



The State Bar *of California*

OPEN SESSION AGENDA ITEM 50-1 SEPTEMBER 2019

DATE: September 20, 2019

TO: Members, Board of Trustees

FROM: Leah T. Wilson, Executive Director

SUBJECT: Permission for Members to be Absent from State

EXECUTIVE SUMMARY

The following matter is part of the Consent Agenda for the Board's September 20, 2019, meeting.

BACKGROUND AND DISCUSSION

Traditionally, the Board has adopted the resolution set forth below to avoid any questions arising from an absence from the state for more than 60 days, and accordingly its adoption is recommended:

RESOLVED, pursuant to Government Code, section 1062, that each member of the Board of Trustees is granted permission to leave the State of California at any time during the incumbency of the present Board and is authorized to remain absent from the state for a period longer than 60 days.

CALIFORNIA CODE, GOVERNMENT CODE - GOV § 1062

No state or municipal officer shall absent himself from the state for more than 60 days, unless either:

- (a) Upon business of the state, or the municipality,
- (b) With the consent of the Legislature, or the governing body of the municipality. The prohibition of this section shall not apply to the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, a Member of the State Board of Equalization, a Member of the State

Personnel Board, or a Member of the Legislature; provided, no such person shall reside outside the state.

In the case of illness or other urgent necessity, and upon a proper showing thereof the time limited for absence from the state shall be extended by:

- (a) The Governor in the case of state officers.
- (b) The city council or other governing body of the municipality in the case of municipal officers.

FISCAL/PERSONNEL IMPACT

None

RULE AMENDMENTS

None

BOARD BOOK AMENDMENTS

None

STRATEGIC PLAN GOALS & OBJECTIVES

None

RECOMMENDATIONS

It is recommended that the Board of Trustees approve the following resolution:

RESOLVED, pursuant to Government Code, section 1062, that each member of the Board of Trustees is granted permission to leave the State of California at any time during the incumbency of the present Board and is authorized to remain absent from the state for a period longer than 60 days.