

AMENDED IN SENATE AUGUST 29, 2005

AMENDED IN SENATE AUGUST 17, 2005

AMENDED IN SENATE JUNE 14, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1492**

**Introduced by Assembly ~~Member Evans~~ *Members Evans and Chu***

February 22, 2005

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An act to ~~amend Sections 51282 and 51284 of, and to add Section 51281 to, the Education Code, relating to pupil instruction; add Sections 81383 and 81384 to the Education Code, relating to community college district property.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1492, as amended, Evans. ~~Instruction: financial preparedness. Community college districts: property: sale or lease.~~

*Existing law authorizes the governing board of any community college district to sell or lease, under specified conditions, real property, as defined, that the community college district owns. Existing law also requires state and local agencies, including community college districts, to comply with specified requirements prior to the disposal of surplus land.*

*This bill would except from provisions governing the construction of community college facilities and governing the disposal of property owned by community college districts certain transactions involving the sale or lease of property owned by a community college district if the proceeds of these transactions are expended for capital outlay purposes relating to qualified community college facilities, as defined, and if the district complies with other specified conditions.*

~~Existing law requires the Superintendent of Public Instruction to make model curriculum in lifelong healthy aging and financial preparedness available to teachers, as specified.~~

~~This bill would require the Superintendent to make a list available to teachers of organizations that provide teacher training on the subject of financial preparedness.~~

~~Existing law requires the State Board of Education, according to a specified time period, to ensure that textbooks and curriculum frameworks in the social sciences, health, and mathematics curricula integrate components of, among other things, financial preparedness.~~

~~This bill would extend that requirement to textbooks and curriculum frameworks in reading.~~

~~This bill would define “financial preparedness” for purposes of those provisions.~~

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

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

1     SECTION 1. Section 81383 is added to the Education Code,  
2 to read:

3     81383. Notwithstanding Section 81360, the sale by the  
4 governing board of any community college district of any real  
5 property belonging to the community college district, or the lease  
6 by that governing board, for a term not exceeding 99 years, of  
7 any real property, together with any personal property located  
8 thereon, belonging to the community college district shall not be  
9 subject to Part 49 (commencing with Section 81000) or to Article  
10 8 (commencing with Section 54220) of Chapter 5 of Part 1 of  
11 Division 2 of Title 5 of the Government Code, if all of the  
12 following conditions are met:

13     (a) The property is sold or leased to another local  
14 governmental agency, or to a nonprofit corporation that is  
15 organized for the purpose of assisting one or more local  
16 governmental agencies in obtaining financing for a qualified  
17 community college facility.

18     (b) (1) In the case of the sale of community college district  
19 property pursuant to this section, the community college district,  
20 as part of that same sale transaction, simultaneously repurchases  
21 the same property that is the subject of the transaction.

1 (2) *In the case of the lease of community college district*  
2 *property pursuant to this section, the community college district,*  
3 *as part of that same lease transaction, simultaneously leases*  
4 *back, for a term that is not substantially less than the term of that*  
5 *lease, the same property that is the subject of the transaction.*

6 (c) *The financing proceeds obtained by the community college*  
7 *district pursuant to any transaction described in this section are*  
8 *expended solely for capital outlay purposes relating to a*  
9 *qualified community college facility, including the acquisition of*  
10 *real property for intended use as a site for a qualified community*  
11 *college facility and the design, planning, acquisition,*  
12 *construction, reconstruction, and renovation of qualified*  
13 *community college facilities.*

14 (d) *For purposes of this section and Section 81384, the term*  
15 *“qualified community college facility” means real and personal*  
16 *property, improvements, and related facilities that are*  
17 *determined in a resolution of the governing board of the*  
18 *community college district to satisfy each of the following*  
19 *requirements:*

20 (1) *The facilities will (A) assist the community college district*  
21 *in reducing energy and resource consumption while creating a*  
22 *safer and healthier learning environment and (B) operate as*  
23 *energy and resource efficient buildings by taking cost-effective*  
24 *measures similar to those described in the Green Building Action*  
25 *Plan promulgated by the Governor for facilities owned, funded*  
26 *or leased by the state.*

