



California Fair Political Practices Commission

December 29, 1994

Mark W. Gilbert
Chief Legal Counsel
Sacramento Regional Transit District
Post Office Box 2110
Sacramento, California 95812-2110

Re: Your Request for Advice
Our File No. A-94-363

Dear Mr. Gilbert:

As the Chief Legal Counsel for the Sacramento Regional Transit District, you have requested advice regarding Government Code Section 82048.5 of the Political Reform Act (the "Act").¹

QUESTIONS

- 1) Is the Sacramento Regional Transit District a special district under Government Code Section 82048.5?
- 2) If so, is the Sacramento Regional Transit District subject to the disclosure requirements of Government Code Section 53065.5?

CONCLUSIONS

- 1) The Sacramento Regional Transit District is a special district.
- 2) Government Code Section 53065.5 is not under the jurisdiction of the Act. Please contact the Attorney General's office for advice regarding compliance with this section.

FACTS

Sacramento Regional Transit District ("RT") was formed pursuant to Public Utilities Code Sections 101000 et seq.

¹ Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations, Sections 18000-18954. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

ANALYSIS

Government Code Section 82048.5, effective January 1, 1995, defines a "special district" as:

. . . any agency of the state established for the local performance of governmental or proprietary functions within limited boundaries. "Special district" includes a county service area, a maintenance district or area, an improvement district or zone, an air pollution control district, or a redevelopment agency. "Special district" shall not include a city, county, city and county, or school district.


The Sacramento Regional Transit District is an agency established under the Public Utilities Code for the local performance of governmental functions within Sacramento. Since it is not specifically excluded from the definition of a special district, as defined above, RT is considered a special district under the Act.

The disclosure requirements of Government Code Section 53065.5 are not under the jurisdiction of the Act. Please contact the Attorney General's office for advice regarding this section.

I trust this answers your questions.

Sincerely,

Steven G. Churchwell
General Counsel

By:  Jill Stecher
Counsel, Legal Division

SGC:JS:ak