

## Business, Transportation & Housing Agency

**BUDGET NO. 2000**

**REPORT NO. 1**

### CORPORATIONS CODE

#### TITLE 1. CORPORATIONS [100. - 14551.]

*( Title 1 enacted by Stats. 1947, Ch. 1038. )*

#### DIVISION 3. CORPORATIONS FOR SPECIFIC PURPOSES [12000. - 14631.]

*( Division 3 enacted by Stats. 1947, Ch. 1038. )*

#### PART 5. SMALL BUSINESSES [14000. - 14091.]

*( Heading for Part 5 [as added by Stats. 1989, Ch. 1399] added by Stats. 1990, Ch. 216, Sec. 10. )*

#### CHAPTER 1. California Small Business Financial Development Corporations [14000. - 14091.]

*( Heading of Chapter 1 amended by Stats. 1996, Ch. 1046, Sec. 1. )*

#### ARTICLE 9. Loans and Loan Guarantees [14070. - 14076.]

*( Article 9 added by Stats. 1989, Ch. 1399, Sec. 2. )*

#### 14076.

(a) It is the intent of the Legislature that the corporations make maximal use of their statutory authority to guarantee loans and surety bonds, including the authority to secure loans with a minimum loan loss reserve of only 25 percent, unless the agency authorizes a higher leverage ratio for an individual corporation pursuant to subdivision (b) of Section 14037, so that the financing needs of small business may be met as fully as possible within the limits of corporations' loan loss reserves. The agency shall report annually to the Legislature on the financial status of the corporations and their portfolio of loans and surety bonds guaranteed.

(b) Any corporation that serves an area declared to be in a state of emergency by the Governor or a disaster area by the President of the United States, the Administrator of the United States Small Business Administration, or the United States Secretary of Agriculture shall increase the portfolio of loan guarantees where the dollar amount of the loan is less than one hundred thousand dollars (\$100,000), so that at least 15 percent of the dollar value of loans guaranteed by the corporation is for those loans. The corporation shall comply with this requirement within one year of the date the emergency or disaster is declared. Upon application of a corporation, the director may waive or modify the rule for the corporation if the corporation demonstrates that it made a good faith effort to comply and failed to locate lending institutions in the region that the corporation serves that are willing to make guaranteed loans in that amount.

(c) This section shall become operative on January 1, 2013.

[\(Repealed \(in Sec. 7\) and added by Stats. 2007, Ch. 601, Sec. 8. Effective January 1, 2008. Section operative January 1, 2013, by its own provisions.\)](#)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-610	Price	Small Business Expansion Fund.	Chaptered 10/13/2007	10/13/2007 - Chaptered by Secretary of State - Chapter 601, Statutes of 2007.	Secretary of State - Chaptered	Yes	Majority
AB-1230		Health: health care provider	Chaptered 10/12/1997		-		

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
		loans: Medi-Cal managed care.					
AB-1259		Economic development.	Chaptered 10/06/1993		-		
AB-1542		Small business development.	Chaptered 10/02/1989		-		
AB-1684		Financial development: corporations.	Chaptered 09/30/1996		-		
AB-2313	Chu	Economic development.	Chaptered 09/09/2002	09/09/2002 - Chaptered by Secretary of State - Chapter 436, Statutes of 2002.	-		
AB-2564	Oropeza	Small business financial development corporations.	Amended Assembly 04/26/2004	11/30/2004 - From committee without further action.	-	No	Majority
AB-2671	Committee on Jobs, Economic Development, and the Economy	Small business financial development corporations: loans and loan guarantees.	Amended Assembly 04/26/2012	07/03/2012 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (July 2). Re-referred to Com. on APPR.	Senate- In Committee Process - Appropriations	Yes	Majority
SB-1558	McPherson	Small business financial development corporations.	Chaptered 07/14/2004	07/14/2004 - Chaptered by Secretary of State. Chapter 143, Statutes of 2004.	-		

**COMMENTS/RECOMMENDATIONS:**

The Small Business Loan Guarantee program has several statutory reporting requirements. The Agency recommends eliminating the report required in Section 14076 of the Corporations Code and consolidating it with the report required by Section 14037.7 of the Corporations Code. The Legislature may wish to postpone consolidating these reports until the Administration proposes language.

## **REPORT NO. 2**

### **GOVERNMENT CODE**

#### **TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000. - 22980.]**

*( Title 2 enacted by Stats. 1943, Ch. 134. )*

#### **DIVISION 3. EXECUTIVE DEPARTMENT [11000. - 15986.]**

*( Division 3 added by Stats. 1945, Ch. 111. )*

#### **PART 4.7. BUSINESS AND TOURISM [13995. - 13999.4.]**

*( Part 4.7 added by Stats. 2003, Ch. 229, Sec. 1.5. )*

#### **CHAPTER 2.5. International Trade and Investment [13996.4. - 13996.75.]**

*( Chapter 2.5 added by Stats. 2006, Ch. 663, Sec. 2. )*

#### **13996.7.**

(a) Except as specified in Section 13997.1, international trade and investment offices are prohibited from being established except under the conditions specified in the international trade and investment office strategy described in Section 13996.65. Except as specified in Section 13997.1, no office may be established except as provided in this chapter.

