit to the Secretary
10 of State.

11 *SEC. 144. Section 27082 of the Streets and Highways Code is*
12 *amended to read:*

13 27082. If an ordinance declaring it to be the intention of a
14 county to become part of the district has been submitted to the
15 people and has failed of adoption, that fact shall be certified to the
16 Secretary of State by the county ~~clerk~~ *elections official*, and that
17 county shall be excluded from the district.

18 *SEC. 145. Section 27100 of the Streets and Highways Code is*
19 *amended to read:*

20 27100. When all of the petitions, or certifications of the result
21 of elections have been received from the county ~~clerk~~ *elections*
22 *official* of the counties having any portion of their territory within
23 the boundaries of the proposed district the Secretary of State shall
24 publish the text of the petition, together with a notice fixing the
25 time within which protests against the inclusion of property within
26 the proposed district may be filed.

27 *SEC. 146. Section 27102 of the Streets and Highways Code is*
28 *amended to read:*

29 27102. Neither the names attached to the petition, nor the
30 certificates of any of the county ~~clerk~~ *elections officials*, need be
31 published with the petition. It shall be sufficient to state that the
32 petition has been signed by a certain number of electors, naming
33 it, and duly verified by the county ~~clerk~~ *elections official* of the
34 county in which the petition was circulated.

35 *SEC. 147. Section 27109 of the Streets and Highways Code is*
36 *amended to read:*

37 27109. After the judgment of the court has become final the
38 county ~~clerk~~ *elections official* shall certify the judgment together
39 with the petition and the protests which he *or she* received, to the
40 Secretary of State.



1 *SEC. 148.* Section 27123 of the Streets and Highways Code
2 is amended to read:

3 27123. Those directors appointed by the board of supervisors
4 of a county shall be appointed by resolution of the board of
5 supervisors, and a copy of the resolution shall be filed with the
6 clerk of the board of supervisors, and a certified copy of the
7 resolution shall be immediately forwarded to the Department of
8 Transportation.

9 ~~SEC. 38.~~

10 *SEC. 149.* Section 27322 of the Streets and Highways Code is
11 amended to read:

12 27322. If the board consents to the annexation after any
13 bonded debt of this district has been authorized, the board of
14 supervisors so applying for annexation shall call an election at
15 which the proposition to join the district and assume the obligation
16 of the bonds of the district along with the territory already included
17 therein, shall be submitted to the electors of the county or portion
18 thereof as one proposition. Unless the proposition receives
19 two-thirds of the vote cast at the election the county or part thereof
20 shall not be annexed to the district. If the proposition carries by
21 two-thirds or more of the votes cast at the election the result of the
22 election shall be certified to the Secretary of State by the county
23 ~~clerk~~ *elections official* of the county and thereupon the Secretary
24 of State shall give notice and call for protests in the same manner
25 as upon the original incorporation of the district.

26 *SEC. 150.* Section 9368 of the Water Code is amended to read:

27 9368. Affidavits of publication and posting of the notices
28 shall be filed with the county ~~clerk~~ *elections official* of the county
29 in which the notices have been posted or published, together with
30 a copy of the order calling the election certified to by the secretary
31 or assistant secretary of the board.

32 *SEC. 151.* Section 9386 of the Water Code is amended to read:

33 9386. At the close of the polls the board of election shall
34 *deliver to the elections official all ballots, voting lists, lists of*
35 *ballots cast at the election, and all documents and paper used at*
36 *the election. The county elections official shall do both of the*
37 *following:*

38 (a) Proceed to canvass the votes and declare the result.



1 (b) ~~Forward~~ Prepare a certificate showing the result and the
2 number of votes cast for and against the issuing of bonds to the
3 board.

4 (c) ~~Deliver a duplicate certificate to the county clerk of the~~
5 ~~county wherein the voting district is located.~~

6 (d) ~~Deliver to the board all ballots, voting lists, lists of ballots~~
7 ~~cast at the election, and all documents and papers used at the~~
8 ~~election.~~

9 SEC. 152. Section 20740 of the Water Code is amended to
10 read:

11 20740. The petition and a notice of the time of the meeting at
12 which it will be presented shall be published for at least two weeks
13 before the time at which it is to be presented. Publication shall be
14 in a newspaper of general circulation printed and published in the
15 principal county and in a newspaper published in each other
16 affected county. The notice shall be signed by the county ~~clerk~~
17 *elections official* of the principal county.

