

AMENDED IN SENATE MAY 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1444

Introduced by Assembly Member Eduardo Garcia

February 27, 2015

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1444, as amended, 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. *Existing law also authorizes a public corporation, if authorized to establish, operate, and maintain a foreign trade zone, to provide the United States with indemnity or assurance and to deposit sums of money with the United States as requested.*

~~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.~~

This bill would combine and reorganize these provisions and would repeal that indemnity and assurance provision.

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:

3 6300. The following definitions govern this chapter:

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

9 (b) "Public corporation" means the ~~State, state~~, any political
10 subdivision thereof, any incorporated municipality therein, any
11 public agency of the ~~State, state~~, of any political subdivision
12 thereof, or of any municipality therein, or any corporate municipal
13 instrumentality of this ~~State state~~ or of this ~~State state~~ and one or
14 more other ~~States. states~~.

15 (c) "Tribal government" means ~~any Indian tribe, band, nation,
16 or other organized group or community, which is recognized by
17 the United States government.~~

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 Section 6301 of the Government Code is repealed.

19 SEC. 3. Section 6302 of the Government Code is amended to
20 read:

21 6302. (a) Any public corporation may ~~make application~~ *apply*
22 for the privilege of establishing, operating, and maintaining a
23 foreign-trade zone in accordance with the act of Congress.

24 (b) ~~To the extent permitted by federal law, any tribal government
25 may make application for the privilege of establishing, operating,
26 and maintaining a foreign-trade zone in accordance with the act
27 of Congress.~~

28 (c)

29 (b) Any private corporation organized under the laws of the
30 state subsequent to September 15, 1935, for the purpose of
31 establishing, operating, and maintaining a foreign-trade zone in
32 accordance with the act of Congress may ~~make an application~~
33 *apply* for the privilege of establishing, operating, and maintaining
34 a foreign-trade zone in accordance with the act of Congress.

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

36 SEC. 5. Section 6304 of the Government Code is amended to
37 read:

1 6304. Any public or private corporation or tribal government
2 authorized by this chapter to make an application and whose
3 application is granted pursuant to the terms of the act of Congress
4 may establish, operate, and maintain the foreign-trade zone:

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

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

10 ~~SEC. 6. Section 6305 of the Government Code is amended to~~
11 ~~read:~~

12 ~~6305. If authorized to establish, operate and maintain a foreign~~
13 ~~trade zone, a public corporation or tribal government may, in~~
14 ~~addition to its other powers:~~

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

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

20 ~~SEC. 6. Section 6305 of the Government Code is repealed.~~

21 ~~6305. If authorized to establish, operate and maintain a foreign~~
22 ~~trade zone, a public corporation may, in addition to its other~~
23 ~~powers:~~

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

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