

Date of Hearing: July 16, 2025

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Juan Carrillo, Chair

SB 858 (Committee on Local Government) – As Introduced March 12, 2025

SENATE VOTE: 34-0

SUBJECT: Local Government Omnibus Act of 2025

SUMMARY: Proposes minor changes to state laws governing local governments' powers and duties.

FISCAL EFFECT: None.

COMMENTS:

1) **Bill Summary.** This bill, the “Local Government Omnibus Act of 2025,” proposes the following changes to the state laws affecting local agencies’ powers and duties:

- a) **Clerk of the Board electronic signatures.** Current law authorizes a county board of supervisors to adopt a resolution to authorize the use of a facsimile signature of the chairperson of the board on all papers, documents, or instruments requiring the signature of the chairperson, if certain requirements are met. Documents bearing the facsimile signature are accorded the same force and effect as though personally signed by the chairperson. The California Clerk of the Board of Supervisors Association (notes that the requirement to adopt resolutions for the use of facsimile signatures has impeded the transition to electronic documents away from hard copies, such that only a few counties have successfully accomplished the transition. They also note that a city or county clerk may already attest the validity of electronic signatures for city or county ordinances, but there is no explicit authorization to use electronic signatures for other documents that require the signature of the clerk and the chairperson of the board.

This bill removes the requirement to adopt an ordinance to use facsimile signatures and explicitly authorizes the use of electronic or digital signatures for other documents signed by the chairperson of the board and expands the electronic signature authorization for city and county ordinances to allow for “electronic or digital” signatures. [See SEC. 2, 3, 4, and 6 of the bill.]

- b) **Appointment of Kern County registrar of voters.** Current law provides that the county clerk acts as the ex-officio registrar of voters, but allows 14 counties to appoint a separate registrar of voters, including most recently Sonoma County (SB 1514, Committee on Local Government, 2024). Counties that have adopted charters may also appoint a separate registrar of voters. Kern County currently combines the county clerk, registrar of voters, and auditor-controller into a single office. The Kern County Board of Supervisors notes that increasing demands on the office of the registrar of voters have prompted other counties to appoint a separate office, and that allowing the county to separate the registrar of voters function could improve the efficiency and effectiveness of the role of the registrar of voters. The Nevada County Board of Supervisors notes that Nevada County combines the county clerk, recorder, and registrar of voters into a single office, and faces

similar challenges for its registrar of voters.

This bill adds Kern County and Nevada County to the list of counties that can have a separately appointed registrar of voters. [See SEC. 5 and 15.]

- c) **Local Agency Formation Commission (LAFCO) cross-references.** Current law establishes a LAFCO in each county to control the boundaries of cities and special districts, and sets procedures for doing so, including requiring a hearing to count protests to a proposed change of organization. The California Association of Local Agency Formation Commissions notes that two provisions related to LAFCO law contain incorrect cross-references to nonexistent or nonsensical sections.

This bill corrects those cross-references. [See SEC. 7 and 9.]

- d) **Commercial paper maturation terms.** County treasurers must abide by the statutory requirements to invest excess funds in this order of priority: (a) safety, (b) liquidity, and (c) yield. To limit risk, the Government Code places limitations on the types and terms of investments that local governments can make, including to limit the term to maturity for certain types of investments. Specifically, current law limits commercial paper (a short-term debt that is paid back at a specific time with interest, issued by companies) to terms of 270 days or fewer. The California Association of County Treasurers and Tax Collectors notes that in late 2020, the Securities and Exchange Commission allowed counties with over \$100 million in securities can act as qualified institutional buyers, meaning that they were authorized to purchase additional types of commercial paper that have longer maturities. However, because state law limits commercial paper maturities to 270 days—which is shorter than the 397 day terms that some of these additional types of commercial paper have—counties in California have been unable to purchase these new assets.

This bill extends maturity terms that local governments can purchase from 270 to 397 days. [See SEC. 8.]