(b) In establishing offices pursuant to this section, the secretary shall submit to the Legislature a business plan for each proposed office, which shall include, but not be limited to, all of the following:

(1) The mission of the office, goals, objectives, and timelines for achieving quantifiable targets.

(2) The level of staffing and staff expertise requirements needed to successfully operate the office.

(3) The proposed terms for the operation of the offices, including the duration and oversight needed for office operations.

(4) How the opening of the office relates to the international trade and investment office strategy and the overall international trade and investment strategy.

(c) (1) The international trade and investment offices shall be under the direction of a manager of international trade and investment offices within the agency, to be designated by the secretary.

The manager shall be an individual with experience in management and oversight of public agencies or experience in international trade, investments, or global business.

(2) No international trade and investment office shall be opened until the position of the manager of international trade and investment offices is filled within the agency.

(3) The position of the manager of the international trade and investment offices shall be a state employee position funded and staffed in a manner consistent with the international trade and investment office strategy.

(d) (1) Each office established pursuant to this chapter shall submit a report to the agency by December 1 of each year on meeting its goals, objectives, and timelines as outlined in its business plan.

(2) The secretary shall provide a summary of the reports to the relevant policy committees of each house of the Legislature, as set forth in paragraph (2) of subdivision (f), by the following February 1 of each year.

(e) The agency shall conduct an annual performance review of each office for the first three years of the office's operation. After this term, upon the determination of the secretary, the performance reviews may be undertaken at a longer interval, but not to exceed five years. If the secretary determines that an extended interval is appropriate for a particular office, this shall be clearly indicated in the secretary's annual report to the Legislature on the activities of the offices.

(f) (1) The secretary shall contract for an independent study of the operations and effectiveness of the international trade and investment offices established pursuant to this section at the conclusion of the first two years of operation and at four year intervals after the initial study.

(2) The report on the results of the study shall be submitted to the Chief Clerk of the Assembly and the Secretary of the Senate no later than two years after the opening of the first office pursuant to this chapter. A copy of the report shall be provided to the Speaker of the Assembly, the President pro Tempore of the Senate, and the chairs of the Assembly Committee on Jobs, Economic Development, and the Economy and the Senate Committee on Business, Professions and Economic Development, or the successor committees with jurisdiction over international trade and economic development programs.

(g) International trade and investment offices shall be funded only according to the international trade and investment office strategy authorized pursuant to subdivision (g) of Section 13996.65, except as provided for in Section 13997.1. All nonstate sources of funding shall be identified on the agency Web site by name and the amount contributed. The agency shall be responsible for all state administrative and oversight costs. The agency shall also be responsible for some portion of the costs of each office, not to exceed one hundred thousand dollars (\$100,000) per office.

(h) Consistent with the international trade and investment office strategy, the secretary shall make a determination by September 1 of each year that sufficient funds have been appropriated in the annual Budget Act to meet its oversight and management responsibilities related to the proper operation of the offices. If, in the opinion of the secretary, insufficient funding has been provided, the secretary shall notify the Joint Legislative Budget Committee and submit a budget change proposal to request sufficient funding.

*(Added by Stats. 2006, Ch. 663, Sec. 2. Effective January 1, 2007.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-804	Firebaugh	International trade: demonstration project.	Amended Senate 06/10/2004	11/30/2004 - From Senate committee without further action.	-	Yes	Two Thirds
AB-1149	Firebaugh	International trade: demonstration project.	Amended Senate 08/16/2004	11/30/2004 - From Senate committee without further action.	-	Yes	Majority
AB-1209	Yee	Microenterprise development.	Amended Senate 08/08/2006	08/10/2006 - From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 3. Noes 1.).	-	Yes	Two Thirds
AB-1352	Longville	Vehicles: California Trucking Advisory Board.	Amended Assembly 01/03/2000	02/03/2000 - From committee: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.	-	Yes	Majority
AB-2012	John A. Pérez	Economic development.	Amended Senate 06/25/2012	07/06/2012 - From committee: Do pass as amended and re-refer to Com. on	Senate-In Floor Process	Yes	Majority

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
				APPR. (Ayes 8. Noes 0.) (July 2).			
SB-1513	Romero, Figueroa	California International Trade and Investment Act.	Chaptered 09/29/2006	09/29/2006 - Chaptered by Secretary of State. Chapter 663, Statutes of 2006. 09/29/2006 - Approved by Governor.	-	Yes	Majority

**COMMENTS/RECOMMENDATIONS:**

According to the Assembly Committee on Jobs, Economic Development and the Economy, this report is incorrectly cited and described in the recommendations. The citation from BTH refers to a report with a due date of February 1, 2009, regarding the goals, objectives, and timeliness established in the business plan of each international trade and investment office. There is no such report in Section 13996.7 of the Government Code. The Legislature should await a legislative proposal from the Administration before making a recommendation on this.

