

AMENDED IN ASSEMBLY APRIL 25, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 450**

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**Introduced by Assembly Members Jones-Sawyer and Bocanegra**

February 19, 2013

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An act to amend Sections 5019.5 and 72031 of, and to add Article 4 (commencing with Section 72040) to Chapter 1 of Part 45 of Division 7 of Title 3 of, the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 450, as amended, Jones-Sawyer. Postsecondary education: community college trustee areas.

(1) Existing law requires the governing board of each school district or community college district in which trustee areas have been established, and in which each trustee is elected by the residents of the area the trustee represents, to adjust the trustee area boundaries following the decennial census.

This bill would require the governing board of a community college district to make a proposed boundary adjustment public, and to elicit and consider public comment prior to a proposal's adoption, *as prescribed*, thereby imposing a state-mandated local program.

(2) Existing law requires members of the governing board of the Los Angeles Community College District to be elected at large in odd-numbered years in a specified manner, except as specified commencing with the 2013 election.

This bill, instead, would require the Board of Trustees of the Los Angeles Community College District to establish 7 trustee areas in the district by July 1, 2014, and would require members of the board of trustees to be elected by trustee area, as specified. By increasing the

responsibilities of the county and the community college district when they conduct elections, the bill would impose a state-mandated local program.

(3) This bill would make legislative findings and declarations as to the necessity of a special statute for the Los Angeles Community College District.

(4) 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 5019.5 of the Education Code is amended  
2 to read:

3 5019.5. (a) Following each decennial federal census, and using  
4 population figures as validated by the Population Research Unit  
5 of the Department of Finance as a basis, the governing board of  
6 each school district or community college district in which trustee  
7 areas have been established, and in which each trustee is elected  
8 by the residents of the area he or she represents, shall adjust the  
9 boundaries of any or all of the trustee areas of the district so that  
10 one or both of the following conditions is satisfied:

11 (1) The population of each area is, as nearly as may be, the same  
12 proportion of the total population of the district as the ratio that  
13 the number of governing board members elected from the area  
14 bears to the total number of members of the governing board.

15 (2) The population of each area is, as nearly as may be, the same  
16 proportion of the total population of the district as each of the other  
17 areas.

18 (b) The governing board of each community college district  
19 shall make a proposal for boundary adjustment available to the  
20 public prior to adjusting the boundaries of trustee areas. Public  
21 comment regarding the proposal shall be elicited and considered  
22 by each governing board.

1 (c) (1) The boundaries of the trustee areas shall be adjusted by  
2 the governing board of each school district or community college  
3 district, in accordance with subdivision (a), before the first day of  
4 March of the year following the year in which the results of each  
5 decennial census are released. If the governing board fails to adjust  
6 the boundaries before the first day of March of the year following  
7 the year in which the results of each decennial census are released,  
8 the county committee on school district organization shall do so  
9 before ~~April~~ *June* 30 of the same year.

10 (2) The governing board of the school district or community  
11 college district shall reimburse all reasonable costs incurred by a  
12 county committee in adjusting the boundaries pursuant to this  
13 subdivision.

14 (d) Except to the extent that the adjustment of trustee area  
15 boundaries is necessary for the purposes set forth in this section,  
16 the authority to establish or abolish trustee areas, rearrange the  
17 boundaries of trustee areas, increase or decrease the number of  
18 members of the governing board, or adopt any method of electing  
19 governing board members may be exercised only as otherwise  
20 provided under this article.

21 SEC. 2. Section 72031 of the Education Code is amended to  
22 read:

23 72031. (a) Whenever in this code a section refers to a district,  
24 or to two or more districts, governed by a single governing board,  
25 or by governing boards of identical personnel, or to a district or  
26 districts in which the average daily attendance, or the number of  
27 full-time equivalent students, is in excess of 400,000, or makes a  
28 similar reference, all provisions of the section shall apply with  
29 equal force to both the city school district and community college  
30 district.

31 (b) Members of the governing board of the Los Angeles  
32 Community College District shall be elected at large in the manner  
33 established by Chapter 62 of the Statutes of 1968.

34 (c) Commencing with the 2013 election for the governing board  
35 of the Los Angeles Community College District, and each election  
36 thereafter, the governing board may adopt a resolution by majority  
37 vote to enact an alternative method by which members of the  
38 governing board of the Los Angeles Community College District  
39 may be elected at large and by individual seat number wherein,  
40 upon certification of the election, the candidate with the highest

1 number of votes for an individual seat number shall be deemed  
2 the candidate elected for that individual seat number.

3 SEC. 3. Article 4 (commencing with Section 72040) is added  
4 to Chapter 1 of Part 45 of Division 7 of Title 3 of the Education  
5 Code, to read:

6  
7 Article 4. Los Angeles Community College District  
8

9 72040. This article shall apply only to the Los Angeles  
10 Community College District.

11 72041. This article shall supersede any conflicting provisions  
12 of Sections 5019 and 5020, Chapter 1 (commencing with Section  
13 5000) of Part 4 of Division 1 of Title 1, Article 3 (commencing  
14 with Section 72022), or Sections 1302 and 10405.7 of the Elections  
15 Code.

16 72042. The Board of Trustees of the Los Angeles Community  
17 College District shall, by July 1, 2014, provide for the  
18 establishment of seven trustee areas.

19 72043. (a) The Board of Trustees of the Los Angeles  
20 Community College District shall hold a public hearing prior to  
21 its adoption of the boundaries of the trustee areas and shall have  
22 sole authority to establish those boundaries.

23 (b) The Board of Trustees of the Los Angeles Community  
24 College District shall number the trustee areas established pursuant  
25 to Section 72042. The trustee area with the northernmost boundary  
26 shall be area 1. The trustee area with the boundary that, except for  
27 the boundary of area 1, is northernmost, shall be area 2. Each of  
28 the remaining districts shall be numbered accordingly 3 to 7,  
29 inclusive. Each trustee area shall be balanced in resident  
30 population.

31 (c) Any person who seeks election to represent a trustee area in  
32 the Los Angeles Community College District shall reside in and  
33 be registered to vote in that trustee area.

34 (d) (1) The four trustee positions that will expire on June 30,  
35 2015, shall be filled, *in odd-numbered trustee districts*, by ~~election~~  
36 ~~at large trustees elected by trustee area~~. The trustees elected at  
37 that election, *and their successors*, shall serve four-year terms.

38 (2) The three trustee positions that will expire on June 30, 2017,  
39 shall be filled, *in even-numbered trustee districts*, by ~~three~~ trustees

1 elected by trustee area. *The trustees elected at that election, and*  
2 *their successors, shall serve four-year terms.*

3 ~~(3) The trustee areas in which elections will be held in 2017~~  
4 ~~shall be determined by lot.~~

5 ~~(4) The remaining trustee positions shall be elected by trustee~~  
6 ~~area in 2019.~~

7 ~~(5) Trustees elected by trustee area shall serve four-year terms.~~

8 SEC. 4. The Legislature finds and declares that a special law  
9 is necessary and that a general law cannot be made applicable  
10 within the meaning of Section 16 of Article IV of the California  
11 Constitution because of the unique circumstances applicable to  
12 the Los Angeles Community College District relating to its size.

13 SEC. 5. If the Commission on State Mandates determines that  
14 this act contains costs mandated by the state, reimbursement to  
15 local agencies and school districts for those costs shall be made  
16 pursuant to Part 7 (commencing with Section 17500) of Division  
17 4 of Title 2 of the Government Code.