

AMENDED IN SENATE AUGUST 21, 2002
AMENDED IN SENATE AUGUST 14, 2002
AMENDED IN ASSEMBLY MAY 20, 2002
AMENDED IN ASSEMBLY APRIL 24, 2002
AMENDED IN ASSEMBLY APRIL 1, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2903

Introduced by Assembly Member Kehoe

February 25, 2002

An act to amend Section 7050 of the Education Code, relating to use of district property.

LEGISLATIVE COUNSEL'S DIGEST

AB 2903, as amended, Kehoe. Use of district property: school and community colleges districts.

Existing law provides that school district and community college district employee organizations, as defined, have the right to use institutional bulletin boards, mailboxes, and other means of communication, subject to reasonable regulation. Other existing law prohibits the use of school district or community college district funds, services, supplies, or equipment for the purpose of urging the support or defeat of any ballot measure or candidate.

This bill would provide that the prohibitions relating to the support or defeat of any ballot measure or candidate do not apply to an employee organization that exercises its right to use institutional bulletin boards,

mailboxes, ~~e-mail accounts provided to employees by a public school employer~~, and other means of communication. The bill would require an employee organization that uses the bulletin boards, mailboxes, ~~e-mail accounts provided to employees~~, or other means of communication for the purpose of urging the support or defeat of any ballot measure or candidate to reimburse the public school employer for the direct costs attributable to that use.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7050 of the Education Code is amended
2 to read:

3 7050. (a) The Legislature finds that political activities of
4 school employees are of significant statewide concern. Except as
5 provided in subdivision (b), the provisions of this article shall
6 supersede all provisions on this subject in any city, county, or city
7 and county charter as well as in the general law of this state.

8 (b) (1) This article does not apply to an employee organization
9 that exercises its right to use institutional bulletin boards,
10 mailboxes, ~~e-mail accounts provided to employees by a public
11 school employer~~, and other means of communication pursuant to
12 the nonpublic limited forum created by subdivision (b) of Section
13 3543.1 of the Government Code.

14 (2) When an employee organization exercises its rights
15 pursuant to subdivision (b) of Section 3543.1 of the Government
16 Code and uses the bulletin boards, mailboxes, ~~e-mail accounts
17 provided to employees~~, or other means of communication for the
18 purpose of urging the support or defeat of any ballot measure or
19 candidate, the employee organization shall reimburse the public
20 school employer for its direct costs attributable to that use.