18 SEC. 153. Section 20911 of the Water Code is amended to
19 read:

20 20911. The precinct board for the formation election shall be
21 appointed, candidates for the offices of the proposed district shall
22 be nominated, ballots and other supplies shall be provided and the
23 election shall be conducted as nearly as practicable in accordance
24 with the provisions concerning general elections except as to:

- 25 (a) Notice of the election.
- 26 (b) Nominating petitions, which may be filed with the clerk of
27 the board of supervisors not less than 15 days before the election.
- 28 (c) Mailing of sample ballots, which mailing to each voter
29 entitled to vote at the election, as determined by the county ~~clerk~~
30 *elections official*, shall be completed at least three whole days
31 before the election.
- 32 (d) Other inconsistent provisions in this chapter.

33 SEC. 154. Section 22970.10 of the Water Code is amended to
34 read:

35 22970.10. The governing body shall certify the two
36 candidates who receive the highest number of votes for the elective
37 office to the county ~~clerk~~ *elections official* as the candidates in the
38 runoff election.

39 SEC. 155. Section 22970.20 of the Water Code is amended to
40 read:



1 22970.20. Not less than ~~five~~ seven days before any runoff
2 election, any voter entitled to vote by absent voter ballot as
3 provided in Section 23531 may file with the county ~~clerk~~ elections
4 official, either in person or by mail, his or her written application
5 for an absent voter’s ballot. Absent voting shall be conducted in
6 accordance with the provisions of Section 23531.

7 SEC. 156. Section 22970.25 of the Water Code is amended to
8 read:

9 22970.25. The county ~~clerk~~ elections official shall commence
10 the canvass of the returns on the first Wednesday after each runoff
11 election.

12 SEC. 157. Section 30061 of the Water Code is repealed.

13 ~~30061. Whenever there is a registrar of voters in any county
14 the duties imposed on the county clerk by this division with respect
15 to elections, and registration and election records, shall be
16 performed by the registrar of voters with like effect, and in this
17 case all papers or documents required to be filed with the county
18 clerk shall be filed with the registrar of voters.~~

19 SEC. 158. Section 30230 of the Water Code is amended to
20 read:

21 30230. The county ~~clerk~~ elections official of the county
22 containing the proposed district shall publish a notice of a hearing
23 on the formation petition once a week for at least two weeks before
24 the time when the petition is to be presented and considered in at
25 least one, but not to exceed three, newspapers printed and
26 published in the county.

27 SEC. 159. Section 30778 of the Water Code is amended to
28 read:

29 30778. The county ~~clerk~~ elections official shall cause the
30 ballots to be printed, bound, and numbered as provided in the
31 Elections Code, except as otherwise required in this division.

32 SEC. 160. Section 31133 of the Water Code is amended to
33 read:

34 31133. Notwithstanding any other provision of law, the
35 Malaga County Water District may:

- 36 (a) Organize, promote, conduct, and advertise programs of
37 community recreation;
- 38 (b) Establish systems of recreation and recreation centers,
39 including parks and parkways.



1 (c) Acquire, construct, improve, maintain and operate
2 recreation centers within the district.

3 The district shall not incur a bonded indebtedness for the
4 purposes authorized by this section exceeding 1 percent of the
5 assessed value of all the taxable property in the district, and no ~~such~~
6 bonded indebtedness shall be incurred except for capital outlay
7 purposes.

8 The district shall not exercise any powers under this section
9 unless the exercise of ~~such~~ *those* powers is approved by the voters
10 of the district at an election held within the district at which a
11 majority of the voters voting on the proposition approve the
12 exercise of ~~such~~ *those* powers. ~~Such~~ *The* election may be
13 consolidated with any other election held within the district. If a
14 majority of the votes cast at the election is in favor of the
15 proposition, the county ~~clerk~~ *elections official* shall immediately
16 cause to be filed with the Secretary of State a certificate reciting
17 ~~such~~ *that* fact. If the voters of the district do not approve the
18 exercise of any of ~~such~~ *those* powers at an election held prior to
19 January 1, 1974, this section shall become inoperative on ~~such~~ *that*
20 date and shall have no further force or effect.

21 *SEC. 161. Section 34053 of the Water Code is amended to*
22 *read:*

23 34053. No supervisor, auditor, or ~~clerk~~ *county elections*
24 *official* of any county shall receive any fee for any service required
25 to be performed by him *or her* under the provisions of this division
26 provided, however, that the county ~~clerk~~ *elections official* shall be
27 compensated for the expense of the conduct of the election.

28 *SEC. 162. Section 35005 of the Water Code is amended to*
29 *read:*

30 35005. No appointment of a proxy shall be valid, accepted, or
31 vote allowed thereon at any district election unless it meets all of
32 the following requirements:

- 33 (a) It is in writing.
- 34 (b) It is executed by the person or legal representative of the
35 person who, in accordance with the provisions of Sections 35003
36 or 35003.1 is entitled to the votes for which the proxy is given.
- 37 (c) It is acknowledged or certified in accordance with Section
38 2015.5 of the Code of Civil Procedure.
- 39 (d) It specifies the election at which it is to be used. An
40 appointment of a proxy shall be used only at the election specified.