## **REPORT NO. 3**

### **GOVERNMENT CODE**

#### **TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000. - 22980.]**

*( Title 2 enacted by Stats. 1943, Ch. 134. )*

#### **DIVISION 3. EXECUTIVE DEPARTMENT [11000. - 15986.]**

*( Division 3 added by Stats. 1945, Ch. 111. )*

#### **PART 4.7. BUSINESS AND TOURISM [13995. - 13999.4.]**

*( Part 4.7 added by Stats. 2003, Ch. 229, Sec. 1.5. )*

#### **CHAPTER 2.5. International Trade and Investment [13996.4. - 13996.75.]**

*( Chapter 2.5 added by Stats. 2006, Ch. 663, Sec. 2. )*

#### **13996.7.**

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(1) The mission of the office, goals, objectives, and timelines for achieving quantifiable targets.

(2) The level of staffing and staff expertise requirements needed to successfully operate the office.

(3) The proposed terms for the operation of the offices, including the duration and oversight needed for office operations.

(4) How the opening of the office relates to the international trade and investment office strategy and the overall international trade and investment strategy.

(c) (1) The international trade and investment offices shall be under the direction of a manager of international trade and investment offices within the agency, to be designated by the secretary. The manager shall be an individual with experience in management and oversight of public agencies or experience in international trade, investments, or global business.

(2) No international trade and investment office shall be opened until the position of the manager of international trade and investment offices is filled within the agency.

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(d) (1) Each office established pursuant to this chapter shall submit a report to the agency by December 1 of each year on meeting its goals, objectives, and timelines as outlined in its business plan.

(2) The secretary shall provide a summary of the reports to the relevant policy committees of each house of the Legislature, as set forth in paragraph (2) of subdivision (f), by the following February 1 of each year.

(e) The agency shall conduct an annual performance review of each office for the first three years of the office's operation. After this term, upon the determination of the secretary, the performance reviews may be undertaken at a longer interval, but not to exceed five years. If the secretary determines that an extended interval is appropriate for a particular office, this shall be clearly indicated in the secretary's annual report to the Legislature on the activities of the offices.

(f) (1) The secretary shall contract for an independent study of the operations and effectiveness of the international trade and investment offices established pursuant to this section at the conclusion of the first two years of operation and at four year intervals after the initial study.

(2) The report on the results of the study shall be submitted to the Chief Clerk of the Assembly and the Secretary of the Senate no later than two years after the opening of the first office pursuant to this chapter. A copy of the report shall be provided to the Speaker of the Assembly, the President pro Tempore of the Senate, and the chairs of the Assembly Committee on Jobs, Economic Development, and the Economy and the Senate Committee on Business, Professions and Economic Development, or the successor committees with jurisdiction over international trade and economic development programs.

(g) International trade and investment offices shall be funded only according to the international trade and investment office strategy authorized pursuant to subdivision (g) of Section 13996.65, except as provided for in Section 13997.1. All nonstate sources of funding shall be identified on the agency Web site by name and the amount contributed. The agency shall be responsible for all state administrative and oversight costs. The agency shall also be responsible for some portion of the costs of each office, not to exceed one hundred thousand dollars (\$100,000) per office.

(h) Consistent with the international trade and investment office strategy, the secretary shall make a determination by September 1 of each year that sufficient funds have been appropriated in the annual Budget Act to meet its oversight and management responsibilities related to the proper operation of the offices. If, in the opinion of the secretary, insufficient funding has been provided, the secretary shall notify the Joint Legislative Budget Committee and submit a budget change proposal to request sufficient funding.

*(Added by Stats. 2006, Ch. 663, Sec. 2. Effective January 1, 2007.)*

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AB-804	Firebaugh	International trade: demonstration project.	Amended Senate 06/10/2004	11/30/2004 - From Senate committee without further action.	-	Yes	Two Thirds
AB-1149	Firebaugh	International trade: demonstration project.	Amended Senate 08/16/2004	11/30/2004 - From Senate committee without further action.	-	Yes	Majority
AB-1209	Yee	Microenterprise development.	Amended Senate 08/08/2006	08/10/2006 - From committee: Do pass, and re-refer to Com. on APPR. Re-referred. (Ayes 3. Noes 1.).	-	Yes	Two Thirds
AB-1352	Longville	Vehicles: California Trucking Advisory Board.	Amended Assembly 01/03/2000	02/03/2000 - From committee: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.	-	Yes	Majority
AB-2012	John A. Pérez	Economic development.	Amended Senate 06/25/2012	07/06/2012 - From committee: Do pass as amended and re-refer to Com. on	Senate-In Floor Process	Yes	Majority

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
				APPR. (Ayes 8. Noes 0.) (July 2).			
SB-1513	Romero, Figueroa	California International Trade and Investment Act.	Chaptered 09/29/2006	09/29/2006 - Chaptered by Secretary of State. Chapter 663, Statutes of 2006. 09/29/2006 - Approved by Governor.	-	Yes	Majority

**COMMENTS/RECOMMENDATIONS:**

According to the Business, Transportation and Housing Agency, the reporting requirement in Section 13996.7 (f)(1) should be eliminated because no international trade and investment offices have been established. The Assembly Committee on Jobs, Economic Development and the Economy recommends that we retain reports regarding trade offices in case such trade offices are approved. The reports provide the Legislature with the basic information to oversee trade offices. In the past, such offices were widely criticized due to a lack of this type of oversight.