- e) **Downtown Revitalization and Economic Recovery Financing District cross-references.** Existing law allows the City and County of San Francisco to create a Downtown Revitalization and Economic Recovery Financing District (district) to finance commercial-to-residential conversion projects using incremental property tax revenues (Chapter 274, Statutes of 2024). The City and County of San Francisco notes two issues with the statute:

- i) Current law provides a 30-day validation period during which interested parties may challenge an adopted district. However, this section of law references the adoption of the resolution of intention (the first step in the district formation process) rather than the adoption of the district financing plan (the final step in district formation).

This bill corrects the cross-reference to ensure that the 30-day clock runs after the district is formed. [See SEC. 10.]

- ii) Current law provides that a local agency's allocation and payment to the financing district of the portion of local taxes does not constitute proceeds subject to the

locality's appropriations limit under the California Constitution. However, the section references a section of law that describes the overall purpose of the district, rather than the section that specifically references allocation and payment of tax revenues.

This bill corrects the cross-reference and make additional technical changes. [See SEC. 11.]

- f) **Vallejo Flood and Wastewater District.** Current law creates the Vallejo Flood and Wastewater District Act, which establishes a special act special district by the same name for the purposes of providing flood control and sanitary sewer service in Solano County (Chapter 17, Statutes of 1952, 1st Extraordinary Session). The district notes the following:

- i) Prior to 2017, the district was named the "Vallejo Sanitation and Flood Control District." In 2017, the Local Government Omnibus Act (SB 205, Committee on Governance and Finance, 2017) changed the district name to its current name, including a reference in the Public Contract Code that grants contracting authority to the district. However, the heading of the Article that this authority is contained in still uses the old name.

This bill corrects the name in the heading. [See SEC. 12.]

- ii) The Public Contract Code requires that the district competitively bid and publish solicitations for the procurement of "work of improvement and repair of any of the works or property of the district and in the furnishing of materials or supplies," over \$4,000. The district notes that this language is ambiguous as to whether the furnishing of materials and supplies is part of, or separate from, the construction and repair work. Other agencies' procurement legislation is more straightforward, in some cases by using the term "therefor" to make clear that it includes only the materials and supplies related to the construction work.

This bill clarifies that this bid requirement pertains to materials or supplies related to the construction work. [See SEC. 13.]

- iii) The Public Contract Code grants the district certain emergency contracting powers, but also includes generally applicable emergency contracting powers for all local agencies that are more flexible.

This bill repeals the district-specific emergency contracting authority. [See SEC. 13.]

- g) **Municipal Utility District (MUD) vacancies.** Current law establishes the powers and duties of municipal utility districts (MUDs) under the MUD Act. The MUD Act allows the board of directors of a MUD to fill a vacancy on the board through appointment under specified circumstances until the next district general election that is scheduled 90 or more days after the effective date of the vacancy. East Bay Municipal Utility District notes that because the person appointed to fill a vacancy only serves until the date of the election, but the person that wins the seat in the election does not take office until the election is certified, there is a gap in representation for residents of areas where an appointee has temporarily filled a vacancy.

This bill provides that a person appointed to fill a vacancy holds office until the person elected has been qualified and takes office. [See SEC. 14.]

- 2) **Author's Statement.** According to the author, "SB 858 compiles, into a single bill, noncontroversial statutory changes to seven parts of state laws that affect local agencies and land use. Moving a bill through the legislative process costs the state around \$18,000. By avoiding six other bills, the Committee's measure avoids approximately \$108,000 in legislative costs. Although the practice may violate a strict interpretation of the single-subject and germaneness rules, the Committee insists on a very public review of each item. More than 150 public officials, trade groups, lobbyists, and legislative staffers see each proposal before it goes into the Committee's bill. Should any item in SB 858 attract opposition, the Committee will delete it. In this transparent process, there is no hidden agenda. If it's not consensus, it's not omnibus."
- 3) **Arguments in Support.** Supporters note that this bill assists them with their mission and duties by making several non-controversial changes to the statutes governing local governments.
- 4) **Arguments in Opposition.** None on file

REGISTERED SUPPORT / OPPOSITION:

Support

California Association of Clerks & Election Officials
California Association of County Treasurers & Tax Collectors
County of Kern
County of Nevada
East Bay Municipal Utility District

Opposition

None on file.

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