1 (e) It shall be on a form as specified by the county ~~clerk~~
2 *elections official* meeting the above requirements.

3 Every appointment of a proxy is revocable at the pleasure of the
4 person executing it at any time before the person appointed as
5 proxy shall have cast a ballot representing the votes for which the
6 appointment was given.

7 *SEC. 163. Section 35048 of the Water Code is amended to*
8 *read:*

9 35048. The petition shall be filed with the county ~~clerk~~
10 *elections official* of the principal county at least six months prior
11 to the date of the next general district election.

12 *SEC. 164. Section 35049 of the Water Code is amended to*
13 *read:*

14 35049. The signatures to the petition shall be verified as
15 follows:

16 (a) If the district is wholly in one county, the county ~~clerk~~
17 *elections official* shall examine the signatures and from the records
18 of registration ascertain whether or not the petition is signed by the
19 requisite number of registered voters.

20 (b) If the district is situated in more than one county, each
21 county-~~clerk~~ *elections official* shall examine that portion of the
22 petition bearing signatures obtained in ~~his~~ *that* county and from the
23 records of registration ascertain the number of signatures of
24 registered voters in that portion of the district lying in ~~his~~ *that*
25 county. The county ~~clerk~~ *elections official* of a county other than
26 the principal county shall prepare a certificate, and file the same
27 with the county ~~clerk~~ *elections official* of the principal county,
28 showing the number of valid signatures of registered voters in that
29 county who signed the petition, and shall also show the total
30 number of registered voters in that county within the district on the
31 date of filing the petition.

32 (c) The county ~~clerk~~ *elections official* of the principal county
33 shall attach to the petition ~~his~~ *a* certificate showing the total
34 number of valid signatures thereon, and the total number of
35 registered voters within the district as of the date of filing the
36 petition.

37 *SEC. 165. Section 35050 of the Water Code is amended to*
38 *read:*

39 35050. If the number of signatures is not sufficient, a
40 supplemental petition, in the form of a duplicate petition, but



1 bearing additional signatures, may be filed with the county ~~clerk~~
2 *elections official* of the principal county within 10 days from the
3 date on which the county ~~clerk~~ *elections official* of the principal
4 county certified the results of ~~his~~ *the* examination. The
5 supplemental petition shall be verified in the same manner as the
6 original petition. If the signatures on the petition are still
7 insufficient, no action shall be taken thereon. The petition shall
8 remain on file as a public record and failure to secure sufficient
9 signatures shall not prejudice the later filing of an entirely new
10 petition.

11 *SEC. 166. Section 35051 of the Water Code is amended to*
12 *read:*

13 35051. If the petition contains at least 25 valid signatures and
14 if the total number of valid signatures on the petition constitutes
15 25 percent or more of the registered voters within the district as of
16 the date of filing the petition, the county ~~clerk~~ *elections official* of
17 the principal county shall prepare a certificate to that effect, attach
18 the same to the petition, and deliver, by mail or personal delivery,
19 the petition and the certificate to the secretary of the district.

20 *SEC. 167. Section 35052 of the Water Code is amended to*
21 *read:*

22 35052. At the next regular meeting following the delivery by
23 the county ~~clerk~~ *elections official* of the petition and the certificate
24 to the secretary of the district, the board of directors shall adopt a
25 resolution reciting the delivery of ~~such~~ *the* petition and certificate
26 and specifying that all future elections in the district shall be
27 conducted as a resident voting district, rather than a landowner
28 voting district.

29 *SEC. 168. Section 35053 of the Water Code is amended to*
30 *read:*

31 35053. The secretary of the district shall file with the county
32 ~~clerk~~ *elections official* of each county in which any portion of the
33 district is located, a certified copy of ~~such~~ *the* resolution. The
34 secretary shall cause a copy of the resolution to be published once
35 a week for three successive weeks in a newspaper of general
36 circulation used for the publication of district notices.

37 *SEC. 169. Section 41303 of the Water Code is amended to*
38 *read:*

39 41303. Affidavits of the publication and posting of the
40 election notices shall be filed with the county ~~clerk~~ *elections*



1 *official* of each affected county, together with a copy of the order
2 calling the election, certified by the president, and duplicates shall
3 be filed with the board.

4 *SEC. 170. Section 45274 of the Water Code is amended to*
5 *read:*

6 45274. The board of election shall deliver a certificate
7 showing the result and the number of votes cast for and against the
8 issuing of the bonds to the county ~~clerk~~ *elections official* of the
9 office county, and a duplicate to the board of directors.

10 *SEC. 171. Section 45275 of the Water Code is amended to*
11 *read:*

12 45275. The board of election shall deliver to the county ~~clerk~~
13 *elections official* of each county all ballots cast at the election
14 within that county and all documents and papers used at the
15 election.

