

AMENDED IN ASSEMBLY JUNE 2, 2014

AMENDED IN ASSEMBLY MAY 12, 2014

AMENDED IN SENATE MAY 7, 2013

AMENDED IN SENATE APRIL 25, 2013

**SENATE BILL**

**No. 384**

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**Introduced by Senators Gaines and DeSaulnier**

February 20, 2013

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An act to amend Section 70010.5 of the Education Code, relating to scholarships, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 384, as amended, Gaines. California Memorial Scholarship Program.

Existing law establishes the California Memorial Scholarship Program, administered by the Scholarshare Investment Board and funded by the California Memorial Scholarship Fund. Existing law states that the purpose of the program is to provide scholarships for surviving dependents of California residents killed as a result of injuries sustained during the terrorist attacks of September 11, 2001. Existing law further provides that these scholarships shall be used to defray the costs incurred by participants in the program at institutions of higher education.

Existing law requires the California Victim Compensation and Government Claims Board to identify all persons who are eligible for scholarships under the program and to notify them of their eligibility no later than July 1, 2003. Existing law requires eligible persons to inform the ~~board~~ *Scholarshare Investment Board* in a timely manner of their decision on whether to participate in the program and requires

eligible persons who are to become participants in the program to execute agreements no later than July 1, 2005.

This bill would instead require the ~~board~~ *California Victim Compensation and Government Claims Board* to identify, *and confirm by documentation*, all persons who are eligible for scholarships under the program by use of various methods, including, among others, media outreach and communication with the *Special Master of the federal September 11th Victim Compensation Fund*, and, after creating a new list of eligible persons, to notify those persons of their eligibility by no later than July 1, 2015. The bill would require the ~~person to provide written documentation, confirmed by the board, verifying his or her eligibility for the program if the person wishes to apply for a scholarship under the program.~~ *Scholarshare Investment Board* to service these scholarships only for individuals determined to be eligible by the *Victims Compensation and Government Claims Board*. The bill would also require that eligible persons who are to become participants in the program execute participation agreements no later than July 1, 2016.

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

Vote:  $\frac{2}{3}$ . 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 70010.5 of the Education Code is  
 2 amended to read:  
 3 70010.5. (a) The California Victim Compensation and  
 4 Government Claims Board shall identify, *and confirm by*  
 5 *documentation*, all persons who are eligible for scholarships under  
 6 the program. The California Victim Compensation and Government  
 7 Claims Board shall use various methods to identify those persons,  
 8 including, but not limited to, all of the following:  
 9 (1) Media outreach, including, but not limited to, social media,  
 10 that explains the details of the program, who is eligible for  
 11 scholarships under the program, ~~how to apply for scholarships~~  
 12 ~~under the program~~, and how to sign up for further notifications  
 13 regarding the program.  
 14 (2) Written notification to persons, or in the case of minors,  
 15 their parents or guardians, who have already been identified as  
 16 eligible for scholarships under the program, and their known family

1 members. The notification shall explain that the program has been  
2 reopened, and that the California Victim Compensation and  
3 Government Claims Board is seeking information regarding other  
4 persons who may be eligible for the program, and shall provide  
5 instructions on how to sign up for further notifications regarding  
6 the program.

7 (3) Communication with the *Special Master of the federal*  
8 *September 11th Victim Compensation Fund* to determine if  
9 additional victims who were California residents have been  
10 identified.

11 (b) After creating a new list of eligible persons for the program,  
12 the California Victim Compensation and Government Claims  
13 Board shall notify these persons or, in the case of minors, the  
14 parents or guardians of these persons, of their eligibility for  
15 scholarships under the program.

16 (1) The notification shall be in writing.

17 (2) The notification shall provide details on the program and  
18 how to apply for scholarships under the program.

19 ~~(3) The notification shall require the person to provide written~~  
20 ~~documentation, confirmed by the victim's compensation and~~  
21 ~~Government Claims Board, verifying his or her eligibility for the~~  
22 ~~program if the person wishes to apply for a scholarship under the~~  
23 ~~program pursuant to subdivision (e).~~

24 ~~(4)~~

25 (3) The notification shall be received by all of the appropriate  
26 persons no later than July 1, 2015.

27 (c) *The Scholarshare Investment Board shall service*  
28 *scholarships pursuant to this article only for individuals determined*  
29 *to be eligible by the Victims Compensation and Government Claims*  
30 *Board.*

31 ~~(e)~~

32 (d) Eligible persons, or in the case of minors, the parents or  
33 guardians of these persons, shall inform the ~~board~~ *Scholarshare*  
34 *Investment Board* of their decision on whether to participate in the  
35 program in a timely manner. Eligible persons, or in the case of  
36 minors, the parents or guardians of these persons, who are to  
37 become participants in the program shall execute agreements  
38 pursuant to Section 70011 no later than July 1, 2016.

39 SEC. 2. This act is an urgency statute necessary for the  
40 immediate preservation of the public peace, health, or safety within

1 the meaning of Article IV of the Constitution and shall go into  
2 immediate effect. The facts constituting the necessity are:  
3 Because many eligible persons are not currently receiving  
4 scholarships under the program, and because of the higher  
5 education expenses, prospective or ongoing, of the dependents of  
6 California residents who were killed as a result of injuries sustained  
7 during the terrorist attacks of September 11, 2001, it is necessary  
8 that this act take effect immediately.

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