UNFINISHED BUSINESS

Bill No: SB 1439
Author: Committee on Local Government
Amended: 8/19/26
Vote: 21

SENATE LOCAL GOVERNMENT COMMITTEE: 7-0, 4/15/26
AYES: Durazo, Choi, Arreguín, Ashby, Cervantes, Laird, Seyarto

SENATE FLOOR: 37-0, 4/23/26 (Consent)
AYES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Weber Pierson, Wiener
NO VOTE RECORDED: Ochoa Bogh, Reyes, Wahab

ASSEMBLY FLOOR: 78-0, 8/24/26 - See last page for vote

SUBJECT: Local government: omnibus bill

SOURCE: Author

DIGEST: This bill proposes minor changes to state laws governing local governments' powers and duties.

Assembly Amendments make additional minor, noncontroversial changes.

ANALYSIS:

Each year, local officials discover problems with state statutes affecting counties, cities, special districts, and redevelopment agencies, as well as the laws on land use planning and development. These minor problems do not warrant separate (and expensive) bills. According to the Legislative Analyst, the cost of producing a bill in 2001-02 was $17,890.

The Senate Local Government Committee responds by combining several of these minor topics into an annual "omnibus bill." In 2025, for example, the Committee's omnibus bill was SB 858, which contained seven proposals to change state law, avoiding approximately $108,000 in legislative costs. Although this practice may violate a strict interpretation of the single-subject and germaneness rules as presented in Californians for an *Open Primary v. McPherson* 43 Cal.Rptr.3d 315 (2006), nevertheless it is an expeditious and relatively inexpensive way to respond to multiple requests.

This bill, the "Local Government Omnibus Act of 2026," proposes the following changes to the state laws affecting local agencies' powers and duties:

1) *Joint Powers Agency (JPA) advisory committees*. The Joint Exercise of Powers Act allows two or more public agencies to use their powers in common if they sign a joint powers agreement. Sometimes an agreement creates a new, separate government called a joint powers authority (JPA). State law generally limits membership in JPAs to public agencies: federal, state, and local governments. Federally-recognized Indian tribes may also be members. The joint powers agreement specifies the membership of the JPA's governing body, which must be composed exclusively of officials elected to one or more of the governing bodies of the parties to the agreement. The governing body may delegate its functions to an advisory body or administrative entity for the purposes of program development, policy formulation, or program implementation, as long as the governing body of the JPA approves any annual budget of the agency to which the delegation is made. The Sites JPA notes that the terms regarding this delegation of authority are ambiguous and raise questions regarding what entities may participate in advisory bodies and the scope of activity that the bodies may perform. This bill provides that an advisory body can include any entity selected by the governing body and add definitions for "policy formulation," "program development," and "program implementation." [See SEC. 2 of the bill.]

2) *Mandate claim submission timeline*. The California Constitution requires the state to reimburse local governments for the costs of new or expanded state mandated local programs. Current law establishes procedures for local governments to make reimbursement claims for mandated costs. After the Commission on State Mandates identifies a state-mandated program from a test claim submitted by a local agency, the Commission adopts parameters and guidelines, defines what activities will be reimbursed, and adopts statewide cost estimates. The State Controller's Office (SCO) receives, reviews, and pays those claims, and issues claiming instructions based on a reasonable

methodology provided by the Commission. Currently, a local government may file an annual reimbursement claim by February 15th following the fiscal year in which costs are incurred. However, if the SCO revises claiming instructions between November 15th and February 15th, claimants have 120 days from the issuance of the revised claiming instructions. The SCO notes that this timeline means that local governments have fewer than 120 days for claims submitted between October 19th and November 15th, but the full 120 days for claims submitted on or after November 15th. This bill extends the window for submitting claims with the full 120 days to October 19th, so that local governments never have fewer than 120 days to submit a claim. [See SEC. 3.]

3) *Merced County public administrator.* State law establishes various county offices, including the public administrator, who is responsible for administering the estate of a county resident who dies. Public administrators are elected positions, but the Board of Supervisors may put a measure before voters to convert it into an appointed position. County boards can also consolidate the public administrator with the district attorney. Additionally, in 17 counties are authorized under law to appoint a public administrator, and boards in 7 counties can have a joint public guardian, veteran service officer, and public administrator. Finally, 11 counties may separate the public guardian and district attorney offices. In Merced County, the District Attorney serves as the public administrator, with deputy public administrators who handle cases working for the Merced County Behavioral Health and Recovery Services Department. Merced County notes that appointing a public administrator housed with the public conservator/public guardian's office would achieve efficiency by consolidating and aligning the activities with the organization undertaking the work. This bill allows Merced County to appoint the public administrator, consolidate it with the office of public administrator, veteran service officer, and public guardian, and separate the office of public administrator from the office of district attorney. [See SEC. 4 and 24.]