16 *SEC. 172. Section 45276 of the Water Code is amended to*
17 *read:*

18 45276. The county ~~clerks~~ *elections officials* of the respective
19 counties shall immediately upon receipt of the ballots, papers, and
20 documents from the board of election certify to the board of
21 directors at its office a statement of the result of the election held
22 in each of the counties with a statement of the number of votes for
23 the proposition of “Bonds—Yes” and opposed “Bonds—No.”

24 *SEC. 173. Section 50752 of the Water Code is amended to*
25 *read:*

26 50752. The election board shall canvass the votes cast and
27 issue certificates of election to the persons elected, and shall place
28 the ballots, when canvassed, in a sealed envelope and forward it
29 to the county ~~clerk acting as registrar of voters~~ *elections official*.

30 *SEC. 174. Section 50805 of the Water Code is amended to*
31 *read:*

32 50805. An affidavit of the publication and posting of the
33 notice shall be filed with the county ~~clerk~~ *elections official*, with
34 a copy of the order calling the election which is certified by the
35 president.

36 *SEC. 175. Section 50816 of the Water Code is amended to*
37 *read:*

38 50816. At the close of the polls the election board shall:

39 (a) Immediately canvass the votes and declare the result.



1 (b) Forward a certificate showing the result and the number of
2 votes cast for and against the issuing of bonds or refunding bonds
3 to the county ~~clerk~~ *elections official*.

4 (c) Deliver a copy of the certificate to the board.

5 (d) Deliver all ballots cast and all documents and papers used
6 at the election to the county ~~clerk~~ *elections official*.

7 *SEC. 176. Section 50817 of the Water Code is amended to*
8 *read:*

9 50817. Any interested person may contest a special election
10 within 20 days after the filing of the certificate with the county
11 ~~clerk~~ *elections official* by bringing suit in the superior court of the
12 principal county. Unless contested, the declaration of the result by
13 the election board is final and conclusive.

14 *SEC. 177. Section 50954 of the Water Code is amended to*
15 *read:*

16 50954. The clerk shall receive for his *or her* services a yearly
17 sum equal to one and one-half cents (\$0.015) per acre based on the
18 net acreage of the district as indicated by the records of the district,
19 or, if the net acreage is not obtainable from the records of the
20 district, based upon the records of the county ~~clerk~~ *elections*
21 *official* or, if the district has outstanding bonds it shall pay the clerk
22 three cents (\$0.03) per acre.

23 *SEC. 178. Section 60049 of the Water Code is repealed.*

24 ~~60049. Whenever there is a registrar of voters in any county~~
25 ~~the duties imposed on a county clerk by this division with respect~~
26 ~~to elections, and registration and election records, shall be~~
27 ~~performed by the registrar of voters with like effect, and in this~~
28 ~~case all papers or documents required to be filed with the county~~
29 ~~clerk shall be filed with the registrar of voters.~~

30 *SEC. 179. Section 60080 of the Water Code is amended to*
31 *read:*

32 60080. A petition, which may consist of any number of
33 separate instruments, shall be filed with the county ~~clerk~~ *elections*
34 *official* of the principal county in which the proposed water
35 replenishment district is located, signed by registered voters
36 residing within the boundaries of the proposed district equal in
37 number to at least 10 percent of the number of ~~such~~ *the* voters
38 residing within the proposed district; provided, that where the
39 proposed district is situated partly in different counties, ~~such~~ *the*
40 petition must be signed by at least 10 percent of the voters of each



1 ~~such~~ area situated within each county, and each petition shall
 2 clearly designate in which affected county it was circulated, and
 3 each petition shall contain names only of the voters of the affected
 4 county in which ~~such~~ the petition was circulated.

5 *SEC. 180. Section 60082 of the Water Code is amended to*
 6 *read:*

7 60082. If the proposed district is situated in more than one
 8 county, the county ~~clerk~~ *elections official* of the principal county
 9 shall immediately transmit to the county ~~clerk~~ *elections officials*
 10 of the participating counties the petitions containing the signatures
 11 of the voters of each ~~such~~ participating county.

12 *SEC. 181. Section 60083 of the Water Code is amended to*
 13 *read:*

14 60083. Within ~~ten (10)~~ 30 days of the date of filing ~~said~~ the
 15 petition with the county ~~clerk~~ *elections official* of the principal
 16 county, ~~said~~ the county ~~clerk~~ *elections officials* of the affected
 17 counties shall examine the ~~same~~ *petition* and ascertain whether or
 18 not ~~said~~ the petition is signed by the requisite number of voters
 19 within ~~his~~ the county. When the county ~~clerk~~ *elections officials*
 20 of the affected counties have completed their examination of ~~said~~
 21 the petition, they shall each attach to the ~~same~~ *petition* their
 22 certificates, properly dated, showing the results of ~~such~~ the
 23 examination, and if from ~~such~~ the examination they shall find that
 24 ~~such~~ the petition is signed by the requisite number of voters
 25 residing within the boundaries of that portion of the proposed
 26 district within the affected county, or is not so signed, they shall
 27 certify the ~~same~~ *petition* as sufficient or insufficient, as the case
 28 may be, and ~~such~~ the certificates shall forthwith be transmitted to
 29 the county ~~clerk~~ *elections official* of the principal county.

