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An act to add Section 5012 to, and to repeal Chapter 6 (commencing with Section 5001) of Division 2 of, the Public Utilities Code, and to amend Section 3 of Chapter 421 of the Statutes of 2017, relating to transportation.



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## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 5012 is added to the Public Utilities Code, to read:

5012. This chapter shall become inoperative on November 1, 2020, and, as of January 1, 2021, is repealed.

SEC. 2. Section 3 of Chapter 421 of the Statutes of 2017 is amended to read:

Sec. 3. (a) The receiving departments or local jurisdictions described in Sections 8, 9, 29, 32, 35, 37, 39, and 40 of this act succeed to and are vested with all the authority, duties, powers, purposes, functions, responsibilities, and jurisdiction of the Public Utilities Commission, its predecessors, and its officers for the purposes of those transfers of authority. The receiving bureau and department described in Sections 8 and 40 of this act may prescribe reasonable rules and regulations as may be necessary to implement, administer, and enforce their respective duties prescribed in this act in addition to rules and regulations specifically authorized by this act or any other provision of law.

(b) The transfers of jurisdiction in this act shall be effective on July 1, 2018. The commission, receiving departments, and local jurisdictions may take administrative actions before July 1, 2018, to prepare for the transfer.

(c) Regulations adopted, orders issued, and all other administrative actions taken by the Public Utilities Commission or any of its predecessors that are in effect immediately before July 1, 2018, shall remain in effect and are fully enforceable unless they are readopted, amended, or repealed by the receiving department or local jurisdiction or they expire by their own terms. Any other administrative actions, including licenses, permits, or other authorizations issued, adopted, prescribed, taken, or performed by, or on behalf of, the Public Utilities Commission or its officers in the administration of a program or the performance of a duty, responsibility, or authorization transferred to a receiving department or local jurisdiction pursuant to Section 8, 9, 29, 32, 35, 37, 39, or 40 of this act shall remain in effect and shall be deemed to be an action of the receiving department or local jurisdiction unless the receiving department or local jurisdiction determines otherwise.

(d) Any action or proceeding by or against the Public Utilities Commission or any of its predecessors, including any officer or employee named in an official capacity, pertaining to a matter as to which jurisdiction transferred pursuant to Section 8, 9, 29, 32, 35, 37, 39, or 40 of this act, shall not abate, but shall continue in the name of the receiving department or local jurisdiction. The receiving department or local jurisdiction shall be substituted for the Public Utilities Commission or any of its predecessors, including any officer or employee named in an official capacity, by the court or agency where the action or proceeding is pending. The substitution shall not in any way affect the rights of the parties to the action or proceeding.

(e) On or after July 1, 2018, the unexpended balance of all funds appropriated to and available for use by the Public Utilities Commission or any of its predecessors in carrying out any functions transferred to the receiving departments pursuant to Section ~~8, 9, 9~~ or 40 of this act are hereby reappropriated and available for use by the appropriate receiving departments in connection with the function affected by the transfer. The receiving departments shall use those moneys only for the purposes for which the original appropriations were made.



(f) All books, documents, data, records, and property of the Public Utilities Commission pertaining to a function transferred pursuant to Section 8, 9, 29, 32, 35, 37, 39, or 40 of this act shall be transferred to the appropriate receiving department or local jurisdiction.

(g) The status, positions, and rights of persons affected by the transfers of jurisdiction pursuant to Section 8, 9, 29, 32, 35, 37, 39, or 40 of this act shall continue to be retained by them pursuant to the State Civil Service Act (Part 2 (commencing with Section 18500) of Division 5 of Title 2 of the Government Code) except as to positions the duties of which are vested in a position exempt from civil service.

SEC. 3. Not later than September 30, 2020, the Controller, upon order of the Department of Finance, shall transfer all moneys remaining in the Transportation Rate Fund, established pursuant to Chapter 6 (commencing with Section 5001) of Division 2 of the Public Utilities Code, to the Household Movers Fund, established pursuant to Section 19229 of the Business and Professions Code.



## LEGISLATIVE COUNSEL'S DIGEST

Bill No. \_\_\_\_\_,  
as introduced, \_\_\_\_\_,  
General Subject: California Public Utilities Commission Governance, Accountability,  
Training, and Transportation Oversight Act of 2017.

The California Public Utilities Commission Governance, Accountability, Training, and Transportation Oversight Act of 2017, effective July 1, 2018, repeals the Household Goods Carriers Act, under which the Public Utilities Commission exercises regulatory jurisdiction over household goods carriers, and transfers those duties to the Division of Household Movers within the Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation in the Department of Consumer Affairs, with the recast provisions renaming those carriers "household movers." Existing law establishes the Household Movers Fund, to be used by the bureau, upon appropriation, for the administration of its regulatory authority over household movers. Existing law establishes the Transportation Rate Fund, moneys in which are to be expended by the commission for the purpose of administering and enforcing the Household Goods Carriers Act, and provides for the transfer of the authority to expend the unexpended balance of that fund to the bureau on and after July 1, 2018.

This bill would repeal the language providing for the transfer of authority from the commission to the bureau to expend the unexpended balance in the Transportation Rate Fund on and after July 1, 2018. This bill would require the Controller, upon order of the Department of Finance, to transfer all moneys remaining in the Transportation Rate Fund to the Household Movers Fund by September 30, 2020. The bill would make the Transportation Rate Fund inoperative on November 1, 2020, and would repeal the fund on January 1, 2021.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

