

AMENDED IN SENATE JUNE 1, 2010
AMENDED IN SENATE APRIL 19, 2010
AMENDED IN SENATE MARCH 22, 2010

SENATE BILL

No. 1136

Introduced by Senator Cox

February 18, 2010

An act to add Section 14041.61 to the Education Code, relating to education finance, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1136, as amended, Cox. Education finance: revenue limit apportionments.

(1) Existing law requires the Controller to draw warrants on the State Treasury in favor of the county treasurer of each county in each month of each year in prescribed amounts and in a prescribed manner. Commencing with the 2008–09 fiscal year, existing law requires the warrants for the principal apportionments for the month of February in the amount of \$2,000,000,000 to be drawn in July of the same calendar year, and requires those warrants to be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution for the year in which they are drawn.

This bill, notwithstanding the provisions described above, would prohibit a school district's apportionment deferral from exceeding the school district's required reserve for economic uncertainties if the school district meets specified criteria, at any time during a fiscal year, \$225 multiplied by the 2009–10 second principal apportionment average

daily attendance if the district’s average daily attendance, excluding charter school average daily attendance, for the 2009–10 2nd principal apportionment is equal to or less than 500. The bill would provide that these provisions apply only to apportionment deferrals within a single fiscal year.

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

Vote: $\frac{2}{3}$. 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 14041.61 is added to the Education Code,
 2 to read:
 3 ~~14041.61. Notwithstanding Section 14041.6 of this code,~~
 4 ~~Sections 16325.5 and 16326 of the Government Code, or any other~~
 5 ~~provision of law, a school district’s revenue limit apportionment~~
 6 ~~deferral shall not exceed the school district’s required reserve for~~
 7 ~~economic uncertainties specified in the standards and criteria~~
 8 ~~adopted by the state board pursuant to Sections 33127 and 33128~~
 9 ~~if the school district meets either of the following criteria:~~
 10 (a) ~~The school district’s average daily attendance, excluding~~
 11 ~~charter school average daily attendance, for the prior year second~~
 12 ~~principal apportionment is equal to or less than five hundred.~~
 13 (b) ~~The school district’s annual total revenues are less than five~~
 14 ~~million dollars (\$5,000,000).~~
 15 *14041.61. (a) Notwithstanding Sections 16325.5 and 16326*
 16 *of the Government Code, if a school district’s average daily*
 17 *attendance, excluding charter school average daily attendance,*
 18 *for the 2009–10 second principal apportionment is equal to or*
 19 *less than 500, the district’s apportionment deferral shall not*
 20 *exceed, at any time during a fiscal year, two hundred twenty-five*
 21 *dollars (\$225) multiplied by the 2009–10 second principal*
 22 *apportionment average daily attendance.*
 23 (b) *This section applies only to apportionment deferrals within*
 24 *a single fiscal year.*
 25 (c) *This section is not intended to increase the deferral amount*
 26 *of any other local educational agency in order to meet the*
 27 *statewide deferral amounts specified in Section 16326 of the*
 28 *Government Code.*

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

5 In order to provide economic relief for small school districts, it
6 is necessary that this act go into immediate effect.

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