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**AB-798 Local government: counties: consolidation of offices.** (2017-2018)

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Date Published: 10/02/2017 09:00 PM

**Assembly Bill No. 798**

**CHAPTER 383**

An act to amend Section 24011 of the Government Code, relating to the local government, and declaring the urgency thereof, to take effect immediately.

[ Approved by Governor September 30, 2017. Filed with Secretary of State September 30, 2017. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 798, Eduardo Garcia. Local government: counties: consolidation of offices.

Existing law authorizes the boards of supervisors of specified counties to provide, by ordinance, that the public administrator be appointed by the board. Existing law also authorizes the boards of supervisors of specified counties, by ordinance, to appoint the same person to the offices of public administrator and public guardian, as specified.

This bill would apply these provisions to Imperial County.

This bill would make legislative findings and declarations as to the necessity of a special statute for Imperial County.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: no Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 24011 of the Government Code is amended to read:

**24011.** Notwithstanding the provisions of Section 24009:

(a) The Boards of Supervisors of Amador County, Contra Costa County, Glenn County, Imperial County, Lake County, Lassen County, Madera County, Mendocino County, Monterey County, Napa County, Solano County, Sonoma County, Trinity County, Tuolumne County, and Ventura County may, by ordinance, provide that the public administrator shall be appointed by the board.

(b) The Boards of Supervisors of Lake County, Madera County, Mendocino County, Napa County, Trinity County, and Tuolumne County may appoint the same person to the offices of public administrator, veteran service officer, and public guardian. The Boards of Supervisors of Amador County, Contra Costa County, Glenn County, Imperial County, Kings County, Lassen County, Monterey County, Solano County, Sonoma County, and Ventura County, may, by ordinance, appoint the same person to the offices of public administrator and public guardian.

(c) The Boards of Supervisors of Amador County, Contra Costa County, Glenn County, Lake County, Lassen County, Madera County, Mendocino County, Napa County, Trinity County, and Tuolumne County may separate the consolidated offices of district

attorney and public administrator at any time in order to make the appointments permitted by this section. Upon approval by the board of supervisors, the officer elected to these offices at any time may resign, or decline to qualify for, the office of public administrator without resigning from, or declining to qualify for, the office of district attorney.

(d) The Board of Supervisors of Ventura County may separate the consolidated office of public administrator from the office of treasurer, in order to make the appointment authorized by this section. Upon approval by the board of supervisors, the officer elected to these offices at any time may resign, or decline to qualify for, the office of public administrator without resigning from, or declining to qualify for, the office of treasurer.

**SEC. 2.** The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances faced by Imperial County with respect to the reorganization of its county offices.

**SEC. 3.** This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order for Imperial County to appoint a public administrator as quickly as possible, so that it may provide critical services to some of the area's most vulnerable residents through programs including the public administrator, public conservator/guardian, representative payee program, and the area agency on aging, and indigent burial, it is necessary for this act to take immediate effect.