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Code: Section:

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GOVERNMENT CODE - GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980] (Title 2 enacted by Stats. 1943, Ch. 134.)

DIVISION 1. GENERAL [8000 - 8899.95] (Division 1 enacted by Stats. 1943, Ch. 134.)

CHAPTER 3.4. California Youth Empowerment Act [8261 - 8276] (Chapter 3.4 added by Stats. 2021, Ch. 660, Sec. 2.)

ARTICLE 3. Creation and Membership [8263 - 8267] (Article 3 added by Stats. 2021, Ch. 660, Sec. 2.)

8263. (a) There is in the Governor's Office of Service and Community Engagement the California Youth Empowerment Commission. The commission shall consist of 13 voting commissioners to be appointed as follows:

(1) Eleven public members appointed by the Governor, subject to the following requirements:

(A) The terms of these commissioners initially shall be staggered so that five members serve one-year terms and six members serve two-year terms. To achieve the staggering of terms, the Governor shall designate the terms of the present members of the commission who have been appointed by the Governor.

(B) One of the commissioners shall reside, work, or attend school in each region described in subdivision (b), with the exception of the at-large commissioner.

(C) Five of the commissioners shall be between 14 to 18 years of age.

(D) Five of the commissioners shall be between 18 to 25 years of age.

(E) At least five commissioners shall have experienced a physical disability, youth homelessness, foster care, or juvenile incarceration.

(F) One at-large commissioner, who may be between 14 to 25 years of age.

(2) One at-large public member appointed by the Senate Committee on Rules.

(3) One at-large public member appointed by the Speaker of the Assembly.

(4) The Governor may appoint alternates for those described in paragraph (1).

(b) For the purposes of subparagraph (B) of paragraph (1) of subdivision (a), these regions are defined as follows:

(1) The Superior California region consists of the Counties of Butte, Colusa, El Dorado, Glenn, Lassen, Modoc, Nevada, Placer, Plumas, Sacramento, Shasta, Sierra, Siskiyou, Sutter, Tehama, Yolo, and Yuba.

(2) The North Coast region consists of the Counties of Del Norte, Humboldt, Lake, Mendocino, Napa, Sonoma, and Trinity.

(3) The San Francisco Bay area region consists of the Counties of Alameda, Contra Costa, Marin, San Mateo, Santa Clara, and Solano, and the City and County of San Francisco.

(4) The Northern San Joaquin Valley region consists of the Counties of Alpine, Amador, Calaveras, Madera, Mariposa, Merced, Mono, San Joaquin, Stanislaus, and Tuolumne.

(5) The Central Coast region consists of the Counties of Monterey, San Benito, San Luis Obispo, Santa Barbara, Santa Cruz, and Ventura.

(6) The Southern San Joaquin Valley region consists of the Counties of Fresno, Inyo, Kern, Kings, and Tulare.

(7) The Inland Empire region consists of the Counties of Riverside and San Bernardino.

(8) The Los Angeles region consists of the County of Los Angeles.

(9) The Orange County region consists of the County of Orange.

(10) The San Diego/Imperial region consists of the Counties of Imperial and San Diego.

(c) In addition to subdivision (a), one Member of the Senate appointed by the Senate Committee on Rules, one Member of the Assembly appointed by the Speaker of the Assembly, the Governor, the Superintendent of Public Instruction, and the Secretary of California Health and Human Services shall serve as nonvoting members of the commission.

(d) All appointing powers shall take into consideration that the members of the commission represent the geographical, racial, ethnic, socioeconomic, cultural, physical, and educational diversity of California's youth. Particular emphasis and funding should be used on reaching out to at-risk or disadvantaged youth to serve as members of the commission, as their participation will provide keen insight into many of the issues that youth face in their day-to-day lives.

(Amended by Stats. 2024, Ch. 41, Sec. 23. (SB 164) Effective June 29, 2024. Repealed as of January 1, 2030, pursuant to Section 8276.)

8264. (a) Excluding the initial staggering of terms, commissioners shall serve two-year terms.

(b) Commissioners shall be between 14 and 25 years of age. If a commissioner turns 26 years of age during their term, that commissioner shall be allowed to complete the term.

