

ASSEMBLY BILL

No. 1444

Introduced by Assembly Member Eduardo Garcia

February 27, 2015

An act to amend Sections 6300, 6302, 6304, and 6305 of, and to repeal Sections 6301 and 6303 of, the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1444, as introduced, Eduardo Garcia. Foreign-trade zones.

Existing law authorizes any public corporation, as defined, and specified private corporations to apply for the privilege of establishing, operating, and maintaining a foreign-trade zone in accordance with federal law, and provides that any public or private corporation whose application is granted pursuant to federal law is authorized to establish, operate, and maintain a foreign-trade zone, subject to specified conditions.

This bill would reorganize these provisions and, to the extent permitted by federal law, would authorize any tribal government, as defined, to make application for the privilege of establishing, operating, and maintaining a foreign-trade zone, as specified.

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 6300 of the Government Code is amended
2 to read:

1 6300. ~~As used in this chapter, “public~~*The following definitions*
2 *govern this chapter:*

3 (a) *“Act of Congress” means the act of Congress approved*
4 *June 18, 1934, entitled “An act to provide for the establishment,*
5 *operation, and maintenance of foreign-trade zones in ports of entry*
6 *of the United States, to expedite and encourage foreign commerce,*
7 *and for other purposes” (48 U.S. Stats. at L. Ch. 590).*

8 (b) *“Public corporation” means the State, any political*
9 *subdivision thereof, any incorporated municipality therein, any*
10 *public agency of the State, of any political subdivision thereof, or*
11 *of any municipality therein, or any corporate municipal*
12 *instrumentality of this State or of this State and one or more other*
13 *States.*

14 (c) *“Tribal government” means any Indian tribe, band, nation,*
15 *or other organized group or community, which is recognized by*
16 *the United States government.*

17 SEC. 2. Section 6301 of the Government Code is repealed.

18 ~~6301. As used in this chapter, “act of Congress” means the act~~
19 ~~of Congress approved June 18, 1934, entitled “An act to provide~~
20 ~~for the establishment, operation, and maintenance of foreign-trade~~
21 ~~zones in ports of entry of the United States, to expedite and~~
22 ~~encourage foreign commerce, and for other purposes” (48 U. S.~~
23 ~~Stats. at L. Ch. 590.).~~

24 SEC. 3. Section 6302 of the Government Code is amended to
25 read:

26 6302. ~~Any~~*(a) Any public corporation may make application*
27 *for the privilege of establishing, ~~operating~~ operating, and*
28 *maintaining a foreign-trade zone in accordance with the act of*
29 *Congress.*

30 (b) *To the extent permitted by federal law, any tribal government*
31 *may make application for the privilege of establishing, operating,*
32 *and maintaining a foreign-trade zone in accordance with the act*
33 *of Congress.*

34 (c) *Any private corporation organized under the laws of the*
35 *state subsequent to September 15, 1935, for the purpose of*
36 *establishing, operating, and maintaining a foreign-trade zone in*
37 *accordance with the act of Congress may make an application for*
38 *the privilege of establishing, operating, and maintaining a*
39 *foreign-trade zone in accordance with the act of Congress.*

40 SEC. 4. Section 6303 of the Government Code is repealed.

1 ~~6303. Any private corporation organized under the laws of the~~
2 ~~State subsequent to September 15, 1935, for the purpose of~~
3 ~~establishing, operating and maintaining a foreign-trade zone in~~
4 ~~accordance with the act of Congress may make application for the~~
5 ~~privilege of establishing, operating and maintaining a foreign-trade~~
6 ~~zone in accordance with the act of Congress.~~

7 SEC. 5. Section 6304 of the Government Code is amended to
8 read:

9 6304. Any public or private corporation *or tribal government*
10 authorized by this chapter to make ~~such~~ *an* application and whose
11 application is granted pursuant to the terms of the act of Congress
12 may establish, operate, and maintain the foreign-trade zone:

13 (a) Subject to the conditions and restrictions of the act of
14 Congress, and any amendments thereto.

15 (b) Under such rules and regulations and for the period of time
16 that may be prescribed by the board established by the act of
17 Congress to carry out the provisions of the act.

18 SEC. 6. Section 6305 of the Government Code is amended to
19 read:

20 6305. If authorized to establish, operate and maintain a foreign
21 trade zone, a public corporation *or tribal government* may, in
22 addition to its other powers:

23 (a) Provide for such indemnity or assurance to the United States
24 or its agencies as they may request.

25 (b) Deposit such sums of money with the United States as the
26 United States or its agencies may request, providing such money
27 is available therefor by direct appropriation or otherwise.