

MONTHLY OPINION REPORT

CALIFORNIA ATTORNEY GENERAL'S OFFICE



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November 1, 2025

The Attorney General's Opinion Unit is responsible for researching and drafting the formal opinions of the Attorney General. This Monthly Opinion Report lists all of the questions that are currently under consideration for formal opinions.

The Attorney General welcomes and solicits the views of all interested persons concerning the issues raised in any question submitted for an opinion. Views should be in writing and directed to the deputy assigned to prepare the opinion. Contact information for deputies is included at the end of this report. All views submitted before publication will be considered, but early submissions are greatly preferred. All submissions will be treated as public records subject to disclosure under the Public Records Act.

For more information about the Opinion Unit, or to retrieve a copy of a published opinion, please see our website at <http://oag.ca.gov/opinions>.

NEW QUESTION(S) ASSIGNED IN OCTOBER 2025

25-901 Quo Warranto Application

Has Jason Lee Johnson satisfied the residency requirements to serve on the Stockton City Council?

(Assigned to Deputy Attorney General Ryan B. McCarroll.)

25-902 requested by Fresno County District Attorney Lisa A. Smittcamp

Is Fresno County Ordinance No. 25-008, which regulates the illegal possession or transportation of commercial copper wire, preempted by state law?

(Assigned to Deputy Attorney General Susan Duncan Lee.)

OPINION(S) ISSUED OR CONCLUDED IN OCTOBER 2025

No matters were issued or concluded during this period.

PENDING MATTERS AS OF OCTOBER 2025

Opinion Requests

- 25-902** Is Fresno County Ordinance No. 25-008, which regulates the illegal possession or transportation of commercial copper wire, preempted by state law? (Duncan Lee)
- 25-801** For purposes of the voter-approval requirements of Proposition 218, what is the proper definition of the term “electorate” as it relates to a special tax to be imposed only on the unincorporated region of a county? (Thomas)
- 25-603** Counties regularly receive funds from nongovernmental entities or private individuals in various contexts, including taxes, fees, assessments, and fines. Counties also regularly receive funds from those entities or individuals in other contexts—specifically, gifts or donations, or grant money that was appropriated by a governmental entity to further a governmental program but is disseminated by a nongovernmental entity to grantees for use consistent with the underlying governmental program. In these other contexts, may a county official deposit the funds into the county treasury without violating Government Code section 27011, so long as the county uses the funds only for public purposes? (Bidart)
- 25-602** Does the California Values Act (SB 54), as codified in Government Code section 7284.6(a), prohibit a local law enforcement agency from pre-staging personnel or entering a contracted federal immigration detention facility for public safety purposes in anticipation of, or response to, civil unrest—provided that no immigration enforcement functions are undertaken? (Kentfield)

- 25-601** If the Director of Industrial Relations determines that the prevailing wage is the rate set by a collective bargaining agreement (CBA), and that CBA provides a separate classification for a foreman who performs on-site work while supervising the work crew, does the Labor Code require the Director to publish the prevailing wage rate for the foreman classification? (Welindt)
- 25-102** May federally recognized Indian tribes which are located exclusively within the exterior boundaries of the State of California, and who have adopted laws that impose comprehensive requirements substantially comparable to the California Cannabis Regulatory Framework, lawfully conduct intrastate commercial cannabis activity solely within the State of California with California state cannabis licensees without obtaining such a license themselves? (Thomas)
- 24-1102** May a concealed carry weapon (CCW) permit be denied under Penal Code section 26202(a)(8), which disqualifies CCW permit applicants who are “currently abusing controlled substances,” based on an applicant’s otherwise lawful use of marijuana under California law? (Bidart)
- 24-1101** Do the exemptions from local building and zoning ordinances set forth in Government Code section 53091, subdivisions (d) and (e), apply to all California public water systems, including independent water companies? (Duncan Lee)
- 24-902** Are claw machines illegal gambling devices under California’s gaming device statutes? (Welindt)
- 24-702** May the same individual serve simultaneously on the Board of Commissioners for the White Mountain Fire Protection District and the Board of Directors for the Tri Valley Groundwater Management District? (McCarroll)

Quo Warranto Matters

- 25-901** Has Jason Lee Johnson satisfied the residency requirements to serve on the Stockton City Council? (McCarroll)
- 25-301** Was Christopher Pikus validly appointed to the Poway City Council? (Medeiros)
- 24-1002** Was Mark Skvarna validly appointed to the office of Montebello Unified School District Superintendent? (McCarroll)

24-802 May the San Diego Police Officers Association challenge the validity of a provision of the Proposition B initiative measure that the Association alleges to have unlawfully affected the pension benefits of some of its members? (Kentfield)

CONTACT US

To submit an opinion request or a quo warranto application, please contact:
Senior Assistant Attorney General Marc J. Nolan at Marc.Nolan@doj.ca.gov.

The Opinion Unit invites comments on the questions posed in pending opinion requests. To share your views, please contact the deputy assigned to prepare the opinion. Deputies can be reached at the following email addresses:

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For all other inquiries, please contact Stephanie Grimes, Associate Governmental Program Analyst, at Stephanie.Grimes@doj.ca.gov or (916) 210-6005.

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