

ASSEMBLY BILL

No. 1726

Introduced by Assembly Members Bonta and Skinner

February 14, 2014

An act to amend Section 11 of Chapter 14 of the Statutes of 2003, relating to education finance.

LEGISLATIVE COUNSEL'S DIGEST

AB 1726, as introduced, Bonta. Education finance: Oakland Unified School District: sale of surplus property.

Existing law appropriates \$100,000,000 from the General Fund to the Superintendent of Public Instruction for apportionment to the Oakland Unified School District as an emergency loan. Existing law, from January 1, 2012, to June 30, 2016, authorizes the Oakland Unified School District to sell property owned by the school district and use the proceeds from the sale to reduce or retire the emergency loan. Existing law exempts the sale of property pursuant to those provisions from various provisions of law that would otherwise apply to the sale of the property or use of the proceeds, and provides that the Oakland Unified School District is not eligible for financial hardship assistance pursuant to the Leroy F. Greene School Facilities Act of 1998 during the time period specified above.

This bill would also exempt the sale of property pursuant to the provisions specified above from provisions that require a governing board of a school district seeking to sell or lease surplus property to first offer that property to a charter school. The bill would extend the termination date of the provisions specified above from June 30, 2016, to June 30, 2020. The bill would make legislative findings and

declarations as to the necessity of a special law for the Oakland Unified School District.

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 11 of Chapter 14 of the Statutes of 2003,
2 as amended by Section 1 of Chapter 164 of the Statutes of 2011,
3 is amended to read:

4 Sec. 11. (a) Notwithstanding Sections 17456, 17457, 17457.5,
5 17462, and 17463 of the Education Code, or any other law, from
6 January 1, 2012, to June 30, ~~2016~~, 2020, inclusive, the Oakland
7 Unified School District may sell property owned by the district
8 and use the proceeds from the sale to reduce or retire the emergency
9 loan provided in Section 9 of this act. The sale only of property
10 pursuant to this subdivision is not subject to Section 17388, 17459,
11 or 17464 of the Education Code.

12 (b) Notwithstanding any other law, from January 1, 2012, to
13 June 30, ~~2016~~ 2020, inclusive, the Oakland Unified School District
14 is not eligible for financial hardship assistance pursuant to Article
15 8 (commencing with Section 17075.10) of Chapter 12.5 of Part
16 10 of the Education Code.

17 SEC. 2. The Legislature finds and declares that a special law
18 is necessary and that a general law cannot be made applicable
19 within the meaning of Section 16 of Article IV of the California
20 Constitution because of the unique circumstances relating to the
21 fiscal emergency in the Oakland Unified School District.