

Introduced by Senator Johannessen

February 23, 1996

An act to add Section 61210.1 to the Government Code, to add Sections 6480.1, 8950.01, 13803.1, and 32100.05 to the Health and Safety Code, to add Sections 5527.1 and 9301.1 to the Public Resources Code, and to add Sections 30500.1 and 34708.6 to the Water Code, relating to local agency formation.

LEGISLATIVE COUNSEL'S DIGEST

SB 2137, as introduced, Johannessen. Local agency formation.

Existing law establishes a local agency formation commission in each county to review and approve or disapprove of local governmental agency changes of organization or reorganization within the county and to perform other related functions. Existing law provides, among other things, that a change of organization or reorganization may be made subject to various specified terms and conditions including (1) the establishment, continuation, termination, combining, consolidation or separation of offices, departments or boards, and (2) the designation of the method for selection of members of the legislative body of a district, or the number of those members, or both, where there are proceedings for a consolidation or a reorganization providing for a consolidation or formation of a new district where those changes are authorized by the principal act under which a district is established.

This bill would provide that notwithstanding specified provisions of acts prescribing the procedure for the

establishment of certain types of districts, the local agency formation, in approving either a change of organization or reorganization involving two or more special districts, shall have the authority to establish the composition of the legislative body of the successor agency. The types of districts whose principal acts would be so amended include community services districts, sanitary districts, cemetery districts, fire protection districts, hospital districts, recreation and park districts, resource conservation districts, county water districts, and California Water Districts.

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 61210.1 is added to the
- 2 Government Code, to read:
- 3 61210.1. Notwithstanding Sections 61200 and 61210,
- 4 the local agency formation commission, in approving
- 5 either a change of organization or reorganization
- 6 involving two or more special districts, shall have the
- 7 authority to establish the composition of the legislative
- 8 body of the successor local agency pursuant to
- 9 subdivisions (k) and (n) of Section 56844.
- 10 SEC. 2. Section 6480.1 is added to the Health and
- 11 Safety Code, to read:
- 12 6480.1. Notwithstanding Section 6480, the local
- 13 agency formation commission, in approving either a
- 14 change of organization or reorganization involving two or
- 15 more special districts, shall have the authority to establish
- 16 the composition of the legislative body of the successor
- 17 local agency pursuant to subdivisions (k) and (n) of
- 18 Section 56844 of the Government Code.
- 19 SEC. 3. Section 8950.01 is added to the Health and
- 20 Safety Code, to read:
- 21 8950.01. Notwithstanding Section 8950, the local
- 22 agency formation commission, in approving either a
- 23 change of organization or reorganization involving two or
- 24 more special districts, shall have the authority to establish
- 25 the composition of the legislative body of the successor



1 local agency pursuant to subdivisions (k) and (n) of
2 Section 56844 of the Government Code.

3 SEC. 4. Section 13803.1 is added to the Health and
4 Safety Code, to read:

5 13803.1. Notwithstanding Section 13803, the local
6 agency formation commission, in approving either a
7 change of organization or reorganization involving two or
8 more special districts, shall have the authority to establish
9 the composition of the legislative body of the successor
10 local agency pursuant to subdivisions (k) and (n) of
11 Section 56844 of the Government Code.

12 SEC. 5. Section 32100.05 is added to the Health and
13 Safety Code, to read:

14 32100.05. Notwithstanding Sections 32100 and
15 32100.01, the local agency formation commission, in
16 approving either a change of organization or
17 reorganization involving two or more special districts,
18 shall have the authority to establish the composition of the
19 legislative body of the successor local agency pursuant to
20 subdivisions (k) and (n) of Section 56844 of the
21 Government Code.

22 SEC. 6. Section 5527.1 is added to the Public
23 Resources Code, to read:

24 5527.1. Notwithstanding Section 5527, the local
25 agency formation commission, in approving either a
26 change of organization or reorganization involving two or
27 more special districts, shall have the authority to establish
28 the composition of the legislative body of the successor
29 local agency pursuant to subdivisions (k) and (n) of
30 Section 56844 of the Government Code.

31 SEC. 7. Section 9301.1 is added to the Public
32 Resources Code, to read:

33 9301.1. Notwithstanding Section 9301, the local
34 agency formation commission, in approving either a
35 change of organization or reorganization involving two or
36 more special districts, shall have the authority to establish
37 the composition of the legislative body of the successor
38 local agency pursuant to subdivisions (k) and (n) of
39 Section 56844 of the Government Code.



1 SEC. 8. Section 30500.1 is added to the Water Code, to
2 read:

3 30500.1. Notwithstanding Section 30500, the local
4 agency formation commission, in approving either a
5 change of organization or reorganization involving two or
6 more special districts, shall have the authority to establish
7 the composition of the legislative body of the successor
8 local agency pursuant to subdivisions (k) and (n) of
9 Section 56844 of the Government Code.

10 SEC. 9. Section 34708.6 is added to the Water Code, to
11 read:

12 34708.6. Notwithstanding Sections 34708 and 34708.5,
13 the local agency formation commission, in approving
14 either a change of organization or reorganization
15 involving two or more special districts, shall have the
16 authority to establish the composition of the legislative
17 body of the successor local agency pursuant to
18 subdivisions (k) and (n) of Section 56844 of the
19 Government Code.

