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§ 3068. Answer when objection to sufficiency not sustained
§ 3069. Conviction on plea of guilty or refusal to answer; Trial on denial
§ 3070. Conduct of trial
§ 3071. Right to process
§ 3072. Judgment
§ 3073. Proceedings for removal of district attorney
§ 3074. Statute of limitations

Cross References:

"Criminal proceeding" with respect to evidentiary privileges as referring to proceeding pursuant to this article: Ev C § 903(b).

Collateral References:

17 Cal Jur 3d Criminal Law § 281.

NOTES OF DECISIONS

This article was not designed to convict officeholder of crime, but merely to remove him from office. People v Hale (1965) 232 CA2d 112, 42 Cal Rptr 533.

§ 3060. Accusation by grand jury; Wilful or corrupt misconduct

An accusation in writing against any officer of a district, county, or city, including any member of the governing board or personnel commission of a school district, for willful or corrupt misconduct in office, may be presented by the grand jury of the county for or in which the officer accused is elected or appointed. An accusation may not be presented without the concurrence of at least 12 grand jurors.

Enacted 1943; Amended Stats 1951 ch 1553 § 16, operative January 1, 1952; Stats 1955 ch 1125 § 4; Stats 1977 ch 823 § 1.

Prior Law:

(a) Former Pen C § 758.

(b) Stats 1851 ch 29 § 70 p 219.

GOVERNMENT CODE SECTION 3060 USED TO BE PENAL CODE SECTION 758

Amendments:

1951 Amendment: (1) Added "officer of a" after "against any"; and (2) substituted "or city" for "township, or municipal officer" before "for wilful or".

1955 Amendment: Added "including any member of the governing board of a school district," before "for wilful or corrupt".

1977 Amendment: Added "or personnel commission" in the first sentence.

Cross References:

Disqualification from office of one violating prohibition against having interest in contract made in official capacity: § 1097.

Impeachment for misconduct in office: §§ 3020 et seq.; Const Art IV § 18.

Removal of county counsel by proceedings under this article: § 27641.

Noncompliance with District Securities Investigation Law as constituting ground for removal from office: § 58761.

Collateral References:

Witkin Crimes pp 816, 820, 891.

Witkin Criminal Procedure pp 16, 159.