(c) A commissioner shall be a resident of California.

(d) A commissioner may seek reappointment as long as they fulfill the requirements pursuant to subdivision (b).

(e) (1) Attending a meeting of the commission as a commissioner shall be a lawful excuse for a student to be absent from school, under paragraph (7) of subdivision (a) of Section 48205 of the Education Code, if approved by the principal or a designated representative pursuant to uniform standards established by the governing board.

(2) A student excused from school attendance under this section may not be recorded as being absent on any date for which the excuse is operative and may not be penalized by the school in any manner.

(f) (1) In the event of inappropriate conduct, unexcused absences, or inability to complete expected duties of a commissioner, the commissioner in question is entitled to a facilitated meeting using restorative practices.

(2) For purposes of this subdivision, the following definitions shall apply:

(A) "Facilitated meeting" means a facilitated process designed to acknowledge, address, and respond to the underlying needs of all parties, that may include, but is not limited to, a meeting of the commissioners in conflict.

(B) "Restorative justice practices" means a process to improve and repair relationships between people and communities. Restorative justice practices provide tertiary prevention, introduced after the problem has occurred, with the intention of avoiding reoccurrence.

(g) A commissioner's position becomes vacant, under the approval of the executive director, in the event of any of the following:

(1) Death of a commissioner.

(2) Resignation of a commissioner.

(3) Change in residence of a commissioner to outside of California.

(4) Failure to resolve challenges occurring from inappropriate conduct, unexcused absences, or inability to complete expected duties of a commissioner.

(h) In the event of a vacancy, the alternate will fill the position, and the appointing power that appointed the commissioner shall appoint a new alternate in the same manner as the original appointment within 60 days of the vacancy.

(Added by Stats. 2021, Ch. 660, Sec. 2. (AB 46) Effective January 1, 2022. Repealed as of January 1, 2030, pursuant to Section 8276.)

8265. (a) Within six months of the commission's establishment, and not later than March 1 of each subsequent year, the executive director, appointed pursuant to Section 8274, shall release to the public on its internet website the procedures for the general application process to assist public members in the appointment process and facilitate communications between public members and the appointing powers.

(b) The executive director shall also notify the Superintendent of Public Instruction, the Association of Independent California Colleges and Universities, the Regents of the University of California, the California State University, and the California Community Colleges Chancellor's office that the application for an appointment is open. The notice shall include the requirements for an appointment, a copy of the application, and a request to transmit the notice to all students in California.

(c) The executive director may recommend public members to be appointed to the appointing powers, but there shall be no right or obligation on the part of the appointing powers to appoint those public members.

(Amended by Stats. 2024, Ch. 41, Sec. 24. (SB 164) Effective June 29, 2024. Repealed as of January 1, 2030, pursuant to Section 8276.)

8266. Each public member of the commission shall receive one hundred dollars (\$100) per diem while on official business of the commission. Each member of the commission shall also be entitled to receive their actual necessary traveling expenses while on official business of the commission. For commissioners between 14 and 18 years of age, a parent or guardian shall be entitled to receive their actual necessary traveling expenses while accompanying the minor on official business of the commission.

(Added by Stats. 2021, Ch. 660, Sec. 2. (AB 46) Effective January 1, 2022. Repealed as of January 1, 2030, pursuant to Section 8276.)

8267. (a) The commission shall elect a chair, vice chair, and clerk from among its members at the first meeting of the year.

(b) The commission shall be composed of the following:

(1) A chair who shall conduct the meetings, draft bylaws, serve as the primary liaison to the government, and oversee the formation of committees as necessary to accomplish the business of the commission.

(2) A vice chair who shall assist the chair and conduct the meetings of the commission if the chair is absent or otherwise unable to perform their duties.

(3) A clerk who shall keep and maintain the minutes of the meetings, regularly update the internet website, pursuant to Section 8272, and record the final votes on any measure for vote by the chair.

(Added by Stats. 2021, Ch. 660, Sec. 2. (AB 46) Effective January 1, 2022. Repealed as of January 1, 2030, pursuant to Section 8276.)