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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 3. EXECUTIVE DEPARTMENT [11000 - 15990.3] (Division 3 added by Stats. 1945, Ch. 111.)

PART 5.5. DEPARTMENT OF GENERAL SERVICES [14600 - 14985.11] (Part 5.5 added by Stats. 1965, Ch. 371.)

CHAPTER 2. Powers and Duties, Generally [14650 - 14717] (Chapter 2 added by Stats. 1965, Ch. 371.)

ARTICLE 1.1. Government Claims Duties [14659 - 14659.10] (Article 1.1 heading added by Stats. 2016, Ch. 31, Sec. 127.)

14659. The Department of General Services and its director succeed to and are vested with all the duties, powers, purposes, responsibilities, and jurisdiction vested in the California Victim Compensation and Government Claims Board, or its executive officer, under the following statutes as they existed on January 1, 2016:

- (a) Section 77 of the Code of Civil Procedure.
- (b) Section 846.1 of the Civil Code.
- (c) Sections 12117, 24618, and 89750.5 of the Education Code.
- (d) Sections 1122 and 15512 of the Fish and Game Code.
- (e) Sections 3955, 14978.2, and 52295 of the Food and Agricultural Code.
- (f) Sections 800, 850.6, 900.2, 905.2, 905.3, 906, 911.2, 912.5, 915, 920, 925, 927.13, 935.6, 935.7, 940.2, 965, 965.1, 965.5, 997.1, 998, 998.2, 1151, 3515.7, 8652, 8902, 11007.6, 11014, 11030.1, 11030.2, 11031, 11275, 13332.09, 14600, 15202, 16302.1, 16304.6, 16383, 16431, 17051.5, 17201, 19815.4, 20163, 21223, 21265, 26749, 68503, 68506, 68543, 68543.5, 68543.8, and 68565 of this code.
- (g) Sections 13052, 25370, 121265, and 121270 of the Health and Safety Code.
- (h) Sections 11580.1 and 11872 of the Insurance Code.
- (i) Sections 4724, 4725, and 4726 of the Labor Code.
- (j) Sections 422.92, 987.9, 1557, 2786, 11163, and 11172 of the Penal Code.
- (k) Sections 10301, 10306, 10308, 10311, 10326.2, and 12102.2 of the Public Contract Code.
- (l) Sections 4116, 4602.6, 5093.68, and 30171.2 of the Public Resources Code.
- (m) Sections 4461, 14171.5, 14171.6, and 15634 of the Welfare and Institutions Code.

(Added by Stats. 2016, Ch. 31, Sec. 128. (SB 836) Effective June 27, 2016.)

14659.01. Notwithstanding Section 13900, whenever the term "California Victim Compensation and Government Claims Board," the term "California Victim Compensation Boards," or the term "State Board of Control" appears in any statute, regulation, contract, or any other code with respect to the statutory powers and duties of the Department of General Services described in Section 14659, they shall be construed to refer to the Department of General Services unless the context clearly requires otherwise.

(Added by Stats. 2016, Ch. 31, Sec. 129. (SB 836) Effective June 27, 2016.)

14659.02. The Department of General Services may assign any matter related to the statutory powers and duties of the Department of General Services described in Section 14659 to the Office of Risk and Insurance Management or to any other state office.

(Added by Stats. 2016, Ch. 31, Sec. 130. (SB 836) Effective June 27, 2016.)

14659.03. The evidence in any investigation, inquiry, or hearing may be taken by the Department of General Services or, on its behalf, by the office designated for that purpose. Every finding, opinion, and order, made pursuant to an investigation, inquiry, or

hearing, when approved or confirmed by the department, or office so designated, is the finding, opinion, or order of the Department of General Services.

(Added by Stats. 2016, Ch. 31, Sec. 131. (SB 836) Effective June 27, 2016.)

14659.04. The Office of Risk and Insurance Management, any state office designated pursuant to Section 14659.02, or their designees shall keep a full and true record of all proceedings, issue all necessary process, writs, warrants, and notices, and perform those other duties described in Section 14659.

(Added by Stats. 2016, Ch. 31, Sec. 132. (SB 836) Effective June 27, 2016.)

14659.05. The Director of General Services, the Office of Risk and Insurance Management, any state office designated pursuant to Section 14659.02, or their designees may administer oaths, certify to all official acts, and issue subpoenas for the attendance of witnesses and production of papers, books, accounts, documents, and testimony in any inquiries, investigations, hearings, or proceedings conducted in accordance with Section 14659.

