

Date: January 3, 2007
Initiative No. 06-0036
Amdt. # 1-S

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

PUBLIC ENTITIES. REVIVAL OF CLAIMS. ELIMINATION OF LEGAL DEFENSES.

UNLIMITED COMPENSATION FOR PRIVATE PROPERTY. INITIATIVE

CONSTITUTIONAL AMENDMENT. Expands definition of “public entity” to include all employees of local and state agencies. Revives claims filed against public entities after January 1, 1980, and voids prior decisions inconsistent with initiative. Reduces burden of proof for claims filed against public entities. Eliminates various privileges, immunities and defenses available to public entities including fraud and statute of limitations. Authorizes disclosure of all records of public entities. Requires public entity taking private property to compensate owner at owner’s stated value, without limitation or review. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: Unknown but potentially significant costs to state and local governments due to increased claims against public agencies and increased payments resulting from these claims. (06-0036.)