30 *SEC. 182. Section 60095 of the Water Code is amended to*
 31 *read:*

32 60095. If the certificates of the county ~~clerk~~ *elections*
 33 *officials* of each affected county as filed with the county ~~clerk~~
 34 *elections official* of the principal county show the petition to be
 35 sufficient, the county ~~clerk~~ *elections official* of the principal
 36 county shall present ~~such~~ the petition, together with the certificates
 37 of the county ~~clerk~~ *elections officials* of the affected counties to
 38 the board of supervisors of the principal county.

39 *SEC. 183. Section 60211 of the Water Code is amended to*
 40 *read:*



1 60211. No person shall vote at any district election held under
2 the provisions of this act who is not a voter within the meaning of
3 the Elections Code, residing in the division of the district in which
4 he *or she* casts his *or her* vote. For the purpose of registering voters
5 who shall be entitled to vote at district elections, the county ~~clerk~~
6 ~~or registrar of voters~~ *elections official* is authorized, in any county
7 in which there is a district, to indicate upon the affidavit of
8 registration whether the voter is a voter of a district.

9 *SEC. 184. Section 60212 of the Water Code is amended to*
10 *read:*

11 60212. In case the boundary line of a district crosses the
12 boundary line of a county election precinct only those voters
13 within ~~such~~ *the* district and within ~~such~~ *the* precinct who are
14 registered as being voters within the district shall be permitted to
15 vote, and for that purpose the county ~~clerk or registrar of voters is~~
16 ~~hereby empowered to~~ *elections official may* provide two sets of
17 ballots within ~~such~~ *those* precincts, one containing the names of
18 candidates for office in ~~said~~ *the* district, and the other not
19 containing ~~such~~ *those* names, and it shall be the duty of the election
20 officers in ~~such~~ *those* precincts to furnish only those persons
21 registered as voters within ~~such~~ *the* district with the ballots upon
22 which are printed the names of the candidates for office in ~~said~~ *the*
23 district.

24 *SEC. 185. Section 60213 of the Water Code is amended to*
25 *read:*

26 60213. In counties in which districts are located the county
27 ~~clerk or registrar of voters~~ *elections official* is hereby given
28 authority, and ~~he hereby~~ is authorized to have printed upon the
29 official ballots provided for voters at elections for directors a
30 heading in the same form as that provided by the Elections Code
31 for nonpartisan officers, which heading shall be marked “Water
32 Replenishment District,” with a subheading “For a Member of the
33 Board of Directors, Division _____ (here inserting the number of
34 the division)—Vote for One,” and beneath which shall appear the
35 names of the candidates for the office of member of the board for
36 ~~such~~ *the* division of the district, with the appropriate blank space
37 for the writing in of the name of a candidate if desired by the voters,
38 and with a voting square placed opposite the space. The ballots
39 thus provided shall be furnished by the precinct officers only to
40 those voters within their respective precincts who shall appear on



1 the register as duly registered voters within that division of the
 2 district, and in precincts ~~which~~ *that* lie partly within ~~such~~ *that*
 3 district and partly without the precinct board shall be supplied with
 4 two kinds of ballots by ~~said county clerk or registrar of voters~~ *the*
 5 *county elections official*, one of which shall contain the matters
 6 hereinabove set forth for the use of voters of ~~such~~ *the* district, and
 7 the other of which shall be without ~~such~~ *the* heading containing the
 8 names of candidates for the office of member of the board, and
 9 which shall be furnished to those voters who are not voters of the
 10 district and who are voters of the precinct.

11 *SEC. 186. Section 60430 of the Water Code is amended to*
 12 *read:*

13 60430. A petition may be filed with the county ~~clerk~~ *elections*
 14 *official* of the principal county in which ~~such~~ *the* district is located,
 15 signed by at least 25 percent of the voters of the district applying
 16 for disorganization and disincorporation of ~~such~~ *the* district, and
 17 briefly stating the reasons therefor.

18 *SEC. 187. Section 60431 of the Water Code is amended to*
 19 *read:*

20 60431. Upon the filing of ~~such~~ *a* petition the county ~~clerk~~
 21 *elections official* shall examine the ~~same~~ *petition* within ~~10~~ 30 days
 22 and ascertain whether or not ~~said~~ *the* petition is signed by the
 23 requisite number of voters.

