



School Business Law Update

TEL: 661.636.4830
FAX: 661.636.4843
E-mail: sls@kern.org
www.schoolslegalservice.org

REMINDER TO UPDATE LISTING ON THE ROSTER OF PUBLIC AGENCIES

This is a reminder that the Government Code requires public agencies to file a current statement of facts with the Secretary of State for the Roster of Public Agencies if you added new board members during the last election (or otherwise since your last filing), or if there has been any other change in the following facts:

1. The full legal name of public agency.
2. The official mailing address of the governing body of the public agency.
3. The name and residence or business address of each member of the governing board of the public agency.
4. The name, title, and residence or business address of the chairman, president, or other presiding officer, and clerk or secretary of the governing body of such public agency.

The Government Code (section 53051) calls for this statement to be filed within 10 days of the change in the information (in the case of new board members, this would be within 10 days after they are sworn in and take office in December).

If a district does not comply with this requirement of law, it is possible that a court will allow lawsuits to be brought against the district without requiring the plaintiff to follow the government claims procedure (Government Code section 946.4).

The information should be furnished on the Secretary of State's form available online at:

www.ss.ca.gov/business/sf/forms/np-sf-405.pdf

Please call us at 661/636-4830 if you have any questions.

— *Grant Herndon General Counsel*

Client Alerts are intended to alert clients to developments in legislation, opinions of courts and administrative bodies and related matters. They are not intended as legal advice in any specific situation. Please consult legal counsel as to how the issue presented may affect your particular circumstances.