

**Assembly Bill No. 1526**

\_\_\_\_\_

Passed the Assembly September 16, 2008

\_\_\_\_\_  
*Chief Clerk of the Assembly*

\_\_\_\_\_

Passed the Senate September 16, 2008

\_\_\_\_\_  
*Secretary of the Senate*

\_\_\_\_\_

This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2008, at \_\_\_\_\_ o'clock \_\_\_\_M.

\_\_\_\_\_  
*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to repeal Sections 8483.5 and 8483.6 of the Education Code, and to amend Section 14 of Proposition 49 of the 2002 statewide general election, relating to before and after school programs, and declaring the urgency thereof, to take effect immediately.

## LEGISLATIVE COUNSEL'S DIGEST

AB 1526, Committee on Budget. Before and after school programs.

Proposition 49, an initiative statute approved by the voters at the November 5, 2002, statewide general election, enacted the After School Education and Safety Program Act of 2002. The act continuously appropriates each fiscal year an amount up to \$550,000,000 from the General Fund to the State Department of Education for purposes of the After School Education and Safety Program. The initiative statute prohibits the amendment of specified provisions of the act by the Legislature and requires a  $\frac{2}{3}$  vote of each house to amend another specified provision of the act.

This bill would repeal provisions of the act that make that continuous appropriation and would authorize the Legislature to amend any provision of the act by a statute passed by a majority vote of each house. The bill would require the Secretary of State to submit those provisions to the voters at the November 4, 2008, statewide general election, would waive or modify statutory election deadlines and requirements for placement of those provisions on the ballot, and would make the provisions operative on July 1 immediately following the date upon which they are approved by the voters.

This bill would declare that it is to take effect immediately as an urgency statute.

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

SECTION 1. Section 8483.5 of the Education Code is repealed.

SEC. 2. Section 8483.6 of the Education Code is repealed.

SEC. 3. Section 14 of Proposition 49, as approved by the voters at the November 5, 2002, statewide general election, is amended to read:

Sec. 14. The After School Education and Safety Program Act of 2002 may be amended to further its purpose by a statute, passed in each house by a majority vote of the membership concurring.

SEC. 4. (a) Sections 1, 2, and 3 of this act shall take effect only if approved by the voters at the November 4, 2008, statewide general election. Sections 1, 2, and 3 of this act shall become operative on July 1 immediately following approval of those sections by the voters.

(b) Notwithstanding the requirements of Sections 9040, 9043, 9044, 9061, and 9082 of the Elections Code or any other provision of law, the Secretary of State shall submit Sections 1, 2, and 3 of this act to the voters at the November 4, 2008, statewide general election.

(c) Notwithstanding Section 13115 of the Elections Code, Sections 1, 2, and 3 of this act and any other measure placed on the ballot by the Legislature for the November 4, 2008, statewide general election after the 131-day deadline set forth in Section 9040 of the Elections Code shall be placed on the ballot, following all other ballot measures, in the order in which they qualified as determined by chapter number.

(d) The Secretary of State shall include, in the ballot pamphlets mailed pursuant to Section 9094 of the Elections Code, the information specified in Section 9084 of the Elections Code regarding the provisions contained in Sections 1, 2, and 3 of this act. If that inclusion is not possible, the Secretary of State shall publish a supplemental ballot pamphlet regarding those provisions to be mailed with the ballot pamphlet. If the supplemental ballot pamphlet cannot be mailed with the ballot pamphlet, the supplemental ballot pamphlet shall be mailed separately.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to submit the provisions of this act to the voters at the November 4, 2008, statewide general election, it is necessary that this act take effect immediately.

Approved \_\_\_\_\_, 2008

---

*Governor*