

**ASSEMBLY BILL**

**No. 1086**

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**Introduced by Assembly Member Morrell**

February 22, 2013

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An act to amend Section 47604.33 of the Education Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 1086, as introduced, Morrell. Charter schools: financial reports.

Existing law requires each charter school to annually prepare and submit a preliminary budget and certain financial reports by specified dates to its chartering authority and the county superintendent of schools, or only to the county superintendent of schools if the county board of education is the chartering authority. Existing law requires the cost of performing the duties required by this provision to be funded with supervisorial oversight fees collected as specified.

This bill would instead require each charter school to only submit the preliminary budget and financial reports, as discussed above, to the chartering authority. The bill would, if the charting authority is a school district, require the school district to submit the preliminary budget and financial reports received from each charter school to the county superintendent of schools by specified dates. To the extent the supervisorial oversight fees are insufficient to reimburse a school district for submitting the preliminary budget and financial reports received from each charter school to the county superintendent of schools, the bill would impose a state-mandated local program.

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 with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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 47604.33 of the Education Code is  
 2 amended to read:  
 3 47604.33. (a) Each charter school shall annually prepare and  
 4 submit the following reports to its ~~chartering authority and the~~  
 5 ~~county superintendent of schools, or only to the county~~  
 6 ~~superintendent of schools if the county board of education is the~~  
 7 chartering authority:  
 8 (1) On or before July 1, a preliminary budget. For a charter  
 9 school in its first year of operation, the information submitted  
 10 pursuant to subdivision (g) of Section 47605 satisfies this  
 11 requirement.  
 12 (2) On or before December 15, an interim financial report. This  
 13 report shall reflect changes through October 31.  
 14 (3) On or before March 15, a second interim financial report.  
 15 This report shall reflect changes through January 31.  
 16 (4) On or before September 15, a final unaudited report for the  
 17 full prior year.  
 18 (b) The chartering authority shall use any financial information  
 19 it obtains from the charter school, including, but not limited to,  
 20 the reports required by this section, to assess the fiscal condition  
 21 of the charter school pursuant to subdivision (d) of Section  
 22 47604.32.  
 23 (c) *If the chartering authority is a school district, the chartering*  
 24 *authority shall then submit all fiscal reports received from charter*  
 25 *schools under its oversight to the county superintendent of schools*  
 26 *by the following dates:*  
 27 (1) *On or before July 15, the preliminary budget.*  
 28 (2) *On or before December 31, the interim financial report.*  
 29 (3) *On or before March 31, the second interim financial report.*

1 (4) *On or before September 30, the final unaudited report for*  
2 *the full prior year.*

3 (e)

4 (d) The cost of performing the duties required by this section  
5 shall be funded with supervisorial oversight fees collected pursuant  
6 to Section 47613.

7 SEC. 2. No reimbursement is required by this act pursuant to  
8 Section 6 of Article XIII B of the California Constitution for certain  
9 costs that may be incurred by a local agency or school district  
10 because, in that regard, a local agency or school district has the  
11 authority to levy service charges, fees, or assessments that may be  
12 sufficient to pay for the program or level of service mandated by  
13 this act, within the meaning of Section 17556 of the Government  
14 Code.

15 However, if the Commission on State Mandates determines that  
16 this act contains other costs mandated by the state, reimbursement  
17 to local agencies and school districts for those costs shall be made  
18 pursuant to Part 7 (commencing with Section 17500) of Division  
19 4 of Title 2 of the Government Code.