## **REPORT NO. 4**

### **GOVERNMENT CODE**

#### **TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000. - 22980.]**

*( Title 2 enacted by Stats. 1943, Ch. 134. )*

#### **DIVISION 1. GENERAL [8000. - 8899.24.]**

*( Division 1 enacted by Stats. 1943, Ch. 134. )*

#### **CHAPTER 7.5. California Disaster Assistance Act [8680. - 8692.]**

*( Heading of Chapter 7.5 amended by Stats. 2005, Ch. 158, Sec. 3.2. )*

#### **ARTICLE 3. Allocations to State Agencies [8683. - 8684.2.]**

*( Article 3 added by Stats. 1974, Ch. 290. )*

#### **8684.2.**

(a) It is the intent of the Legislature:

(1) To provide the Governor with appropriate emergency powers in order to enable utilization of available emergency funding to provide guarantees for interim loans to be made by lending institutions, in connection with relief provided for those persons affected by disasters or a state of emergency in affected areas during periods of disaster relief assistance, for the purpose of supplying interim financing to enable small businesses to continue operations pending receipt of federal disaster assistance.

(2) That the Governor should utilize this authority to prevent business insolvencies and loss of employment in areas affected by these disasters.

(b) In addition to the allocations authorized by Section 8683 and the loan guarantee provisions of Section 14030.1 of the Corporations Code, the Governor may allocate funds made available for the purposes of this chapter, in connection with relief provided, in affected areas during the period of federal disaster relief, to the Small Business Expansion Fund for use by the Office of Small Business, pursuant to Chapter 1 (commencing with Section 14000) of Part 5 of Division 3 of Title 1 of the Corporations Code, to provide guarantees for low-interest interim loans to be made by lending institutions for the purpose of providing interim financing to enable small businesses that have suffered actual physical damage or significant economic losses, as a result of the disaster or state of emergency for which funding under this section is made available, to continue or resume operations pending receipt of loans made or guaranteed by the federal Small Business Administration. The maximum amount of any loan guarantee funded under this paragraph shall not exceed two hundred thousand dollars (\$200,000). Each loan guarantee shall not exceed 95 percent of the loan amount, except that a loan guarantee may be for 100 percent of the loan amount if the applicant can demonstrate that access to business records pertinent to the loan application has been precluded by official action prohibiting necessary reentry into the affected business premises or that those business records pertinent to the loan application have been destroyed. The term of the loan shall be determined by the lending institution providing the loan or shall be made payable on the date the proceeds of a loan made or guaranteed by the federal Small Business Administration with respect to the same damage or loss are made available to the borrower, whichever event first occurs.

(c) Loan guarantees for which the initial 12-month term has expired and for which an application for disaster assistance funding from the federal Small Business Administration is still pending may be extended until the Small Business Administration has reached a final decision on the application. Applications for interim loans shall be processed in an expeditious manner.

Wherever possible, lending institutions shall fund nonconstruction loans within 60 calendar days of application. Loan guarantees for loans that have been denied funding by the federal Small Business Administration, may be extended by the financial institution provided that the loan is

for no longer than a maximum of seven years, if the business demonstrates the ability to repay the loan with an extended loan term, and a new credit analysis is provided. All loans extended under this provision shall be repaid in installments of principal and interest, and be fully amortized over the term of the loan. Nothing in this section shall preclude the lender from charging reasonable administrative fees in connection with the loan.

(d) Allocations pursuant to this section shall, for purposes of all provisions of law, be deemed to be for extraordinary emergency or disaster response operation costs, as provided in Section 8690.6, incurred by state employees assigned to work on the financial development corporation program.

(e) The Business, Transportation and Housing Agency may adopt regulations to implement the loan guarantee program authorized by this section. The agency may adopt these regulations as emergency regulations in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3, and for purposes of that chapter, including Section 11349.6, the adoption of the regulations shall be considered by the Office of Administrative Law to be necessary for the immediate preservation of the public peace, health and safety, and general welfare.

Notwithstanding subdivision (e) of Section 11346.1, the regulations shall be repealed within 180 days after their effective date unless the agency complies with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3, as provided in subdivision (e) of Section 11346.1.

(f) Within 60 days of the conclusion of the period for guaranteeing loans under any small business disaster loan guarantee program conducted for a disaster as authorized by Section 8684.2, or Section 14075 of the Corporations Code, the agency shall provide a report to the Legislature on loan guarantees approved and rejected by gender, ethnic group, type of business and location, and each participating loan institution.

*(Amended by Stats. 2004, Ch. 225, Sec. 17. Effective August 16, 2004.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-1732		Trade and commerce.	Chaptered 10/11/1993		-		
AB-2406	Committee on Governmental Organization	Disaster assistance.	Chaptered 09/11/2002	09/11/2002 - Chaptered by Secretary of State - Chapter 461, Statutes of 2002. 09/11/2002 - Approved by the Governor.	-		
AB-2999		Small business: loans and bonds.	Chaptered 09/26/1994		-		
AB-3636		Disaster assistance: small businesses.	Chaptered 05/19/1992		-		
SB-1097	Committee on Budget and Fiscal Review	General government.	Chaptered 08/16/2004	08/16/2004 - Chaptered by Secretary of State. Chapter 225, Statutes of 2004. 08/16/2004 - Approved by Governor.	-		

**COMMENTS/RECOMMENDATIONS:**

According to the Business, Transportation and Housing Agency, this report should be eliminated because it is duplicative of a report on the Legislative Counsel’s completed list. The Assembly Committee on Jobs, Economic Development and the Economy recommends maintaining this report as some information needs to be reconciled.

