

AMENDED IN SENATE AUGUST 22, 2014
AMENDED IN SENATE AUGUST 21, 2013
AMENDED IN SENATE AUGUST 13, 2013
AMENDED IN ASSEMBLY MAY 13, 2013
AMENDED IN ASSEMBLY APRIL 9, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 423

Introduced by Assembly Member ~~Torres~~ *Brown*
(Principal coauthor: Senator Torres)
(Coauthor: Assembly Member Rodriguez)

February 15, 2013

An act to ~~amend Section 34171 of, and to add Section 34176.6 to,~~
~~the Health and Safety Code, relating to housing, and declaring the urgency thereof, to take effect~~
~~immediately.~~ *add Section 94923.5 to the Education Code, relating to housing, and making an*
appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 423, as amended, ~~Torres~~ *Brown*. ~~Multiphase affordable housing projects: enforceable obligations. Student Tuition Recovery Fund: claims.~~

Existing law, the California Private Postsecondary Education Act of 2009, which is repealed on January 1, 2015, provides for, among other things, student protections and regulatory oversight of private postsecondary institutions in the state. The act is enforced by the Bureau for Private Postsecondary Education in the Department of Consumer

Affairs. The act requires the bureau to adopt regulations governing the administration and maintenance of the Student Tuition Recovery Fund, including requirements relating to assessments on students and student claims against the Student Tuition Recovery Fund, a continuously appropriated fund.

This bill would provide that a student who uses a Cal Grant or a Pell Grant to pay tuition at a qualifying institution is not thereby made ineligible to apply for payment from the Student Tuition Recovery Fund. The bill would also provide that, when the application of a student who uses a Cal Grant to pay tuition at a qualifying institution for payment from the Student Tuition Recovery Fund is granted, the bureau shall pay that amount to the Student Aid Commission. By expanding eligibility for payments from a continuously appropriated fund, the bill would make an appropriation.

This bill would become operative only if an act that becomes operative on or before January 1, 2015, delays or eliminates the January 1, 2015, repeal date of the California Private Postsecondary Education Act of 2009.

~~The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined. Existing law dissolved redevelopment agencies and community development agencies as of February 1, 2012, and provides for the designation of successor agencies. Existing law imposes various requirements on successor agencies and subjects successor agency actions to the review of oversight boards. Existing law requires each oversight board to direct the successor agency to, among other things, cease performance in connection with and terminate all existing agreements that do not qualify as enforceable obligations, as defined.~~

~~This bill would authorize a successor agency of a former redevelopment agency that commenced and completed construction of portions of a multiphase affordable housing project in a county with a population over 1.7 million or in a city with a population over 160,000 to enter into a new enforceable obligation to complete the design and construction of a qualifying future phase, as specified, of a project. The bill would require that any moneys from the former redevelopment agency's Low and Moderate Income Housing Fund that have not been remitted to the county auditor-controller, as specified, to first be allocated to the implementing entity of the new enforceable obligation to pay for the costs associated with specified agreements. The bill would require, if the remaining balance of the Low and Moderate Income~~

~~Housing Fund is insufficient to pay for the costs associated with the specified agreements, any remaining costs to be included on Recognized Obligation Payment Schedules as enforceable obligations and be funded with Redevelopment Property Tax Trust Funds.~~

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

Vote: $\frac{2}{3}$ -majority. Appropriation: ~~no~~-yes. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. Section 94923.5 is added to the Education Code,
2 to read:

3 94923.5. (a) A student who uses a Cal Grant, Pell Grant, or
4 both, to pay tuition at a qualifying institution is not thereby made
5 ineligible to apply for payment from the Student Tuition Recovery
6 Fund.

7 (b) When the application of a student who uses a Cal Grant to
8 pay tuition at a qualifying institution for payment from the Student
9 Tuition Recovery Fund is granted, the bureau shall pay that amount
10 to the Student Aid Commission.

11 SEC. 2. This act shall become operative only if an act that
12 becomes operative on or before January 1, 2015, amends or
13 repeals Section 94950 of the Education Code to delay or eliminate
14 the January 1, 2015, repeal date of the California Private
15 Postsecondary Education Act of 2009 (Chapter 8 (commencing
16 with Section 94800) of Part 59 of Division 10 of Title 3 of the
17 Education Code).

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All matter omitted in this version of the bill appears in the bill as amended in the Senate, August 21, 2013. (JR11)