

AMENDED IN SENATE AUGUST 12, 2010

AMENDED IN SENATE JUNE 29, 2010

AMENDED IN ASSEMBLY APRIL 14, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1140**

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**Introduced by Assembly Member Niello**  
**(Principal coauthor: Assembly Member Torrico)**  
**(Coauthors: Assembly Members Anderson, Cook, Fuentes, Fuller,**  
**Gaines, Garrick, Gilmore, Hagman, and Knight)**  
**(Coauthors: Senators Cogdill, Cox, Huff, and Runner)**

February 27, 2009

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An act to add and repeal Section 94874.3 of the Education Code, relating to private postsecondary education, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1140, as amended, Niello. California Private Postsecondary Education Act of 2009: flight schools and aircraft maintenance programs.

Existing law establishes the California Private Postsecondary Education Act of 2009, which, among other things, provides for student protections and regulatory oversight of private postsecondary schools in the state. Existing law establishes the Bureau for Private Postsecondary Education to regulate private postsecondary institutions through the powers granted, and the duties imposed, by the act.

This bill would prohibit the bureau, for the period July 1, 2010, to ~~December 31~~ *July 1*, 2011, inclusive, from enforcing the act against institutions that offer flight instruction or institutions that offer Federal

Aviation Administration certified educational programs in aircraft maintenance. The bill would also require the Legislature to hold public informational hearings for the purpose of reviewing the appropriateness of regulating educational programs in flight instruction and aircraft maintenance under the act.

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

Vote: 2/3. 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 94874.3 is added to the Education Code,  
2 to read:

3 94874.3. (a) For the period July 1, 2010, to ~~December 31~~ July  
4 1, 2011, inclusive, the bureau shall not enforce this chapter against  
5 an institution that offers flight instruction or an institution that  
6 offers Federal Aviation Administration certified educational  
7 programs in aircraft maintenance.

8 (b) The Legislature shall hold public informational hearings for  
9 the purpose of reviewing the appropriateness of regulating  
10 educational programs in flight instruction and aircraft maintenance  
11 under this chapter.

12 (c) This section shall remain in effect only until January 1, 2012,  
13 and as of that date is repealed, unless a later enacted statute, that  
14 is enacted before January 1, 2012, deletes or extends that date.

15 SEC. 2. This act is an urgency statute necessary for the  
16 immediate preservation of the public peace, health, or safety within  
17 the meaning of Article IV of the Constitution and shall go into  
18 immediate effect. The facts constituting the necessity are:

19 In order to prevent the Bureau for Private Postsecondary  
20 Education from requiring institutions that offer flight instruction  
21 and institutions that offer Federal Aviation Administration certified  
22 educational programs in aircraft maintenance to file applications  
23 for approval to operate on or before August 1, 2010, it is necessary  
24 for this act to take effect immediately.

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