

*Before the Board of Supervisors
County of Monterey, State of California*

Resolution No. 23-098)
Approving and adopting the Levine Act)
Policy statement for inclusion in the Board)
Policy Manual.)

WHEREAS, on September 29, 2022, Governor Newsom signed Senate Bill (“SB”) 1439 into law, making a number of changes to Government Code section 84308, a provision of the Political Reform Act generally known as the “Levine Act”; and,

WHEREAS, the Levine Act provides, in relevant part, that an elected officer is prohibited from taking part in a license, permit, or other entitlement use proceeding if the officer has received a campaign contribution in excess of \$250 within the preceding 12 months; and,

WHEREAS, an officer is also prohibited from accepting a campaign contribution in excess of \$250 during the proceeding, and for 12 months following the date a final decision is rendered in the proceeding; and,

WHEREAS, the Levine Act previously only applied to local governing boards composed of appointed elected officers, such as joint powers authorities or Local Agency Formation Commissions; and,

WHEREAS, effective January 1, 2023, SB 1439 amended Section 84308 to also apply to elected officers sitting on their elected governing boards or in their elected positions; and,

WHEREAS, given this recent change in law applicable to the Board of Supervisors and other County officers, attached is a draft policy for inclusion in the Board Policy Manual to create a policy for Levine Act compliance;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors in and for the County of Monterey that the Levine Act Policy statement, attached hereto, is approved for inclusion in the Board Policy Manual.

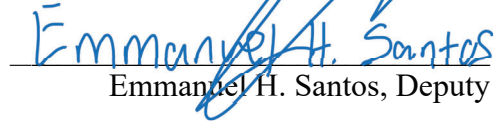
PASSED AND ADOPTED on this 21st day of March 2023, by roll call vote:

AYES: Supervisors Alejo, Church, Lopez, Askew, and Adams
NOES: None
ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting on March 21, 2023.

Dated: March 24, 2023
File ID: RES 23-041
Agenda Item No. 7

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Emmanuel H. Santos, Deputy