## **REPORT NO. 5**

### **GOVERNMENT CODE**

#### **TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000. - 22980.]**

*( Title 2 enacted by Stats. 1943, Ch. 134. )*

#### **DIVISION 3. EXECUTIVE DEPARTMENT [11000. - 15986.]**

*( Division 3 added by Stats. 1945, Ch. 111. )*

#### **PART 4.7. BUSINESS AND TOURISM [13995. - 13999.4.]**

*( Part 4.7 added by Stats. 2003, Ch. 229, Sec. 1.5. )*

#### **CHAPTER 2.5. International Trade and Investment [13996.4. - 13996.75.]**

*( Chapter 2.5 added by Stats. 2006, Ch. 663, Sec. 2. )*

#### **13996.55.**

(a) The Secretary of Business, Transportation and Housing shall provide to the Legislature, not later than February 1, 2008, a strategy for international trade and investment that, at a minimum, includes all of the following:

- (1) Policy goals, objectives, and recommendations necessary to implement a comprehensive international trade and investment program for the State of California. This information shall be provided in a fashion that clearly indicates priority within the overall strategy.
- (2) Measurable outcomes and timelines for the goals, objectives, and actions for the international trade and investment program.
- (3) Identification of impediments for achieving goals and objectives.
- (4) Identification of key stakeholder partnerships that will be used in implementing the strategy.
- (5) Identification of options for funding recommended actions.
- (6) Identification of an international trade and investment organizational structure for the state administration of international trade and investment policies, programs, and services.

(b) In the course of developing the strategy, the secretary shall also consult with other agencies, boards, and commissions that have statutory responsibilities related to workforce development, infrastructure, business, and international trade and investment including, but not limited to, the California Commission on Industrial Innovation, the Office of the Small Business Advocate, the California Transportation Commission, the California Community Colleges, the University of California, the California State University, the Workforce Investment Board, the Employment Training Panel, and the California Energy Commission.

(c) The strategy shall be submitted to the Chief Clerk of the Assembly and the Secretary of the Senate. A copy of the strategy shall be provided to the Speaker of the Assembly, the President pro Tempore of the Senate, and the chairs of the Assembly Committee on Jobs, Economic Development, and the Economy and the Senate Committee on Business, Professions and Economic Development, or the successor committees with jurisdiction over international trade and economic development programs.

(d) (1) The strategy shall be reviewed in at least one public hearing by the relevant policy and fiscal committees of each house of the Legislature. The hearings shall be held within 60 days of the strategy being submitted to the Legislature. If the strategy is submitted when the Legislature is in recess, the hearings shall occur within 60 days of the members convening.

(2) The legislative committees may make recommendations to the secretary on the strategy, and the secretary may modify the strategy accordingly.

(e) The secretary shall report to the fiscal committees of the Legislature on or before February 1, 2009, and by that date each year thereafter, on how the Governor’s proposed budget relates to the strategy.

(f) The strategy shall be updated pursuant to the procedures of this section at least once every five years.

*(Amended by Stats. 2011, Ch. 31, Sec. 9. Effective June 29, 2011. Operative January 1, 2012, by Sec. 20 of Ch. 31.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-119	Committee on Budget	State government.	Chaptered 06/29/2011	06/28/2011 - Chaptered by Secretary of State - Chapter 31, Statutes of 2011.	Secretary of State-Chaptered	Yes	Majority
AB-1460	Huber	California Commission on Industrial Innovation.	Chaptered 07/24/2012	07/24/2012 - Chaptered by Secretary of State - Chapter 164, Statutes of 2012.	Secretary of State-Chaptered	Yes	Majority
AB-1722	Committee on Jobs, Economic Development, and the Economy	California International Trade and Investment Act: Secretary of Business, Transportation and Housing: duties.	Enrolled 08/21/2008	09/27/2008 - Vetoed by Governor.	Assembly-Vetoed	Yes	Majority
AB-2012	John A. Pérez	Economic development.	Amended Senate 06/25/2012	07/06/2012 - From committee: Do pass as amended and refer to Com. on APPR. (Ayes 8. Noes 0.) (July 2).	Senate-In Floor Process	Yes	Majority
SB-1513	Romero, Figueroa	California International Trade and Investment Act.	Chaptered 09/29/2006	09/29/2006 - Chaptered by Secretary of State. Chapter 663, Statutes of 2006. 09/29/2006 - Approved by Governor.	-	Yes	Majority

**COMMENTS/RECOMMENDATIONS:**

The Business, Transportation and Housing Agency asserts that subdivision (a) was a one-time reporting requirement that was completed in October 2007. However, subdivision (f) requires an update to the report every five years, so it’s not a one-time requirement.

