

Introduced by Senator MoorlachFebruary 18, 2016

An act to add Section 9601 of the Government Code, relating to the Legislature.

LEGISLATIVE COUNSEL'S DIGEST

SB 1140, as introduced, Moorlach. Legislature: operation of statutes.

Existing law specifies the dates by which enacted statutes go into effect. Existing law also provides that a statute may be repealed at any time, except when vested rights would be impaired.

This bill would require the automatic repeal of a statute that expressly or implicitly authorizes an executive agency to promulgate regulations two years after the statute goes into effect, unless the Legislature amends the statute to state its intent that the statute not be repealed, or unless the statute was passed in response to an emergency, as defined.

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 9601 is added to the Government Code,
- 2 to read:
- 3 9601. (a) A statute that expressly authorizes an executive
- 4 agency to promulgate regulations, or that gives a new duty or
- 5 power to an executive agency, shall be repealed two years after it
- 6 goes into effect, unless the Legislature amends the statute before
- 7 its repeal to expressly state the Legislature's intent that the statute
- 8 not be repealed.
- 9 (b) This section shall not apply to either of the following:

- 1 (1) An agency that is constitutionally created.
- 2 (2) A statute that is passed in response to an emergency, as
- 3 defined by Section 8558 of the Government Code.

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