24 *SEC. 188. Section 60434 of the Water Code is amended to*
 25 *read:*

26 60434. If by the certificate of the county ~~clerk~~ ~~such~~ *elections*
 27 *official* the petition is shown to be sufficient, the county ~~clerk~~
 28 *elections official* of the principal county shall present the ~~same~~
 29 *petition* to the board of supervisors of the principal county without
 30 delay. When ~~such~~ *the* petition is presented by the county ~~clerk~~ ~~as~~
 31 ~~aforsaid~~ *elections official*, the board of supervisors shall give
 32 notice of an election to be held in ~~said~~ *the* district for the purpose
 33 of determining whether or not the ~~same~~ *petition* shall be
 34 disincorporated and dissolved; provided, however, that in the
 35 event the ~~said~~ district shall have issued bonds, the board of
 36 supervisors shall not consider ~~said~~ *the* petition or take any action
 37 hereunder until evidence shall be furnished showing ~~said~~ *the* bonds
 38 to have been fully satisfied.

39 *SEC. 189. Section 60440 of the Water Code is amended to*
 40 *read:*



1 60440. ~~Said~~ The board of supervisors shall in case ~~said the~~
2 district is so disincorporated, forthwith cause its ~~clerk, or other~~
3 ~~officer performing the duties of clerk,~~ county elections official to
4 make and transmit to the Secretary of State a certified copy of the
5 notice of election hereinbefore provided for, and a statement of the
6 number of voters voting against ~~said the~~ disincorporation.

7 SEC. 190. Section 70033 of the Water Code is amended to
8 read:

9 70033. The county ~~clerk~~ elections official of the county
10 containing the proposed district shall publish notice of a hearing
11 on the formation petition pursuant to Section 6066 of the
12 Government Code.

13 SEC. 191. Section 70041 of the Water Code is amended to
14 read:

15 70041. The notice of the formation election shall contain:

16 (a) The date of the election.

17 (b) A description of the boundaries of the proposed district.

18 (c) The name of the proposed district, which name shall contain
19 the words "Levee District."

20 (d) A statement that the first directors will be elected at that
21 election.

22 The county ~~clerk~~ elections official shall publish the notice once
23 a week for at least two weeks prior to the formation election in one
24 newspaper printed and published in the county.

25 SEC. 192. Section 71031 of the Water Code is repealed.

26 ~~71031. Except as otherwise provided in Section 71454, if~~
27 ~~there is a registrar of voters, other than the county clerk, in any~~
28 ~~county in which any district proposed to be incorporated, or~~
29 ~~incorporated, under the provisions of this division is situated, the~~
30 ~~duties required by this division to be performed by the county clerk~~
31 ~~respecting the nomination of candidates for offices of the district,~~
32 ~~and the holding of elections in the district, shall be performed by~~
33 ~~the registrar of voters.~~

34 SEC. 193. Section 71120 of the Water Code is amended to
35 read:

36 71120. A petition for the formation of a district, which may
37 consist of any number of separate instruments, shall be filed with
38 the county ~~clerk~~ elections official.

39 SEC. 194. Section 71125 of the Water Code is amended to
40 read:



1 71125. The circulation of a formation petition shall be
2 commenced by the proponents within 30 days from the date of the
3 filing of the declaration of intention with the county ~~clerk~~ *elections*
4 *official*. The petition shall be circulated and filed with the county
5 ~~clerk~~ *elections official* within 90 days from the date of the filing
6 of the declaration of intention.

7 *SEC. 195. Section 71126 of the Water Code is amended to*
8 *read:*

9 71126. Within ~~40~~ 30 days of the date of the filing of the
10 formation petition, the county ~~clerk~~ *elections official* shall
11 examine the petition and determine whether it is signed by the
12 requisite number of voters. Upon request of the county ~~clerk~~
13 *elections official*, the board of supervisors shall authorize him *or*
14 *her* to employ persons specially for this purpose, in addition to the
15 persons regularly employed in his *or her* office, and shall provide
16 for their compensation.

17 *SEC. 196. Section 71127 of the Water Code is amended to*
18 *read:*

19 71127. When the county ~~clerk~~ *elections official* has
20 completed ~~his~~ *the* examination of the formation petition, he *or she*
21 shall attach to it ~~his~~ *the* certificate, properly dated, showing the
22 result of ~~such~~ *the* examination.

23 *SEC. 197. Section 71128 of the Water Code is amended to*
24 *read:*

25 71128. If the county ~~clerk~~ *elections official* finds from the
26 examination that the formation petition is signed by the requisite
27 number of voters residing within the boundaries of the proposed
28 district, and within the boundaries of each city included therein, he
29 *or she* shall certify that the petition is sufficient. If he *or she* finds
30 that it is not so signed, he *or she* shall certify that the petition is
31 insufficient.