4) *County clerk gender references*. State law establishes various county offices, including the county clerk. The responsibilities of the county clerk varies from county to county but generally includes maintaining records filed with the clerk, issuing marriage licenses, and acting as the administrative recordkeeper of the board of supervisors. A county clerk must sign and affix a seal to documents when performing their official duties. Senate Local Government Committee staff notes that the county clerk statutes use outdated references to gendered pronouns. This bill updates the statutes describing the county clerk's duties to use gender-neutral terminology. [See SEC. 5, 6, 7, 8, 9, 10, and 11.]

5) *County recorder notification program.* County recorders are responsible for examining and recording all documents dealing with the ownership of land in counties. These documents include payments of taxes or fees, filings of fictitious business names, deeds, mortgage documents, easements, power of attorney documents, liens, and any documents that affect the ownership of any given property. Current law requires a county board of supervisors to establish a recorder notification program for the purpose of reducing home title fraud (SB 255, Seyarto, 2025). Under the program, the county recorder must, within 30 days of recordation of a deed, quitclaim deed, mortgage, or deed of trust, notify by mail the parties executing that document. The County Recorders Association of California notes that in cases of fraud, the person executing the document may be someone other than the current owner, resulting in the notification being misdirected to another party. This bill instead requires notification of the owner of record. [See SEC. 12.]

6) *County recorder archive program fee*. Existing law allows county recorders to charge a filing fee for recording and indexing every instrument, paper, or notice required or permitted by law to be recorded. The board of supervisors of a county may levy a $1 fee for filing every instrument, paper, or notice for record, in order to defray the cost of converting the county recorder's document storage system to micrographics. However, from 2020 to the end of 2025, this fee could be used to fund alternative archiving methods, as determined by the recorder. The County Recorder's Association of California notes that technology has advanced significantly, such that micrographics are no longer the mechanism of choice for maintaining archival documents. The Association also notes that there is only one manufacturer of microfilm, and microfilm printing machines are becoming hard to acquire. This bill restores the ability of the county recorder to use the existing $1 fee for alternative means of archiving, as determined by the county recorder, restrict the use of the fee to the purposes outlined in the law, and make technical changes. [See SEC. 13.]

7) *Mayor signatures for state funding programs*. Current law requires mayors to sign agreements, warrants, and other instruments, unless the city's legislative body provides by ordinance that these instruments can be signed by an officer other than the mayor. To be valid, ordinances must comply with numerous provisions of law, including requirements that ordinances be introduced and adopted at separate meetings, and that they take effect 30 days after passage, as well as publication and posting requirements. The Department of Housing and Community Development (HCD) notes that these procedures can delay HCD's and city grantees' ability to sign standard agreements and process payments in a timely manner. These requirements can be particularly challenging for smaller

cities that have limited capacity, don't meet at frequent intervals, or don't have a full-time legislative body. This bill allows a city council to adopt a resolution to allow officers other than the mayor to sign agreements, warrants, and other instruments for the purpose of participating in a state-administered or state-approved funding or regulatory program. [See SEC. 14.]

8) *Local government investments*. State law regulates the investments into which any local agency may place its surplus funds. Current law allows the State Treasurer to accept letters of credit from any of the 11 regional Federal Home Loan Banks (FHLB) to secure state deposits held in banks headquartered outside of California. State law allows counties and the City of Los Angeles to accept letters of credit, but restricts eligible letters of credit to those issued solely by the FHLB of San Francisco. The California Association of County Treasurers and Tax Collectors notes that 57 of California's 58 counties maintain primary banking relationships with large national institutions headquartered outside the San Francisco FHLB district. They note that the current restriction forces these banks into more expensive collateralization methods, ultimately reducing the interest yields available to local agencies. This bill allows counties and the City of Los Angeles to accept letters of credit that are drawn on accept letters of credit from a bank's own FHLB. This bill also makes nonsubstantive changes to reorganize the section. [See SEC. 15.]

9) *Surplus Land Act (SLA) large dispositions.* The SLA spells out the steps local agencies must follow when they want to dispose of land. It requires local governments to give a "first right of refusal" to other governments and nonprofit housing developers, and to negotiate in good faith with them to try to come to agreement. The SLA designates certain types of land as "exempt surplus land." Statute provides that the entirety of the SLA does not apply to disposals of exempt surplus land. In 2023, the Legislature revised certain provisions of the SLA to address implementation issues, including to create an exemption for disposition of 10 or more acres of surplus land (SB 747, Caballero and AB 480, Ting) if certain conditions are met, in order to address disposition challenges that are unique to large areas. The Legislature also defined "disposition" of surplus land to include sales or leases with a term of 15 years or greater. Assembly Local Government Committee staff notes that the exemption for 10 or more acres refers to disposition to "buyers," which may unintentionally exclude leases of surplus land from the exemption. This bill corrects "buyers" to "persons or entities." [See SEC. 16.]

