

Introduced by Senator AndersonFebruary 1, 2016

An act to add Section 15961.6 to the Public Utilities Code, relating to the Public Utility District Act, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 927, as introduced, Anderson. Public Utility District Act: election of directors.

The Public Utility District Act authorizes the formation of public utility districts and authorizes a district to acquire, construct, own, operate, or control works for supplying its inhabitants with light, water, power, heat, transportation, telephone service, or other means of communication, or means for the disposition of garbage, sewage, or refuse matter. The act provides for the manner of electing members of the board of directors of a district and generally specifies that, where a district formed and operated pursuant to the act is situated entirely in one county, the directors of the district are elected at large. The act permits directors of any district that is wholly or partially within the County of Placer to be elected at large, by wards, or from wards, as defined.

This bill would permit directors of any district that is wholly or partially within the County of San Diego to be elected at large, by subdistrict, or from subdistricts, as defined. The bill would make legislative findings and declarations regarding the need for special legislation with regard to the County of San Diego.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3. 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 15961.6 is added to the Public Utilities
2 Code, to read:

3 15961.6. (a) Notwithstanding any other provision of this
4 division, the candidates for director of any district that is wholly
5 or partially within the County of San Diego may be elected at
6 large, by subdistricts, or from subdistricts upon adoption of a
7 resolution or ordinance to that effect by the board of directors of
8 the district, subject to approval of the board of supervisors, or as
9 a part of a change of organization or a reorganization conducted
10 pursuant to the Cortese-Knox-Hertzberg Local Government
11 Reorganization Act of 2000 (Division 3 (commencing with Section
12 56000) of Title 5 of the Government Code).

13 (b) A resolution or ordinance that divides a district into
14 subdistricts adopted pursuant to subdivision (a) shall describe the
15 boundaries of the subdistricts so that the subdistricts shall be as
16 nearly equal in population as may be.

17 (c) As used in this section, the following terms have the
18 following meanings:

19 (1) "By subdistricts" means the election of members of the board
20 of directors by voters of the subdistrict alone.

21 (2) "From subdistricts" means the election of members of the
22 board of directors who are residents of the subdistrict from which
23 they are elected by the voters of the entire district.

24 SEC. 2. The Legislature finds and declares that a special law
25 is necessary and that a general law cannot be made applicable
26 within the meaning of Section 16 of Article IV of the California
27 Constitution because of the need to bring public utility districts in
28 the County of San Diego into compliance with the California
29 Voting Rights Act of 2001 (Chapter 1.5 (commencing with Section
30 14025) of Division 14 of the Elections Code)

31 SEC. 3. This act is an urgency statute necessary for the
32 immediate preservation of the public peace, health, or safety within
33 the meaning of Article IV of the Constitution and shall go into
34 immediate effect. The facts constituting the necessity are:

1 In order that election procedures for public utility districts in the
2 County of San Diego conform to the California Voting Rights Act
3 of 2001 (Chapter 1.5 (commencing with Section 14025) of Division
4 14 of the Elections Code) as soon as possible, it is necessary for
5 this act to take effect immediately.

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