## REPORT NO. 6

### VEHICLE CODE

#### **DIVISION 18. PENALTIES AND DISPOSITION OF FEES, FINES, AND FORFEITURES [42000. - 42277.]**

*( Division 18 enacted by Stats. 1959, Ch. 3. )*

#### **CHAPTER 3. Motor Vehicle Account [42270. - 42277.]**

*( Heading of Chapter 3 amended by Stats. 1976, Ch. 1079. )*

#### **42276.**

Not later than January 10, 1985, and not later than January 10th of each four-year period thereafter, the Secretary of the Business, Transportation and Housing Agency shall submit a report to the Legislature on a study of the fees imposed under this code, including any finding or recommendation on changes in the fees necessary to generate sufficient revenues for the Motor Vehicle Account in the State Transportation Fund to finance those operations of state government to be financed from those revenues.

[\(Added by Stats. 1981, Ch. 541, Sec. 39. Effective September 17, 1981.\)](#)

Search Results
No data found for the selected criteria

### **COMMENTS/RECOMMENDATIONS**

The Business, Transportation and Housing Agency recommends eliminating this report as the information it requires is already closely monitored on an ongoing basis, reviewed annually, and evaluated throughout the budget process.

## **REPORT NO. 7**

### **GOVERNMENT CODE**

#### **TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000. - 22980.]**

*( Title 2 enacted by Stats. 1943, Ch. 134. )*

#### **DIVISION 3. EXECUTIVE DEPARTMENT [11000. - 15986.]**

*( Division 3 added by Stats. 1945, Ch. 111. )*

#### **PART 4.7. BUSINESS AND TOURISM [13995. - 13999.4.]**

*( Part 4.7 added by Stats. 2003, Ch. 229, Sec. 1.5. )*

#### **CHAPTER 2.5. International Trade and Investment [13996.4. - 13996.75.]**

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#### **13996.55.**

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(1) Policy goals, objectives, and recommendations necessary to implement a comprehensive international trade and investment program for the State of California. This information shall be provided in a fashion that clearly indicates priority within the overall strategy.

(2) Measurable outcomes and timelines for the goals, objectives, and actions for the international trade and investment program.

(3) Identification of impediments for achieving goals and objectives.

(4) Identification of key stakeholder partnerships that will be used in implementing the strategy.

(5) Identification of options for funding recommended actions.

(6) Identification of an international trade and investment organizational structure for the state administration of international trade and investment policies, programs, and services.

(b) In the course of developing the strategy, the secretary shall also consult with other agencies, boards, and commissions that have statutory responsibilities related to workforce development, infrastructure, business, and international trade and investment including, but not limited to, the California Commission on Industrial Innovation, the Office of the Small Business Advocate, the California Transportation Commission, the California Community Colleges, the University of California, the California State University, the Workforce Investment Board, the Employment Training Panel, and the California Energy Commission.

(c) The strategy shall be submitted to the Chief Clerk of the Assembly and the Secretary of the Senate. A copy of the strategy shall be provided to the Speaker of the Assembly, the President pro Tempore of the Senate, and the chairs of the Assembly Committee on Jobs, Economic Development, and the Economy and the Senate Committee on Business, Professions and Economic Development, or the successor committees with jurisdiction over international trade and economic development programs.

(d) (1) The strategy shall be reviewed in at least one public hearing by the relevant policy and fiscal committees of each house of the Legislature. The hearings shall be held within 60 days of the strategy being submitted to the Legislature. If the strategy is submitted when the Legislature is in recess, the hearings shall occur within 60 days of the members convening.

(2) The legislative committees may make recommendations to the secretary on the strategy, and the secretary may modify the strategy accordingly.

(e) The secretary shall report to the fiscal committees of the Legislature on or before February 1, 2009, and by that date each year thereafter, on how the Governor's proposed budget relates to the strategy.

(f) The strategy shall be updated pursuant to the procedures of this section at least once every five years.

[\(Amended by Stats. 2011, Ch. 31, Sec. 9. Effective June 29, 2011. Operative January 1, 2012, by Sec. 20 of Ch. 31.\)](#)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-119	Committee on Budget	State government.	Chaptered 06/29/2011	06/28/2011 - Chaptered by Secretary of State - Chapter 31, Statutes of 2011.	Secretary of State-Chaptered	Yes	Majority
AB-1460	Huber	California Commission on Industrial Innovation.	Chaptered 07/24/2012	07/24/2012 - Chaptered by Secretary of State - Chapter 164, Statutes of 2012.	Secretary of State-Chaptered	Yes	Majority
AB-1722	Committee on Jobs, Economic Development, and the Economy	California International Trade and Investment Act: Secretary of Business, Transportation and Housing: duties.	Enrolled 08/21/2008	09/27/2008 - Vetoed by Governor.	Assembly-Vetoed	Yes	Majority
AB-2012	John A. Pérez	Economic development.	Amended Senate 06/25/2012	07/06/2012 - From committee: Do pass as amended and refer to Com. on APPR. (Ayes 8. Noes 0.) (July 2).	Senate-In Floor Process	Yes	Majority
SB-1513	Romero, Figueroa	California International Trade and Investment Act.	Chaptered 09/29/2006	09/29/2006 - Chaptered by Secretary of State. Chapter 663, Statutes of 2006. 09/29/2006 - Approved by Governor.	-	Yes	Majority

## COMMENTS/RECOMMENDATIONS

The Business, Transportation and Housing Agency claims that no funding has been appropriated for international trade and investment programs in the four years since the legislation was enacted, thereby making the requirement that the secretary report on or before February 1, 2009, and each year thereafter on how the Governor's proposed budget relates to the strategy unnecessary.

