

AMENDED IN SENATE JUNE 5, 2014
AMENDED IN SENATE JUNE 25, 2013
AMENDED IN ASSEMBLY MAY 20, 2013
AMENDED IN ASSEMBLY APRIL 22, 2013
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 938

Introduced by Assembly Member Weber

February 22, 2013

An act to amend ~~Section 2212 of the Elections~~ *Section 89700 of, and to add Section 66025.6 to, the Education Code, relating to elections public postsecondary education.*

LEGISLATIVE COUNSEL'S DIGEST

AB 938, as amended, Weber. ~~Voting: felons.~~ *Public postsecondary education: fees.*

Existing law establishes the California Community Colleges, the California State University, and the University of California as the 3 segments of public postsecondary education in this state. Existing law establishes community college districts throughout the state, and authorizes them to provide instruction at community college campuses. Under existing law, the California State University comprises 25 campuses and the University of California comprises 10 campuses. Under existing law, the segments are authorized to impose fees on their students, both on a systemwide basis and with respect to individual campuses.

This bill would prohibit, on and after July 1, 2015, a campus of the California Community Colleges or the California State University from

imposing a new campus fee, as defined, or increasing the amount of an existing campus fee, unless the imposition of the new fee or the increase of the existing fee is approved by a majority vote of the students of that campus who vote in an election held for that purpose. The bill would require that, in the event that a new campus fee or an increase in the amount of an existing campus fee is approved by the students of a campus in an election held under the bill, an oversight committee, with designated membership, be established.

The bill would urge the Regents of the University of California to adopt regulations and procedures relating to the imposition of new campus fees or increases in the amount of existing campus fees that would be equivalent to the requirements of this bill.

~~Under existing law, the county elections official is required to cancel the voter registration of a person who is presently imprisoned or on parole for conviction of a felony. The clerk of the superior court of each county, on the basis of the records of the court, is required to furnish to the chief elections official of the county a statement showing the names, addresses, and dates of birth of all persons who have been convicted of a felony since the clerk’s last report. The elections official is then required to cancel the affidavits of registration of those persons who are currently imprisoned or on parole for the conviction of a felony.~~

~~This bill would exclude any person who was placed on probation, as specified, from the court clerk’s reports. The bill would require that the statement also include the last four digits of the person’s social security number, if available. The bill also would specify that the county elections official is required to cancel the affidavit of registration of a person imprisoned or on parole for a felony conviction whose name, address, date of birth, and the last four digits of his or her social security number, if available, are the same as reported on the court clerk’s statement.~~

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

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

- 1 SECTION 1. Section 66025.6 is added to the Education Code,
- 2 to read:
- 3 66025.6. Notwithstanding any other law:
- 4 (a) On and after July 1, 2015, a campus of the California
- 5 Community Colleges or the California State University may only

1 *impose a new campus fee, or increase the amount of an existing*
2 *campus fee, if the imposition of the new fee or the increase of the*
3 *existing fee is approved by a majority vote of the students of that*
4 *campus who vote in an election held for that purpose.*

5 *(b) The ballot used in an election held pursuant to subdivision*
6 *(a) shall include a specific description of the purposes for which*
7 *the proceeds of the proposed fee would be expended.*

8 *(c) In the event that a new campus fee or an increase in the*
9 *amount of an existing campus fee is approved by the students of*
10 *a campus in an election held pursuant to subdivision (a), an*
11 *oversight committee shall be established under this subdivision.*
12 *The oversight committee shall be composed of students appointed*
13 *by the student body organization of that campus, faculty members*
14 *appointed by the faculty senate of that campus, and administrators*
15 *appointed by the president of that campus, with the distribution*
16 *of the membership of that oversight committee among those three*
17 *groups being determined by the student body organization of that*
18 *campus.*

19 *(d) As used in this section, "campus fee" means a fee that is*
20 *charged only to the students of a particular campus of the*
21 *California Community Colleges or the California State University,*
22 *and is thus distinguishable from a systemwide fee.*

23 *SEC. 2. Section 89700 of the Education Code is amended to*
24 *read:*

25 *89700. (a) ~~The~~ Except as required pursuant to Section 66025.6,*
26 *the trustees may by rule require all persons to pay fees, rents,*
27 *deposits, and charges for services, facilities or materials provided*
28 *by the trustees to ~~such~~ those persons. The trustees may, by rule,*
29 *provide for the method of collecting such fees, rents, deposits, and*
30 *charges, and may, by rule, provide for the refund in whole or part*
31 *of ~~such~~ those fees, rents, deposits, and charges collected in error*
32 *or collected for facilities, services, or materials not utilized.*

33 *(b) If the provisions of this section are in conflict with the*
34 *provisions of a memorandum of understanding reached pursuant*
35 *to Chapter 12 (commencing with Section 3560) of Division 4 of*
36 *Title 1 of the Government Code, the memorandum of*
37 *understanding shall be controlling without further legislative action,*
38 *except that if such provisions of a memorandum of understanding*
39 *require the expenditure of funds, the provisions shall not become*

1 effective unless approved by the Legislature in the annual Budget
2 Act.

3 *SEC. 3. The Regents of the University of California are urged*
4 *to adopt regulations and procedures relating to the imposition of*
5 *new campus fees or increases in the amount of existing campus*
6 *fees that would be equivalent to the requirements of Section*
7 *66025.6 of the Education Code as enacted by the act that adds*
8 *this section.*

9 ~~SECTION 1. Section 2212 of the Elections Code is amended~~
10 ~~to read:~~

11 ~~2212. The clerk of the superior court of each county, on the~~
12 ~~basis of the records of the court, shall furnish to the chief elections~~
13 ~~official of the county, not less frequently than the first day of April~~
14 ~~and the first day of September of each year, a statement showing~~
15 ~~the name, address, date of birth, and, if available, the last four~~
16 ~~digits of the social security number of each person who has been~~
17 ~~convicted of a felony since the clerk's last report, not including~~
18 ~~any person who was placed on probation pursuant to Section 1203~~
19 ~~of the Penal Code. The elections official shall, during the first~~
20 ~~week of April and the first week of September in each year, cancel~~
21 ~~the affidavit of registration of each person who is currently~~
22 ~~imprisoned or on parole for the conviction of a felony whose name,~~
23 ~~address, date of birth, and, if available, the last four digits of his~~
24 ~~or her social security number is the same as reported on the court~~
25 ~~clerk's statement. The clerk shall certify the statement under the~~
26 ~~seal of the court.~~