



MEMORANDUM

DATE	August 7, 2014
TO	Psychology Board Members
FROM	Jonathan Burke Administrative Services Coordinator
SUBJECT	AB 2058 (Wilk): Open Meetings

Background:

AB 2058 (Wilk) seeks to amend the Bagley Keene Open Meeting Act. The bill modifies the definition of 'state body' to exclude an advisory body with less than three individuals, except for certain standing committees. The Board does not have any committees that would be affected by the passage of this legislation.

Action Requested:

This item is for informational purposes.. No action is requested.

Attachment A shows the current language proposed in AB 2058.

AMENDED IN SENATE JUNE 19, 2014

AMENDED IN ASSEMBLY APRIL 9, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2058

Introduced by Assembly Member Wilk
(Coauthors: Assembly Members ~~Hagman and Harkey~~ Hagman,
***Harkey, and Olsen*)**

(Coauthors: Senators DeSaulnier, Gaines, and Vidak)

February 20, 2014

An act to amend Section 11121 of the Government Code, relating to state government, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2058, as amended, Wilk. Open meetings.

The Bagley-Keene Open Meeting Act requires that all meetings of a state body, as defined, be open and public and that all persons be permitted to attend and participate in any meeting of a state body, subject to certain conditions and exceptions.

This bill would modify the definition of “state body” to exclude an advisory body with less than 3 individuals, except for certain standing committees.

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

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 11121 of the Government Code is amended to read:

11121. As used in this article, “state body” means each of the following:

(a) Every state board, or commission, or similar multimember body of the state that is created by statute or required by law to conduct official meetings and every commission created by executive order.

(b) A board, commission, committee, or similar multimember body that exercises any authority of a state body delegated to it by that state body.

(c) An advisory board, advisory commission, advisory committee, advisory subcommittee, or similar multimember advisory body of a state body, if created by formal action of the state body or of any member of the state body. An advisory body created to consist of fewer than three individuals is not a state body, except that a standing committee of a state body, irrespective of its composition, which has a continuing subject matter jurisdiction, or a meeting schedule fixed by resolution, policies, bylaws, or formal action of a state body is a state body for the purposes of this chapter.

(d) A board, commission, committee, or similar multimember body on which a member of a body that is a state body pursuant to this section serves in his or her official capacity as a representative of that state body and that is supported, in whole or in part, by funds provided by ~~the~~ *that* state body, whether the multimember body is organized and operated by the state body or ~~by~~ a private corporation.

SEC. 2. 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 Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to avoid unnecessary litigation and ensure the people’s right to access of the meetings of public bodies pursuant to Section 3 of Article 1 of the California Constitution, it is necessary that act take effect immediately.

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