

ASSEMBLY BILL

No. 2856

Introduced by Assembly Members Nunez and Laird

February 20, 2004

An act to amend Section 17551 of the Government Code, relating to state mandates.

LEGISLATIVE COUNSEL'S DIGEST

AB 2856, as introduced, Nunez. State mandates: Commission on State Mandates.

Under the California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, including school districts, the state is required to provide a subvention of funds to reimburse the local government, with specified exceptions. Existing law establishes a procedure for local governmental agencies to file claims for reimbursement of these costs with the Commission on State Mandates. The procedure requires the commission to hear and decide upon each claim for reimbursement.

This bill would make a technical, nonsubstantive change to these provisions.

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 17551 of the Government Code is
- 2 amended to read:
- 3 17551. (a) The commission, pursuant to the provisions of
- 4 this chapter, shall hear, ~~and~~ decide, *and report* upon a claim by a

1 local agency or school district that the local agency or school
2 district is entitled to be reimbursed by the state for costs mandated
3 by the state as required by Section 6 of Article XIII B of the
4 California Constitution.

5 (b) Commission review of claims may be had pursuant to
6 subdivision (a) only if the test claim is filed within the time limits
7 specified in this section.

8 (c) Local agency and school district test claims shall be filed
9 not later than three years following the date the mandate became
10 effective, or in the case of mandates that became effective before
11 January 1, 2002, the time limit shall be one year from the effective
12 date of this subdivision.

13 (d) The commission, pursuant to the provisions of this chapter,
14 shall hear and decide upon a claim by a local agency or school
15 district filed on or after January 1, 1985, that the Controller has
16 incorrectly reduced payments to the local agency or school district
17 pursuant to paragraph (2) of subdivision (d) of Section 17561.

