

AMENDED IN ASSEMBLY APRIL 8, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 48

Introduced by Assembly Member Simitian
(Coauthor: Assembly Member Cohn)

December 2, 2002

An act to repeal Section 42238.46 of the Education Code, and to amend Section 42 of Chapter 1167 of the Statutes of 2002, relating to school finance, ~~and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 48, as amended, Simitian. School finance: revenue limits: equalization.

Existing law provides 2 revenue limit equalization adjustments for each school district for the 2003–04 fiscal year.

This bill would repeal one of these equalization adjustments. ~~The bill would appropriate \$203,000,000 from the General Fund to the Superintendent of Public Instruction for the 2003–04 fiscal year in augmentation of the amount appropriated for purposes of~~ *and would make additional funding for the remaining equalization adjustment contingent on an appropriation in the annual Budget Act.*

~~The bill would require that the appropriation be included in the amounts appropriated by the state in the 2003–04 fiscal year for purposes of meeting the state's minimum funding obligation to school districts and community college districts under Section 8 of Article XVI of the California Constitution for that fiscal year.~~

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

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

1 SECTION 1. Section 42238.46 of the Education Code is
2 repealed.

3 SEC. 2. Section 42 of Chapter 1167 of the Statutes of 2002 is
4 amended to read:

5 Sec. 42. (a) If the appropriation in the 2002–03 fiscal year for
6 purposes of Section 42238.445 of the Education Code pursuant to
7 Provision 2 of Item 6110-223-0001 of Section 2.00 of the Budget
8 Act of 2002 (Chapter 379, Statutes of 2002) is insufficient to
9 provide funding equal to the amount computed pursuant to Section
10 42238.445 of the Education Code, the amount appropriated shall
11 be allocated to school districts on a pro rata basis.

12 (b) If the appropriation in the 2003–04 fiscal year for purposes
13 of Section 42238.44 of the Education Code is insufficient to
14 provide funding equal to the amount computed pursuant to Section
15 42238.44 of the Education Code, the amount appropriated shall be
16 allocated to school districts on a pro rata basis.

17 ~~SEC. 3. (a) The sum of two hundred three million dollars~~
18 ~~(\$203,000,000) is hereby appropriated from the General Fund to~~
19 ~~the Superintendent of Public Instruction for the 2003–04 fiscal~~
20 ~~year for purposes of Section 42238.44 of the Education Code, to~~
21 ~~be allocated to school districts on a pro rata basis. The~~
22 ~~appropriation made by this section is in augmentation of the~~
23 ~~appropriation made in Section 51 of Chapter 1167 of the Statutes~~
24 ~~of 2002.~~

25 ~~(b) For purposes of making the computations required by~~
26 ~~Section 8 of Article XVI of the California Constitution, the~~
27 ~~appropriation made by subdivision (a) shall be deemed to be~~
28 ~~“General Fund revenues appropriated to school districts,” as~~
29 ~~defined in subdivision (e) of Section 41202 of the Education Code~~
30 ~~for the 2003–04 fiscal year and included within the “total~~
31 ~~allocations to school districts and community college districts~~
32 ~~from General Fund proceeds of taxes appropriated pursuant to~~
33 ~~Article XIII B” as defined in subdivision (e) of Section 41202 of~~
34 ~~the Education Code, for the 2003–04 fiscal year.~~

35 *SEC. 3. Funding, in augmentation of the appropriation made*
36 *in Section 51 of Chapter 1167 of the Statutes of 2002, for revenue*
37 *limit equalization pursuant to Section 42238.44 of the Education*



- 1 *Code is subject to an appropriation for that purpose in the annual*
- 2 *Budget Act.*

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