## REPORT NO. 8

### BUSINESS & PROFESSIONS CODE

#### DIVISION 4. REAL ESTATE [10000. - 11506.]

*( Division 4 added by Stats. 1943, Ch. 127. )*

#### PART 3. LICENSING AND CERTIFICATION OF REAL ESTATE APPRAISERS [11300. - 11423.]

*( Part 3 added by Stats. 1990, Ch. 491, Sec. 1. )*

#### CHAPTER 2. Administration [11310. - 11319.2.]

*( Chapter 2 added by Stats. 1990, Ch. 491, Sec. 1. )*

#### 11313.2.

(a) The secretary shall review and evaluate the office, and make recommendations to the Legislature by October 1, 2014, regarding whether the office should be consolidated within the Department of Real Estate, or consolidated within any other state department or office, and shall provide appropriate justification for that recommendation.

(b) Notwithstanding any other provision of law, on and after January 1, 2015, the office shall be subject to review by the appropriate policy committees of the Legislature. The review shall include, but shall not be limited to, the recommendations of the secretary regarding the office.

*(Added by Stats. 2011, Ch. 712, Sec. 34. Effective January 1, 2012. Note: See this section as modified in Governor's Reorganization Plan No. 2 of 2012.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
GRP-2		Governor's reorganization plan: reorganization of executive branch of state government.	Introduced 05/03/2012	07/03/2012 - Plan takes effect.	-		
SB-706	Price	Business and professions.	Chaptered 10/09/2011	10/09/2011 - Chaptered by Secretary of State. Chapter 712, Statutes of 2011.	Secretary of State-Chaptered	Yes	Majority

### COMMENTS/RECOMMENDATIONS

Section repealed by Governor's Reorganization Plan, effective July 3, 2012.

## REPORT NO. 9

### PUBLIC RESOURCES CODE

#### (THIS SECTION HAS ALREADY BEEN DELETED FROM CODE – AA)

##### 42105.

On or before January 1, 2007, and every odd-numbered year thereafter, the agency shall prepare a report concerning the performance of the loan guarantee program established by this chapter, including the number and size of loan guarantees made, statewide distribution of applicants, level of participation and performance of each of the FDCs, characteristics of recipients, and the amount of money spent on administering the program. This report shall be posted on the agency's Internet Web site and notification provided to the appropriate fiscal and policy committees of the Legislature, and, upon request, to individual Members of the Legislature. The department shall provide, as a supplement to this report, an evaluation of the Model Shop Program, including recommendations for its improvement and expansion, as well as coordination with existing enforcement activities.

The agency in consultation with the air board, water board and the department, may adopt regulations to implement this chapter. The agency may adopt emergency regulations to implement the loan guarantee program in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, and for the purposes of that chapter, including Section 11346.1 of the Government Code, the adoption of these regulations is an emergency and shall be considered by the Office of Administrative Law as necessary for the immediate preservation of the public peace, health, and safety, and general welfare. Notwithstanding Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, an emergency regulation adopted by the board pursuant to this section shall be filed with, but not repealed by, the Office of Administrative Law, and shall remain in effect until revised by the agency.

(a) This chapter shall remain in effect only until January 1, 2012, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2012, deletes or extends that date.

(b) All unencumbered moneys in the Chrome Plating Pollution Prevention Fund on January 1, 2012, shall be transferred to the General Fund.

(c) The repeal of this chapter does not terminate any of the following rights, obligations, or authorities, or any provision necessary to carry out these rights, obligations, and authorities:

(1) The repayment of loans, outstanding as of January 1, 2012, due and payable to the relevant financial company.

(2) The resolution of any cost recovery action.

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-721	Nunez	Metal plating facilities: pollution prevention fund.	Chaptered 10/07/2005	10/07/2005 - Chaptered by Secretary of State - Chapter 695, Statutes of 2005. 10/07/2005 - Approved by the	-	Yes	Two Thirds

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
				Governor.			
AB-2536	Nunez	Hazardous materials: metal plating facility.	Amended Senate 06/26/2008	11/30/2008 - From Senate committee without further action.	Senate-Died - Appropriations	Yes	Majority
AB-2657	Nunez	Metal plating facilities.	Enrolled 08/26/2004	09/28/2004 - Vetoed by Governor.	-		
SB-1322		Solid waste: state programs.	Chaptered 09/30/1989		-		

**COMMENTS/RECOMMENDATIONS:**

Section 42107(a) of the Public Resources Code sunset this chapter (which included Section 42105), repealing it on January 1, 2012.

## REPORT NO. 10

### GOVERNMENT CODE

#### TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000. - 22980.]

( Title 2 enacted by Stats. 1943, Ch. 134. )

#### DIVISION 3. EXECUTIVE DEPARTMENT [11000. - 15986.]

( Division 3 added by Stats. 1945, Ch. 111. )

#### PART 4.7. BUSINESS AND TOURISM [13995. - 13999.4.]

( Part 4.7 added by Stats. 2003, Ch. 229, Sec. 1.5. )

#### CHAPTER 4. Technology Programs [13994. - 13994.12.]

( Chapter 4 added by Stats. 2003, Ch. 627, Sec. 1. )

#### 13994.2.

(a) There is within the agency the Challenge Grant Program, consisting of technology transfer grants and defense industry conversion and diversification grants. Challenge grant projects funded shall include, but not be limited to, the following: defense industry conversion and diversification, access to ongoing research and research findings, exchange or transfer of personnel and research support services, including capital outlay, consortia development, and collaborative research.

