

AMENDED IN ASSEMBLY APRIL 30, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 1545

Introduced by Assembly Member Parra

February 23, 2007

An act to ~~amend Section 17070.15 of, and to add Section 17075.16 to;~~ the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1545, as amended, Parra. School facilities: hardship ~~assistance-~~
assistance: eligibility evaluation.

The Leroy F. Greene School Facilities Act of 1998 establishes a program in which the State Allocation Board is required to provide state per-pupil funding for construction and modernization of school facilities. The act authorizes a school district that meets specified characteristics established pursuant to regulations to receive financial hardship assistance for school facility construction and modernization.

This bill would require the board to conduct an evaluation of the eligibility criteria for hardship assistance, with a focus on certain school districts, and to submit a report on the evaluation to the Legislature by July 1, 2008.

~~This bill would prohibit the board from applying any financial penalties or excluding a school district from participation in the school facility program operated pursuant to the act if a school district that has been approved for and received financial hardship funding related to an apportionment for a school facilities project that includes minimum essential facilities, as defined, uses local funds for the purpose of completing any of those minimum essential facilities prior to occupancy of the facilities or the completion of financial reconciliation of the~~

project. The bill would authorize the board to adopt regulations that limit the amount of local funds that may be used without penalty based on a comparison to the cost of the project on which the funds are to be expended.

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 17075.16 is added to the Education Code,
 2 to read:

3 17075.16. The board shall conduct an evaluation of the
 4 eligibility criteria for hardship assistance pursuant to this article,
 5 with a focus on, but not limited to, school districts located in areas
 6 with low assessed property valuations and high percentages of
 7 low-income residents. The board shall submit a report on the
 8 evaluation to the Legislature by July 1, 2008.

9 SECTION 1. ~~Section 17070.15 of the Education Code is~~
 10 ~~amended to read:~~

11 17070.15. ~~The following terms, wherever used or referred to~~
 12 ~~in this chapter, shall have the following meanings, respectively,~~
 13 ~~unless a different meaning appears from the context:~~

14 (a) ~~“Apportionment” means a reservation of funds for the~~
 15 ~~purpose of eligible new construction, modernization, or hardship~~
 16 ~~approved by the board for an applicant school district.~~

17 (b) ~~“Attendance area” means the geographical area serving an~~
 18 ~~existing high school and those junior high schools and elementary~~
 19 ~~schools included therein.~~

20 (c) ~~“Board” means the State Allocation Board as established by~~
 21 ~~Section 15490 of the Government Code.~~

22 (d) ~~“Committee” means the State School Building Finance~~
 23 ~~Committee established pursuant to Section 15909.~~

24 (e) ~~“County fund” means a county school facilities fund~~
 25 ~~established pursuant to Section 17070.43.~~

26 (f) ~~“Department” means the Department of General Services.~~

27 (g) ~~“Fund” means the applicable 1998 State School Facilities~~
 28 ~~Fund, the 2002 State School Facilities Fund, or the 2004 State~~
 29 ~~School Facilities Fund, established pursuant to Section 17070.40.~~

30 (h) ~~“Good repair” has the same meaning as specified in~~
 31 ~~subdivision (d) of Section 17002.~~

1 (i) ~~“Minimum essential facilities” means the following required~~
2 ~~facilities for a schoolsite:~~

3 ~~(1) A cafeteria/multipurpose room.~~

4 ~~(2) A library/media and technology center.~~

5 ~~(3) A gymnasium.~~

6 ~~(4) For a high school campus, a performance stage in an existing~~
7 ~~building.~~

8 (j) ~~“Modernization” means any modification of a permanent~~
9 ~~structure that is at least 25 years old, or in the case of a portable~~
10 ~~classroom, that is at least 20 years old, that will enhance the ability~~
11 ~~of the structure to achieve educational purposes.~~

12 (k) ~~“Portable classroom” means a classroom building of one or~~
13 ~~more stories that is designed and constructed to be relocatable and~~
14 ~~transportable over public streets, and with respect to a single story~~
15 ~~portable classroom, is designed and constructed for relocation~~
16 ~~without the separation of the roof or floor from the building and~~
17 ~~when measured at the most exterior walls, has a floor area not in~~
18 ~~excess of 2,000 square feet.~~

19 (l) ~~“Property” includes all property, real, personal or mixed,~~
20 ~~tangible or intangible, or any interest therein necessary or desirable~~
21 ~~for carrying out the purposes of this chapter.~~

22 (m) ~~“School building capacity” means the capacity of a school~~
23 ~~building to house pupils.~~

24 (n) ~~“School district” means a school district or a county office~~
25 ~~of education. For purposes of determining eligibility under this~~
26 ~~chapter, “school district” may also mean a high school attendance~~
27 ~~area.~~

28 ~~SEC. 2. Section 17075.16 is added to the Education Code, to~~
29 ~~read:~~

30 ~~17075.16. (a) If a school district that has received hardship~~
31 ~~assistance pursuant to this article for a school facilities project that~~
32 ~~includes minimum essential facilities uses local funds for the~~
33 ~~purpose of completing any of those minimum essential facilities~~
34 ~~prior to occupancy of the facilities or the completion of the~~
35 ~~summary report of the project required by Section 17076.10, the~~
36 ~~board shall not impose any financial penalties and shall not exclude~~
37 ~~the district from participation in the school facility program~~
38 ~~established pursuant to this chapter.~~

39 ~~(b) The board may adopt regulations that limit the amount of~~
40 ~~local funds that may be used without penalty, pursuant to~~

- 1 ~~subdivision (a), based on a comparison to the cost of the project~~
- 2 ~~on which those funds are to be expended.~~

O