

ASSEMBLY BILL

No. 835

Introduced by Assembly Member Huff

February 18, 2005

An act to amend Section 5019 of the Education Code, relating to school districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 835, as introduced, Huff. School districts: organization: governing board trustees.

Existing law authorizes a county committee on school district organization, except as specified, to establish, rearrange the boundaries of, and abolish trustee areas, and to make specified changes to the governing boards of school districts. Existing law also authorizes a county committee on school district organization to establish a common governing board for a high school district and an elementary school district within the boundaries of the high school district by presenting the issue to the qualified registered voters within those boundaries, as specified.

Existing law provides that a proposal to make any of the changes described above may be initiated by the county committee or made to the county committee either by a petition signed by a certain number of qualified registered voters residing in the district, as provided, or by resolution of the governing board of the district.

This bill would require that the necessary signatures for a petition be obtained within a period of 3 months before the submission of the petition to the county committee.

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 5019 of the Education Code is amended
2 to read:

3 5019. (a) Except in a school district governed by a board of
4 education provided for in the charter of a city or city and county,
5 in any school district or community college district the county
6 committee on school district organization shall have the power to
7 establish trustee areas, rearrange the boundaries of trustee areas,
8 abolish trustee areas, and increase to seven or decrease to five the
9 number of members of the governing board, or to adopt one of
10 the alternative methods of electing governing board members
11 specified in Section 5030.

12 (b) The county committee on school district organization shall
13 also have the power to establish a common governing board for a
14 high school district and an elementary school district within the
15 boundaries of the high school district. The resolution of the
16 county committee approving the establishment of a common
17 governing board shall be presented to the electors of the school
18 districts as specified in Section 5020.

19 (c) A proposal to make the changes described in subdivision
20 (a) or (b) may be initiated by the county committee or made to
21 the county committee either by a petition signed by 5 percent or
22 50, whichever is less, of the qualified registered voters residing
23 in a district in which there are 2,500 or fewer qualified registered
24 voters, or by a petition signed by 2 percent, or 250, whichever is
25 less, of the qualified registered voters residing in a district in
26 which there are 2,501 or more qualified registered voters or by
27 resolution of the governing board of the district. For this purpose,
28 *the necessary signatures for a petition must be obtained within a*
29 *period of three months before the submission of the petition to*
30 *the county committee and* the number of qualified registered
31 voters in the district shall be determined pursuant to the most
32 recent report submitted by the county elections official to the
33 Secretary of State under Section 610 or 6460 of the Elections
34 Code.

35 When the proposal is made, the county committee shall call
36 and conduct at least one hearing in the district on the matter. At
37 the conclusion of the hearing, the county committee shall
38 approve or disapprove the proposal.

1 (d) If the county committee approves pursuant to subdivision
2 (a) the rearrangement of the boundaries of trustee areas for a
3 particular district, then the rearrangement of the trustee areas
4 shall be effectuated for the next district election occurring at least
5 120 days after its approval, unless at least 5 percent of the
6 registered voters of the district sign a petition requesting an
7 election on the proposed rearrangement of trustee area
8 boundaries. The petition for an election shall be submitted to the
9 elections official within 60 days of the proposal's adoption by the
10 county committee. If the qualified registered voters approve
11 pursuant to subdivision (b) the rearrangement of the boundaries
12 to the trustee areas for a particular district, then the
13 rearrangement of the trustee areas shall be effectuated for the
14 next district election occurring at least 120 days after its approval
15 by the voters.

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