(Added by Stats. 2016, Ch. 31, Sec. 133. (SB 836) Effective June 27, 2016.)

14659.06. The Department of General Services, the Office of Risk and Insurance Management, any state office designated pursuant to Section 14659.02, or their designees may administer oaths, examine witnesses, issue subpoenas, and receive evidence under such rules and regulations, pursuant to Section 14659, as the Department of General Services may adopt.

(Added by Stats. 2016, Ch. 31, Sec. 134. (SB 836) Effective June 27, 2016.)

14659.07. The Department of General Services shall have a seal, bearing the following inscription: "Department of General Services." The seal shall be fixed to all writs and authentications of copies of records and to other instruments that the department directs.

(Added by Stats. 2016, Ch. 31, Sec. 135. (SB 836) Effective June 27, 2016.)

14659.08. The department may adopt regulations pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3:

(a) Limiting the amount, time, and place of expenses and allowances to be paid to elected state officers, and officers and employees of the state provided for in Article VI of the California Constitution, while traveling on official state business.

(b) Governing the presentation and audit of claims against the state for which an appropriation has been made or for which a state fund is available.

(c) Governing any other matter over which it has jurisdiction.

(Added by renumbering Section 13920 by Stats. 2016, Ch. 31, Sec. 107. (SB 836) Effective June 27, 2016.)

14659.09. The department may approve plans for payroll deduction from the salaries or wages of state officers and employees under subdivision (f) of Section 1151 for charitable contributions to the agency handling the principal combined fund drive in any area. The department shall establish necessary rules and regulations, including the following:

(a) Standards for establishing what constitutes the principal combined fund drive in an area.

(b) A requirement that the agency to receive these contributions shall pay, for deposit in the General Fund, the additional cost to the state of making these deductions and remitting the proceeds, as determined by the Controller.

(c) A requirement that the agency to receive these contributions shall pay, for deposit in the Service Revolving Fund, the department's cost to administer the annual charitable campaign fund drive. This amount shall be determined by the department and shall only be available for the support of the department upon appropriation by the Legislature.

(d) Provisions for standard amounts of deductions from which each state officer or employee may select the contribution that he or she desires to make, if any.

(e) A prohibition upon state officers or employees authorizing more than one payroll deduction for charitable purposes to be in effect at the same time.

(f) A provision authorizing the Controller to combine in his or her records deductions for employee association dues, if authorized, and charitable deductions, if authorized.

The department, in addition, may approve requests of any charitable organization qualified as an exempt organization under Section 23701d of the Revenue and Taxation Code, and paragraph (3) of subsection (c) of Section 501 of the Internal Revenue Code of 1954, which is not an affiliated member beneficiary of the principal combined fund drive to receive designated deductions from the principal fund drive.

The principal combined fund drive agency, any charitable organization which is an affiliated member beneficiary of the principal combined fund drive, and any charitable organization approved by the department to receive designated deductions on the payroll authorization form of the principal fund drive, shall certify under penalty of perjury to the department that it is in compliance with the Fair Employment and Housing Act, Part 2.8 (commencing with Section 12900), as a condition of receiving these designated deductions.

The principal combined fund drive shall obtain from the department the list of approved nonaffiliated beneficiaries, eligible for designated deductions in its approved drive area, and shall provide this information to each employee at the time of the principal fund drive. The principal combined drive agency shall provide a designation form for the employee to indicate those amounts to be contributed to affiliated and nonaffiliated beneficiaries. The designation form shall consist of a copy for each of the following: (1) the employee, (2) the employee's designated beneficiary agency, and (3) the principal combined fund drive agency. The principal combined fund drive agency shall pay the amount collected for the employee designated beneficiary agency less the amount necessary to reimburse the principal combined fund drive agency for fundraising and administrative expenses. The fee charged for fundraising and administrative cost reimbursement shall be determined by the department, published in campaign literature and made available to the employee during the solicitation process.

Nothing contained in this section shall preclude a principal fund drive agency from giving a percentage of the undesignated funds to charities which are not members of the agency handling the principal drive, or honoring an employee's designated deduction to any charitable organization.

(Added by renumbering Section 13923 by Stats. 2016, Ch. 31, Sec. 108. (SB 836) Effective June 27, 2016.)

14659.10. The department shall take any and all necessary steps to ensure that all claims that have been approved by the department, and for which there exists no legally available appropriation, are submitted for legislative approval at least once during each calendar year.

(Amended by Stats. 2017, Ch. 19, Sec. 14. (AB 111) Effective June 27, 2017.)