

Introduced by Senator LenoFebruary 19, 2010

An act to add Section 38086 to the Education Code, relating to schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 1413, as introduced, Leno. Schools: food service areas: water.

(1) Existing law authorizes the governing board of a school district to establish cafeterias in the schools under its jurisdiction whenever in its judgment it is advisable to do so and to make the cost of water, electricity, gas, coal, wood, fuel oil, and garbage disposal a charge against the funds of the school district.

Existing law permits the sale of only certain beverages to pupils at schools. The beverages that may be sold include fruit-based and vegetable-based drinks, drinking water, milk, and an electrolyte replacement beverage if those beverages meet certain nutritional requirements.

This bill would require a school district to provide access to free, fresh drinking water in school food service areas by January 1, 2012.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1 SECTION 1. Section 38086 is added to the Education Code,
2 to read:
3 38086. By January 1, 2012, a school district shall provide
4 access to free, fresh drinking water in the food service areas of the
5 schools under its jurisdiction.
6 SEC. 2. If the Commission on State Mandates determines that
7 this act contains costs mandated by the state, reimbursement to
8 local agencies and school districts for those costs shall be made
9 pursuant to Part 7 (commencing with Section 17500) of Division
10 4 of Title 2 of the Government Code.