

ASSEMBLY BILL

No. 392

Introduced by Assembly Member Jones-Sawyer

February 15, 2013

An act to amend Section 17567 of the Government Code, relating to state mandates.

LEGISLATIVE COUNSEL'S DIGEST

AB 392, as introduced, Jones-Sawyer. State mandates: prorated claims.

The California Constitution, whenever the Legislature or a state agency mandates a new program or higher level of service on any local government, including school districts, requires the state is to provide a subvention of funds to reimburse the local government, with specified exceptions. Existing law requires the Controller to prorate claims if the amount appropriated for reimbursement is not sufficient to pay all of the claims approved by the Controller. Existing law requires the Controller to report to the Department of Finance and various legislative entities when it is necessary to prorate claims.

This bill would delete that reporting requirement and would require the Controller to determine the most cost-effective allocation method if \$1,000 or less is appropriated for a program.

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 17567 of the Government Code is
2 amended to read:

1 17567. In the event that the amount appropriated for
2 reimbursement purposes pursuant to Section 17561 is not sufficient
3 to pay all of the claims approved by the Controller, the Controller
4 shall prorate claims in proportion to the dollar amount of approved
5 claims timely filed and on hand at the time of proration. The
6 Controller shall adjust prorated claims if supplementary funds are
7 appropriated for this purpose. *Notwithstanding any other law, if*
8 *one thousand dollars (\$1,000) or less is appropriated for a*
9 *program, the Controller shall determine the most cost-effective*
10 *allocation method.*

11 ~~In the event that the Controller finds it necessary to prorate~~
12 ~~claims as provided by this section, the Controller shall immediately~~
13 ~~report this action to the Department of Finance, the Chairperson~~
14 ~~of the Joint Legislative Budget Committee, and the Chairperson~~
15 ~~of the respective committee in each house of the Legislature which~~
16 ~~considers appropriations in order to assure appropriation of these~~
17 ~~funds in the Budget Act.~~