32 *SEC. 198. Section 71129 of the Water Code is amended to*
33 *read:*

34 71129. If the county ~~clerk~~ *elections official* certifies in ~~his~~ *the*
35 certificate that the formation petition is insufficient, he *or she* shall
36 also certify therein to the number of voters required to make the
37 petition sufficient, and the petition may be amended by filing a
38 supplemental petition or petitions within 10 days from the date of
39 ~~such~~ *the* certificate.



1 *SEC. 199. Section 71130 of the Water Code is amended to*
2 *read:*

3 71130. Within ~~40~~ 30 days after the filing of any supplemental
4 petition or petitions, the county ~~clerk~~ *elections official* shall
5 examine them and certify to the result of ~~such~~ *the* examination as
6 provided in Sections 71126 to 71128, inclusive.

7 *SEC. 200. Section 71132 of the Water Code is amended to*
8 *read:*

9 71132. After the time for filing supplemental petitions has
10 expired and all supplemental petitions have been examined, if the
11 county ~~clerk's~~ *elections official's* certificate shows that the
12 formation petition is insufficient, the petition shall be filed ~~by him~~
13 with the board of supervisors and kept as a public record, without
14 prejudice to the filing of a new petition.

15 *SEC. 201. Section 71133 of the Water Code is amended to*
16 *read:*

17 71133. If the county ~~clerk's~~ *elections official's* certificate
18 shows that the formation petition is sufficient, the county ~~clerk~~
19 *elections official* shall present the petition to the board of
20 supervisors without delay.

21 *SEC. 202. Section 71135 of the Water Code is repealed.*

22 ~~71135. If there is a registrar of voters in the principal county,~~
23 ~~upon the filing of the formation petition with the county clerk, the~~
24 ~~county clerk shall forthwith deliver the petition to the registrar of~~
25 ~~voters, who shall perform the duties required by this article to be~~
26 ~~performed by the county clerk respecting the examination and~~
27 ~~certification of the formation petition. Immediately upon his~~
28 ~~completion of the examination, the registrar of voters shall return~~
29 ~~the petition, together with his certificate showing the result of the~~
30 ~~examination, to the county clerk. The county clerk shall thereupon~~
31 ~~present the petition, with the certificate of the registrar of voters~~
32 ~~attached thereto, to the board of supervisors.~~

33 *SEC. 203. Section 71461 of the Water Code is amended to*
34 *read:*

35 71461. In counties in which districts are located, the county
36 ~~clerk or registrar of voters~~ *elections official* may have printed upon
37 the official ballots provided for voters at elections for directors a
38 heading in the same form as that provided by the Elections Code
39 for nonpartisan officers. The heading shall be marked "Municipal
40 Water District," with a subheading "For a Member of the Board



1 of Directors, Division _____ (here inserting the number of the
2 division) —Vote for One,” and beneath which shall appear the
3 names of the candidates for the office of director for that division
4 of the district, with the appropriate blank space for the writing in
5 of the name of a candidate if desired by the voters, and with a
6 voting square placed opposite the space.

7 SEC. 204. Section 71463 of the Water Code is amended to
8 read:

9 71463. In precincts which lie only partly within a district, the
10 precinct board shall be supplied with two kinds of ballots by the
11 county ~~clerk or registrar of voters~~ *elections official*, one of which
12 shall contain the matters set forth in Section 71461 for the use of
13 voters of the district, and the other of which shall not contain the
14 matters set forth in Section 71461 and shall be furnished to those
15 voters of the precinct who are not voters of the district.

16 SEC. 205. Section 4117 of the Welfare and Institutions Code
17 is amended to read:

18 4117. (a) Whenever a trial is had of any person charged with
19 escape or attempt to escape from a state hospital, whenever a
20 hearing is had on the return of a writ of habeas corpus prosecuted
21 by or on behalf of any person confined in a state hospital except
22 in a proceeding to which Section 5110 applies, whenever a hearing
23 is had on a petition under Section 1026.2, subdivision (b) of
24 Section 1026.5, Section 2972 of the Penal Code, Section 7361 of
25 this code, or former Section 6316.2 of this code for the release of
26 a person confined in a state hospital, and whenever a person
27 confined in a state hospital is tried for any crime committed
28 therein, the appropriate financial officer or other designated
29 official of the county in which the trial or hearing is had shall make
30 out a statement of all mental health treatment costs and shall make
31 out a separate statement of all nontreatment costs incurred by the
32 county for investigation and other preparation for the trial or
33 hearing, and the actual trial or hearing, all costs of maintaining
34 custody of the patient and transporting him or her to and from the
35 hospital, and costs of appeal, which statements shall be properly
36 certified by a judge of the superior court of that county and the
37 statement of mental *health* treatment costs shall be sent to the State
38 Department of Mental Health and the statement of all
39 nontreatment costs shall be sent to the Controller for approval.
40 After approval, the department shall cause the amount of mental



1 health *treatment* costs incurred on or after July 1, 1987, to be paid
2 to the county mental health director or his or her designee where
3 the trial or hearing was held out of the money appropriated for this
4 purpose by the Legislature. In addition the Controller shall cause
5 the amount of all nontreatment costs incurred on and after July 1,
6 1987, to be paid out of the money appropriated by the Legislature,
7 to the county treasurer of the county where the trial or hearing was
8 had.

