

Introduced by Senator Soto

(Principal coauthor: Assembly Member Negrete McLeod)

(Coauthors: Senators Costa and Vincent)

(Coauthors: Assembly Members Calderon, Correa, Frommer, and Oropeza)

February 21, 2002

An act to add Sections 31149.7 and 71663.5 to the Water Code, relating to electric power.

LEGISLATIVE COUNSEL'S DIGEST

SB 1755, as introduced, Soto. County water districts and municipal water districts: electric power.

The County Water District Law and the Municipal Water District Law of 1911 grant to county water districts and municipal water districts, respectively, prescribed powers relating to water and other services.

This bill would authorize those districts to provide, generate, and deliver electric power, and to construct, operate, and maintain works, facilities, improvements, and property for that generation and delivery. The bill would prohibit those districts from acquiring property employed in the generation or delivery of electric power, except by mutual agreement between the district and the property owner.

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 31149.7 is added to the Water Code, to
2 read:



1 31149.7. (a) A district may provide, generate, and deliver
2 electric power, and may construct, operate, and maintain any and
3 all works, facilities, improvements, and property, or portion
4 thereof, necessary or convenient for that generation and delivery.

5 (b) The electric powerplant or plants and transmission lines
6 constructed pursuant to this section may be leased for operation,
7 or the power generated may be used, by the district for its own
8 purposes or be sold to any public or private entity that is engaged
9 in the distribution or sale of electricity.

10 (c) Nothing in this section grants to a district the authority to
11 provide, sell, or deliver electric power at retail.

12 (d) A district may not acquire property employed in the
13 generation or delivery of electric power for public or private utility
14 purposes, except by mutual agreement between the district and the
15 owner of that property.

16 SEC. 2. Section 71663.5 is added to the Water Code, to read:

17 71663.5. (a) A district may provide, generate, and deliver
18 electric power, and may construct, operate, and maintain any and
19 all works, facilities, improvements, and property, or portion
20 thereof, necessary or convenient for that generation and delivery.

21 (b) The electric powerplant or plants and transmission lines
22 constructed pursuant to this section may be leased for operation,
23 or the power generated may be used, by the district for its own
24 purposes or be sold to any public or private entity that is engaged
25 in the distribution or sale of electricity.

26 (c) Nothing in this section grants to a district the authority to
27 provide, sell, or deliver electric power at retail.

28 (d) A district may not acquire property employed in the
29 generation or delivery of electric power for public or private utility
30 purposes, except by mutual agreement between the district and the
31 owner of that property.

