

ASSEMBLY BILL

No. 677

Introduced by Assembly Member Skinner

February 17, 2011

An act to add Section 41344.5 to the Education Code, and to repeal Section 11 of Chapter 14 of the Statutes of 2003, relating to education finance.

LEGISLATIVE COUNSEL'S DIGEST

AB 677, as introduced, Skinner. Education finance: Oakland Unified School District: sale of surplus property.

(1) Existing law appropriates \$100,000,000 from the General Fund to the Superintendent of Public Instruction for apportionment to the Oakland Unified School District as an emergency loan. Existing law authorized the Oakland Unified School District, from June 1, 2003, to June 30, 2007, inclusive, to sell property owned by the district and to use the proceeds from the sale to reduce or retire that emergency loan. Existing law also prohibited the Oakland Unified School District from being eligible for financial hardship assistance under the Leroy F. Greene School Facilities Act of 1998 during that period of June 1, 2003, to June 30, 2007.

This bill would place the provisions authorizing the Oakland Unified School District to sell property and prohibiting eligibility for financial hardship assistance in the Education Code, and provide that these provisions would operate from January 1, 2012, to June 30, 2016, inclusive.

(2) This bill would make legislative findings and declarations as to the necessity of a special statute for the Oakland Unified School District.

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 41344.5 is added to the Education Code,
2 to read:

3 41344.5. (a) Notwithstanding Sections 17456, 17457, 17462,
4 and 17463, or any other law, from January 1, 2012, to June 30,
5 2016, inclusive, the Oakland Unified School District may sell
6 property owned by the district and use the proceeds from the sale
7 to reduce or retire the emergency loan provided in Section 9 of
8 Chapter 14 of the Statutes of 2003. The sale only of property
9 pursuant to this subdivision is not subject to Section 17388, 17459,
10 or 17464.

11 (b) Notwithstanding any other provision of law, from January
12 1, 2012, to June 30, 2016, inclusive, the Oakland Unified School
13 District is not eligible for hardship assistance pursuant to Article
14 8 (commencing with Section 17075.10) of Chapter 12.5 of Part
15 10 of Division 1 of Title 1.

16 SEC. 2. Section 11 of Chapter 14 of the Statutes of 2003, as
17 amended by Section 51 of Chapter 677 of the Statutes of 2005, is
18 repealed.

19 ~~Sec. 11. (a) Notwithstanding Sections 17456, 17457, 17462,~~
20 ~~and 17463 of the Education Code, or any other law, from June 1,~~
21 ~~2003, to June 30, 2007, inclusive, the Oakland Unified School~~
22 ~~District may sell property owned by the district and use the~~
23 ~~proceeds from the sale to reduce or retire the emergency loan~~
24 ~~provided in Section 9 of this act. The sale only of property pursuant~~
25 ~~to this subdivision is not subject to Section 17459 or 17464 of the~~
26 ~~Education Code.~~

27 ~~(b) Notwithstanding any other provision of law, from June 1,~~
28 ~~2003, to June 30, 2007, inclusive, the Oakland Unified School~~
29 ~~District is not eligible for financial hardship assistance pursuant~~
30 ~~to Article 8 (commencing with Section 17075.10) of Chapter 12.5~~
31 ~~of Part 10 of the Education Code.~~

32 SEC. 3. The Legislature finds and declares that, due to the
33 unique circumstances relating to the fiscal emergency in the
34 Oakland Unified School District, a general statute cannot be made
35 applicable within the meaning of Section 16 of Article IV of the

- 1 California Constitution, and the enactment of this special statute
- 2 is therefore necessary.

O