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TITLE 5. LOCAL AGENCIES [50001 - 57607] (Title 5 added by Stats. 1949, Ch. 81.)

DIVISION 2. CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 55821] (Division 2 added by Stats. 1949, Ch. 81.)

PART 1. POWERS AND DUTIES COMMON TO CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 54999.7] (Part 1 added by Stats. 1949, Ch. 81.)

CHAPTER 12. Municipal Services and Functions [54980 - 54983] (Heading of Chapter 12 renumbered from Chapter 11 (as added by Stats. 1978, Ch. 960) by Stats. 1980, Ch. 676.)

54980. As used in this chapter:

(a) "Legislative body" means the board of supervisors in the case of a county or a city and county, the city council or board of trustees in the case of a city, and the board of directors or other governing body in the case of a district.

(b) "Local agency" means any county, city, city and county, or public district which provides or has authority to provide or perform municipal services or functions.

(c) "Municipal services or functions" includes, but is not limited to, firefighting, police, ambulance, utility services, and the improvement, maintenance, repair, and operation of streets and highways.

(Added by Stats. 1978, Ch. 960.)

54981. The legislative body of any local agency may contract with any other local agency for the performance by the latter of municipal services or functions within the territory of the former.

(Added by Stats. 1978, Ch. 960.)

54981.7. A city or county may enter into a contract with an Indian tribe for the city or county to provide fire protection services and police or sheriff protection services for the Indian tribe either solely on Indian lands, or on the Indian lands and territory adjacent to those Indian lands. Nothing in this section shall be construed to alter or affect federal Public Law 280, relating to state jurisdiction in Indian lands.

(Added by Stats. 1996, Ch. 1085, Sec. 1. Effective January 1, 1997.)

54982. (a) Any agreement entered into pursuant to this chapter shall be for valuable consideration, except as provided in subdivision (b).

(b) (1) A city that provides law enforcement services through its appropriate departments, boards, commissions, officers, or employees to another city pursuant to a contract or any other agreement authorized by this chapter shall charge that city all the costs that are incurred in providing those law enforcement services, but shall not include any costs that the city providing the services reasonably determines are general overhead costs.

(2) For purposes of this section, "general overhead costs" means those costs that a city would incur regardless of whether or not it provided law enforcement services pursuant to a contract or agreement to the other city.

(3) Any determination of general overhead costs made by a city providing law enforcement services shall be subject to judicial review as to the reasonableness of that determination.

(4) This subdivision shall only apply to contracts or agreements entered into, or renewed, on and after January 1, 2017.

(Amended by Stats. 2016, Ch. 57, Sec. 1. (SB 1360) Effective January 1, 2017.)

54983. Authority for entering into agreements pursuant to this chapter shall be construed as supplementing existing authority for legislative bodies of local agencies to enter into agreements for the providing of municipal services and functions and shall not be construed as authorizing the legislative body of any local agency to enter into an agreement for the providing of municipal services or functions which it is prohibited to provide by law or which exceeds the force account limit applicable to the local agency contracting to receive services.

The amendments to this section which become effective January 1, 1981, shall not apply to any agreement which was made prior to that date nor to the current term of any self-renewing or renewable agreement which had been entered into prior to that date.

(Amended by Stats. 1980, Ch. 398.)