10) *Local agency meetings*. Current law, under the Ralph M. Brown Act (Brown Act), establishes requirements for how local agencies must hold public

meetings. Among other provisions, the Brown Act requires meetings of the legislative body of a local agency be open and pubic. SB 707 (Durazo, 2025) expanded various provisions of the Brown Act in numerous ways. Various parties have noted technical errors in several provisions of SB 707, including:

a) SB 707 allows, until January 1, 2030, "eligible subsidiary bodies" to use teleconferencing without meeting the otherwise applicable teleconferencing requirements, such as participating from a publicly-accessible location, as long as certain conditions are met. One condition includes that the legislative body that established the eligible subsidiary body must make findings every six months to authorize the use of teleconferencing. SB 707 also requires discussion of the recommendations of the subsidiary body at a meeting of the legislative body, which may be consolidated with the meeting at which findings authorizing teleconferencing are adopted. The California State Association of Counties notes the provision that allows the consolidation of the discussion of recommendations with the findings incorrectly states that the findings apply for twelve months, instead of six. This bill corrects that reference to six months to match the requirement for authorizing teleconferencing. [See SEC. 17.]

b) SB 707 authorizes, until January 1, 2030, members of "eligible multijurisdictional bodies" to teleconference without meeting the requirements otherwise applicable to teleconferenced meetings for a specified number of meetings per year. An eligible multijurisdictional body is defined as a multijurisdictional board, commission, or advisory body of a multijurisdictional, cross-county agency, the membership of which board, commission, or advisory body is appointed, and the board, commission, or advisory body is otherwise subject to this chapter. Some local agency attorneys note that the term cross-county agency could be interpreted to mean either an agency that spans an entire county or an agency that spans multiple counties. This bill clarifies that a multijurisdictional body is an inter-county or intra-county agency. [See SEC. 18.]

11) *Subdivision map findings internal cross-reference*. Current law, the Subdivision Map Act, regulates how city and county officials approve the conversion of larger parcels into marketable lots. Among other requirements, the Map Act directs a county that approves a subdivision map in the very high fire hazard severity zone or the State Responsibility Area to make findings that the subdivision is consistent with state standards for subdivisions, or locally adopted ordinances, and fire suppression services will be available for the subdivision, as specified. The county must also send these findings to the State

Board of Forestry and Fire Protection. However, this requirement does not apply to specified subdivision maps that would subdivide land identified in the general plan for the managed production of resources that meets specified conditions. Senate Local Government Committee staff note that this section contains an incorrect internal cross-reference within the section. This bill corrects that cross-reference. [See SEC. 19.]

12) *Imperial LAFCO report on Imperial Valley Healthcare District (IVHD).* Current law creates the IVHD to provide healthcare services across Imperial County, essentially consolidating Pioneers Memorial Healthcare District and Heffernan Memorial Healthcare District (AB 918, Garcia, 2023). That measure required the Imperial County LAFCO to conduct a municipal service review (MSR) of the new district by December 31, 2026. Subsequently, SB 1070 (Padilla, 2024) extended the deadline for Imperial Valley Healthcare District to place a permanent funding mechanism for the new district on the ballot from 2024 to November 2026. The California Association of LAFCOs notes that the delay to November 2026 of the ballot measure for the funding mechanism makes it difficult for the Imperial County LAFCO to prepare an accurate and complete MSR by the end of 2026, as currently required. This bill delays the MSR requirement by one year, until December 31st, 2027. [See SEC. 20.]

Comments

Purpose of the bill. This bill compiles, into a single bill, noncontroversial statutory changes to six 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 five other bills, the Committee's measure avoids approximately $72,000 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 this bill 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.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 8/24/26)

California Association of Local Agency Formation Commissions
County of Merced

County Recorders Association of California
Imperial Local Agency Formation Commission
Local Agency Formation Commission for the County of Los Angeles
Local Agency Formation Commission of Santa Cruz County
Marin Local Agency Formation Commission
Mendocino Local Agency Formation Commission
Sites Project Authority

OPPOSITION: (Verified 8/24/26)

None received

ASSEMBLY FLOOR: 78-0, 8/24/26
AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas
NO VOTE RECORDED: McKinnor

Prepared by: Anton Favorini-Csorba / L. GOV. / (916) 651-4119
11/16/26 11:10:22

****** END ******