

AMENDED IN ASSEMBLY MARCH 31, 2016

AMENDED IN ASSEMBLY MARCH 18, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

No. 2124

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Introduced by Assembly Member Eduardo Garcia

February 17, 2016

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An act to add Section ~~38087~~ 189.4 to the ~~Education~~ Water Code, relating to school ~~facilities~~; *facilities*, and making an appropriation therefor.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2124, as amended, Eduardo Garcia. School facilities: water *bottle* filling stations: *State Water Resources Control Board* grant program.

Existing law requires a school district to provide access to free, fresh drinking water during meal times in school food service areas by July 1, 2011, unless the governing board of a school district adopts a resolution stating that it is unable to comply with this requirement and demonstrating the reasons why it is unable to comply due to fiscal constraints or health and safety concerns. *Existing law establishes the State Water Resources Control Board as a state agency with authority over matters relating to water quality.*

This bill would require the ~~State Department of Education~~ *state board* to establish, by regulation, a grant program for local educational agencies to install new water *bottle* filling stations on school campuses or to replace existing water fountains on school campuses with new water *bottle* filling stations. The bill would ~~provide that its provisions shall not be implemented unless funding is provided for its purposes in the annual Budget Act or another statute.~~ *appropriate \$10,000,000 from*

*the General Fund to the state board for allocation to local educational agencies for these purposes and would require the funds to supplement, not supplant, other state funds apportioned to those local educational agencies for their support. The bill would also provide that the funds appropriated by this bill would be applied to the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.*

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

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

1     *SECTION 1. Section 189.4 is added to the Water Code, to read:*  
2     *189.4. (a) The board shall establish, by regulation, a grant*  
3     *program for local educational agencies to install new water bottle*  
4     *filling stations on school campuses.*  
5     *(b) Grant recipients may use grant funds only to install new*  
6     *water bottle filling stations on school campuses or to replace*  
7     *existing water fountains on school campuses with new water bottle*  
8     *filling stations.*  
9     *(c) For purposes of this section, "local educational agencies"*  
10    *include school districts, charter schools, and county offices of*  
11    *education.*  
12    *SEC. 2. (a) The sum of ten million dollars (\$10,000,000) is*  
13    *hereby appropriated from the General Fund to the State Water*  
14    *Resources Control Board for allocation to local educational*  
15    *agencies pursuant to Section 189.4 of the Water Code.*  
16    *(b) The funds allocated to local educational agencies pursuant*  
17    *to this section shall supplement, and not supplant, other state funds*  
18    *apportioned to these local educational agencies for their support.*  
19    *(c) For purposes of making the computations required by Section*  
20    *8 of Article XVI of the California Constitution, the funds*  
21    *appropriated pursuant to this section shall be deemed to be*  
22    *"General Fund revenues appropriated for school districts," as*  
23    *defined in subdivision (c) of Section 41202 of the Education Code,*  
24    *and included within the "total allocations to school districts and*  
25    *community college districts from General Fund proceeds of taxes*  
26    *appropriated pursuant to Article XIII B," as defined in subdivision*  
27    *(e) of Section 41202 of the Education Code.*

1     SECTION 1. ~~Section 38087 is added to the Education Code,~~  
2 ~~to read:~~

3     ~~38087. (a) The department shall establish, by regulation, a~~  
4 ~~grant program for local educational agencies to install new water~~  
5 ~~filler stations on school campuses.~~

6     ~~(b) Grant recipients may use grant funds only to install new~~  
7 ~~water filling stations on school campuses or to replace existing~~  
8 ~~water fountains on school campuses with new water filling stations.~~

9     ~~(c) For purposes of this section, "local educational agencies"~~  
10 ~~include school districts, charter schools, and county offices of~~  
11 ~~education.~~

12     ~~(d) This section shall not be implemented unless funding is~~  
13 ~~provided for its purposes in the annual Budget Act or another~~  
14 ~~statute.~~