27 (2) *The facilities are affordable for the community college*  
28 *district as set forth in estimated annual summary budgets of the*  
29 *community college district that include the estimated costs of*  
30 *financing the facilities during the estimated duration of the*  
31 *financing demonstrating that the reasonably anticipated*  
32 *expenditures during each fiscal year shall not exceed the*  
33 *reasonably anticipated revenues for that fiscal year.*

34 SEC. 2. *Section 81384 is added to the Education Code, to*  
35 *read:*

36 81384. *When a community college district enters into a sale*  
37 *or lease of community college district property pursuant to*  
38 *Section 81383, the community college district shall, as a part of*  
39 *the sale contract or lease, authorize the chancellor and*  
40 *Controller to withhold from its annual apportionment the amount*

1 of funds necessary to satisfy its annual payment obligation under  
2 the sale contract or lease. The agreement shall include  
3 authorization to withhold this amount and specify the amount to  
4 be withheld. The authorization shall have precedence over other  
5 expenditure obligations of the community college district. The  
6 chancellor, directly or through his or her agent, shall certify the  
7 amounts, by district, to the Controller. The Controller shall  
8 withhold the amount so reported for each community college  
9 district and shall, acting on behalf of each community college  
10 district, transfer the appropriate amount from Section B of the  
11 State School Fund to or upon the order of the issuer of bonds (or  
12 the lender on short-term loans) for the purpose of payment of the  
13 debt service obligation for the bonds (or short-term loan) sold  
14 for capital outlay purposes relating to a qualified community  
15 college facility pursuant to Section 81383. Only the annual  
16 apportionments of those community college districts that have  
17 authorized the chancellor and the Controller to act pursuant to  
18 this section shall be affected by this section, and the annual  
19 apportionments of all other community college districts in the  
20 state shall remain unchanged. For purposes of this section,  
21 short-term loans shall include, but are not limited to, loans made  
22 by the Pooled Money Investment Board pursuant to Section  
23 16312 of the Government Code in connection with the financing  
24 of a qualified community college facility.

25 ~~SECTION 1. Section 51281 is added to the Education Code,~~  
26 ~~to read:~~

27 ~~51281. For purposes of this article, “financial preparedness”~~  
28 ~~means an understanding of personal finances, including, but not~~  
29 ~~limited to, budgeting, savings, credit, and identify theft.~~

30 ~~SEC. 2. Section 51282 of the Education Code is amended to~~  
31 ~~read:~~

32 ~~51282. (a) It is the intent of the Legislature to enact~~  
33 ~~legislation to establish educational requirements in order to instill~~  
34 ~~in California’s youth a sense of importance about lifelong~~  
35 ~~financial planning and preparation, including, among other~~  
36 ~~things, the costs of health care, in a much-extended later life.~~

37 ~~(b) Educational institutions have developed a model~~  
38 ~~curriculum in lifelong healthy aging and financial preparedness,~~  
39 ~~with materials, free of charge, for the Superintendent of Public~~  
40 ~~Instruction to disseminate to school teachers at the local level.~~

1 ~~(e) The Superintendent shall make this existing curriculum~~  
2 ~~available to teachers, using materials that are currently available~~  
3 ~~at no cost, with information and links provided through the~~  
4 ~~Internet, in order to provide to students in grades 7 to 12,~~  
5 ~~inclusive, instruction on human growth, human development, and~~  
6 ~~financial preparedness.~~

7 ~~(d) The Superintendent shall make a list available to teachers~~  
8 ~~of organizations that provide teacher training on the subject of~~  
9 ~~financial preparedness.~~

10 ~~SEC. 3. Section 51284 of the Education Code is amended to~~  
11 ~~read:~~

12 ~~51284. After January 1, 2003, and concurrently with, but not~~  
13 ~~prior to, the next revision of text books or curriculum~~  
14 ~~frameworks in the social sciences, health, reading, and~~  
15 ~~mathematics curricula, the state board shall ensure that these~~  
16 ~~academic areas integrate components of human growth, human~~  
17 ~~development, and human contribution to society, across the life~~  
18 ~~course, and also financial preparedness.~~