

CONCURRENCE IN SENATE AMENDMENTS

AB 2080 (Johnson)

As Amended August 21, 2026

Majority vote

SUMMARY

Removes the one-year limitation on the delegation of the authority, by a county board of supervisors, for the treasurer to invest public funds and instead requires the county board of supervisors to revoke its delegation of authority.

Senate Amendments

- 1) Require, that if the board of supervisors delegates to the county treasurer the authority to invest or reinvest funds of the county and the funds of other depositors in the county treasury, the county investment policy shall require the county treasurer to do make a monthly report of transactions to the legislative body *and* make a quarterly report, as specified.
- 2) Add chaptering language to avoid potential conflict with SB 1438 (Senate Local Government Committee) of the current legislative session.

COMMENTS

- 1) *County Governance.* Existing law provides for county powers and governance, including an elected county board of supervisors, an elected county sheriff, an elected district attorney, and an elected assessor. The powers of a county can only be exercised by the board of supervisors or through officers acting under the authority of the board or authority conferred by law. The board supervises the official conduct of all county officers, particularly as their activities pertain to the management and disbursement of public funds. The board of supervisors is also vested with the constitutional authority to provide for the number, compensation, tenure, and appointment of employees.
- 2) *County Treasurer.* Most treasurers are elected officials, although some are appointed by the board of supervisors. County treasurers typically receive and keep safely all money belonging to the county and all other money directed by law to be paid to them and pay it out, rendering the account as required.

If delegated to the treasurer by the board of supervisors, the treasurer may invest or reinvest the funds of the county and the funds of other depositors in the county treasury. The treasurer must then assume full responsibility for those transactions until the board of supervisors either revokes its delegation of authority or decides not to renew the annual delegation. If delegated this authority, the county treasurer shall be the agent of the county with respect to these funds, serve as a fiduciary, and be subject to the prudent investor standard. State law often dictates which types of investments can be made and requires the treasurer to meet certain educational, professional and training criteria.

- 3) *Orange County Bankruptcy.* On December 6, 1994, Orange County became the largest municipality in U.S. history to declare bankruptcy at the time. The county treasurer had lost \$1.7 billion of taxpayers' money through investments in risky Wall Street securities. In 1994, the Orange County investment pool had about \$7.6 billion in deposits from the county government and almost 200 local public agencies (cities, school districts, and special

districts). Borrowing \$2 for every \$1 on deposit, the County Treasurer increased the size of the investment pool to \$20.6 billion. While in bankruptcy, every county program budget was cut, about 3,000 public employees were discharged, and all services were reduced. Orange County did not make its final payment on the \$1 billion bond that helped it get out of bankruptcy until 2017.

Following Orange County's bankruptcy filing, the Legislature enacted a number of bills to increase protections and address these problems, including SB 866 (Craven), Chapter 784, Statutes of 1995, and SB 109 (Kopp), Chapter 749, Statutes of 1996, which, among other requirements:

- a) Provided that a county treasurer is a trustee and fiduciary subject to the prudent investment standard.
- b) Established a local investment oversight committee.
- c) Called for treasurers to render annual investment policy statements to their governing boards required to be considered at a public meeting.
- d) Defined the permitted investment instruments that local agencies can invest in.
- e) Limited the authorization to delegate authority to a one-year period, renewable annually subject to review.

In 1998, the Public Policy Institute of California shared recommendations that may help prevent, or at least ameliorate, future crises:

- a) Local governments need to maintain high standards for fiscal oversight and accountability.
 - b) State government should closely monitor the fiscal conditions of its local governments, rather than wait for serious problems to surface.
 - c) Local officials should be wary about citizens' pressures to implement fiscal policies that are popular in the short run but financially disastrous over time.
- 4) *State Mandate Reforms.* In the early 2000s, the Legislature established a Special Committee on State Mandates to review all reimbursable state mandates, with an emphasis on those mandates that have been suspended or deferred. The goal of the committee was to look at outdated mandates from a fiscal and administrative perspective, not necessarily the public policy basis for each. Many mandates were recommended to be "best management practices" for state government, but not rise to the level of reimbursable state activities.

AB 2853 (Laird), Chapter 889, Statutes of 2004, made a number of state mandates that were related to duties of county treasurers investing public funds optional. These mandates included the requirement that a board of supervisors establish a treasury oversight committee, and the requirement for the treasurer to annually render to their respective legislative bodies and any oversight committee a statement of investment policy and quarterly reports. However, GC Section 53607 still requires the treasurer, if the authority to invest funds of a local agency is delegated to the treasurer, to make a monthly report of those transactions to

the legislative body. This bill would maintain a reporting requirement by requiring the board of supervisors to set monthly or quarterly reporting requirements for the county treasurer if the authority to invest public funds is delegated to the treasurer.

According to the Author

"As a former local elected official, I'm happy to be authoring AB 2080, which will help to ensure that investment authority delegation is not interrupted by requirements that such authority is renewed on an annual basis. By changing this practice to instead requiring a proactive revocation of delegated authority, this bill will streamline county finances without sacrificing necessary oversight and reporting mechanisms."

Arguments in Support

According to the California Association of County Treasurers and Tax Collectors, "County treasurers are responsible for managing the cash management, banking, and investment duties for their counties as well as for numerous other public agencies that deposit funds in the county treasury. These agencies commonly include K–12 school districts, community college districts, special districts, and other local public entities that participate in county investment pools. Current law requires that a county board of supervisors delegate investment authority to the county treasurer on an annual basis pursuant to California Government Code Section 53607. While this delegation is routine in many counties, the annual renewal requirement can create unnecessary administrative burdens and compliance risks.

"In practice, administrative delays in processing board agenda items can result in temporary lapses in the one-year delegation period, placing counties in technical non-compliance with statutory requirements even when there are no concerns regarding the treasurer's performance. These lapses can create uncertainty for counties and for the many public agencies that rely on county investment pools to manage their funds responsibly.

"AB 2080 addresses this issue by amending California Government Code Section 27000.1 and clarifying the relationship with California Government Code Section 53607 to allow boards of supervisors to delegate investment authority to the county treasurer on an ongoing basis rather than through annual renewal. Once delegated, the treasurer would continue to exercise that authority unless the board affirmatively revokes it. The bill also preserves local oversight by allowing boards of supervisors to establish reporting requirements through the county investment policy, ensuring continued transparency and accountability.

"By eliminating the risk that investment authority could unintentionally lapse due to administrative delays, AB 2080 helps protect the stability of county investment operations and the public funds entrusted to them. At the same time, it maintains an appropriate public process should a board determine that revocation of authority is warranted."

Arguments in Opposition

None on file.

FISCAL COMMENTS

None.

VOTES:

ASM LOCAL GOVERNMENT: 10-0-0

YES: Carrillo, Ta, Johnson, Pacheco, Ramos, Ransom, Blanca Rubio, Stefani, Ward, Wilson

ASSEMBLY FLOOR: 69-0-11

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bryan, Calderon, Caloza, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Ward, Wilson, Zbur, Rivas

ABS, ABST OR NV: Arambula, Bonta, Chen, Flora, Hart, Hoover, Lee, Petrie-Norris, Celeste Rodriguez, Wallis, Wicks

UPDATED

VERSION: August 21, 2026

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FN: 0004029