(b) All funds appropriated or received by the Challenge Grant Program shall administratively be divided into either the Technology Transfer Grant Program or the Defense Industry Conversion and Diversification Program. Funding awards for the Technology Transfer Grant Program shall be made pursuant to the requirements set forth in Sections 13994.3 and 13994.6.

(c) The agency shall award grants based upon a competitive application process addressing the project's eligibility and ability to fulfill the goals of the program.

(d) The agency shall report on this program to the Governor and the Legislature.

(Added by Stats. 2003, Ch. 627, Sec. 1, Effective January 1, 2004.)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-1352	Longville	Vehicles: California Trucking Advisory Board.	Amended Assembly 01/03/2000	02/03/2000 - From committee: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.	-	Yes	Majority
AB-1532	Nakano	Economic development: technology programs.	Chaptered 09/30/2003	09/30/2003 - Chaptered by Secretary of State - Chapter 627, Statutes of 2003. 09/30/2003 - Approved by the Governor.	-		

#### COMMENTS/RECOMMENDATIONS:

The Business, Transportation and Housing Agency asserts that the report on the Challenge Grant Program has no identified due date and there has been no activity regarding the program in many years. But the program is still in statute, so if it's eventually funded, the reporting requirement should be in place for proper legislative oversight. If there is no activity on the program, there will be no need for a report.

The Legislature may wish to postpone eliminating the report until the Administration actually proposes eliminating the entire program.

## REPORT NO. 11

### GOVERNMENT CODE - GOV

#### TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000. - 22980.]

( Title 2 enacted by Stats. 1943, Ch. 134. )

#### DIVISION 3. EXECUTIVE DEPARTMENT [11000. - 15986.]

( Division 3 added by Stats. 1945, Ch. 111. )

#### PART 4.7. BUSINESS AND TOURISM [13995. - 13999.4.]

( Part 4.7 added by Stats. 2003, Ch. 229, Sec. 1.5. )

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#### 13994.2.

(a) There is within the agency the Challenge Grant Program, consisting of technology transfer grants and defense industry conversion and diversification grants. Challenge grant projects funded shall include, but not be limited to, the following: defense industry conversion and diversification, access to ongoing research and research findings, exchange or transfer of personnel and research support services, including capital outlay, consortia development, and collaborative research.

(b) All funds appropriated or received by the Challenge Grant Program shall administratively be divided into either the Technology Transfer Grant Program or the Defense Industry Conversion and Diversification Program. Funding awards for the Technology Transfer Grant Program shall be made pursuant to the requirements set forth in Sections 13994.3 and 13994.6.

(c) The agency shall award grants based upon a competitive application process addressing the project's eligibility and ability to fulfill the goals of the program.

(d) The agency shall report on this program to the Governor and the Legislature.

*(Added by Stats. 2003, Ch. 627, Sec. 1, Effective January 1, 2004.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-1352	Longville	Vehicles: California Trucking Advisory Board.	Amended Assembly 01/03/2000	02/03/2000 - From committee: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.	-	Yes	Majority
AB-1532	Nakano	Economic development: technology programs.	Chaptered 09/30/2003	09/30/2003 - Chaptered by Secretary of State - Chapter 627, Statutes of 2003. 09/30/2003 - Approved by the Governor.	-		

#### COMMENTS/RECOMMENDATIONS:

Section 13994.2 of the Government Code is listed twice in the Administration's spreadsheet. This can probably be deleted.

## REPORT NO. 12

### HARBORS & NAVIGATION CODE

#### DIVISION 5. PILOTS FOR MONTEREY BAY AND THE BAYS OF SAN FRANCISCO, SAN PABLO, AND SUISUN [1100. - 1203.]

*( Heading of Division 5 amended by Stats. 2001, Ch. 177, Sec. 1. )*

#### CHAPTER 2. Board of Pilot Commissioners [1150. - 1159.5.]

*( Chapter 2 added by Stats. 1970, Ch. 1302. )*

#### 1159.5.

The Business, Transportation and Housing Agency shall provide comments and recommendations, if any, to the board and the Legislature based on the final audits of the Bureau of State Audits completed pursuant to Section 1159.4 no later than six months from the date that the agency receives the final audit.

*(Added by Stats. 2008, Ch. 567, Sec. 22. Effective January 1, 2009.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB -1627	Wiggins	Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, Suisun, and Monterey	Chaptered 09/29/2008	Chaptered by Secretary of State. Chapter 567, Statutes of 2008.	-	Yes	Majority

### COMMENTS/RECOMMENDATIONS:

This was a one-time report "requirement" that was due within six months of completion of an audit, if the Agency had any comments or recommendations. It was essentially an authorization to make comments and recommendations, rather than a mandate. The audit was completed in 2009 and BTH did not have any comments or recommendations.