9 (b) Whenever a hearing is held pursuant to Section 1604, 1608,
10 or 1609 of the Penal Code, all transportation costs to and from a
11 state hospital or a facility designated by the community program
12 director during the hearing shall be paid by the Controller as
13 provided in this subdivision. The appropriate financial officer or
14 other designated official of the county in which a hearing is held
15 shall make out a statement of all transportation costs incurred by
16 the county, which statement shall be properly certified by a judge
17 of the superior court of that county and sent to the Controller for
18 approval. The Controller shall cause the amount of transportation
19 costs incurred on and after July 1, 1987, to be paid to the county
20 treasurer of the county where the hearing was had out of the money
21 appropriated by the Legislature.

22 As used in this subdivision the community program director is
23 the person designated pursuant to Section 1605 of the Penal Code.

24 ~~SEC. 39.—~~

25 *SEC. 206.* Section 4457 of the Welfare and Institutions Code
26 is amended to read:

27 4457. Whenever a trial is had of any person charged with
28 escape or attempt to escape from a state hospital, whenever a
29 hearing is had on the return of a writ of habeas corpus prosecuted
30 by or on behalf of any person confined in a state hospital except
31 in a proceeding to which Section 5110 applies, whenever a hearing
32 is had on a petition under Section 1026.2, subdivision (b) of
33 Section 1026.5, or subdivision (f) of Section 2960 of the Penal
34 Code, or Section 7361 of this code for the release of a person
35 confined in a state hospital, and whenever a person confined in a
36 state hospital is tried for any crime committed therein, the
37 appropriate financial officer or other designated official of the
38 county in which the trial or hearing is had shall make out a
39 statement of all costs incurred by the county for investigation and
40 other preparation for the trial or hearing, and the actual trial or



1 hearing, all costs of maintaining custody of the patient and
2 transporting him or her to and from the hospital, and costs of
3 appeal, which statement shall be properly certified by a judge of
4 the superior court of that county and sent to the Controller for
5 approval. After the court approval, the Controller shall cause the
6 amount of the costs incurred on and after July 1, 1987, to be paid
7 out of the money appropriated by the Legislature, to the county
8 treasurer of the county where the trial or hearing was had.

9 ~~SEC. 40.—~~

10 *SEC. 207.* Section 4804 of the Welfare and Institutions Code
11 is amended to read:

12 4804. Whenever a proceeding is held in a superior court under
13 the provisions of this chapter, involving a person who has been
14 placed in a state hospital located outside the county of residence
15 of the person, the provisions of this section shall apply. The
16 appropriate financial officer or other designated official of the
17 county in which the proceeding is held may make out a statement
18 of all of the costs incurred by the county for the investigation,
19 preparation, and conduct of the proceedings, and the costs of
20 appeal, if any. The statement may be certified by a judge of the
21 superior court of ~~such~~ *the* county. The statement may then be sent
22 to the county of residence of the person, which shall reimburse the
23 county providing ~~such~~ *the* services. If it is not possible to
24 determine the actual county of residence of the person, the
25 statement may be sent to the county in which the person was
26 originally detained, which shall reimburse the county providing
27 the services.

28 ~~SEC. 41.—~~

29 *SEC. 208.* Section 5110 of the Welfare and Institutions Code
30 is amended to read:

31 5110. Whenever a proceeding is held in a superior court under
32 Article 5 (commencing with Section 5275) or Article 6
33 (commencing with Section 5300) of this chapter or Chapter 3
34 (commencing with Section 5350) of this part involving a person
35 who has been placed in a facility located outside the county of
36 residence of the person, the provisions of this section shall apply.
37 The appropriate financial officer or other designated official of the
38 county in which the proceeding is held shall make out a statement
39 of all of the costs incurred by the county for the investigation,
40 preparation, and conduct of the proceedings, and the costs of



1 appeal, if any. The statement shall be certified by a judge of the
2 superior court of ~~such~~ *the* county. The statement shall then be sent
3 to the county of residence of the person, which shall reimburse the
4 county providing ~~such~~ *the* services. If it is not possible to
5 determine the actual county of residence of the person, the
6 statement shall be sent to the county in which the person was
7 originally detained, which shall reimburse the county providing
8 the services.

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