

ASSEMBLY BILL

No. 2166

Introduced by Assembly Member Cooper

February 17, 2016

An act to amend Section 68120 of the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2166, as introduced, Cooper. Public postsecondary education: waiver of mandatory campus-based fees.

Existing law prohibits the Board of Directors of the Hastings College of the Law, the Trustees of the California State University, and, if they adopt an appropriate resolution, the Regents of the University of California, from collecting mandatory systemwide tuition and fees from any surviving spouse or surviving child of a deceased person who was a resident of the state and employed by or contracting with a public agency, whose principal duties consisted of active law enforcement service or active fire suppression and prevention, and who died as a result of his or her duties, as specified.

This bill would additionally require those institutions to excuse any mandatory campus-based fees for those persons described above. This requirement would apply to the University of California only if the regents, by resolution, make it applicable.

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

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

SECTION 1. Section 68120 of the Education Code is amended to read:

68120. (a) Notwithstanding any other provision of law, no mandatory systemwide fees or tuition *or mandatory campus-based fees* of any kind shall be required of or collected by the Regents of the University of California, the Board of Directors of the Hastings College of the Law, ~~or~~ the Trustees of the California State University, *or any campus of the University of California or the California State University* from any surviving spouse or surviving child of a deceased person who met all of the following requirements:

(1) He or she was a resident of this state.

(2) He or she was employed by a public agency, or was a contractor, or an employee of a contractor, performing services for a public agency.

(3) His or her principal duties consisted of active law enforcement service or active fire suppression and prevention. This section shall not apply to a person whose principal duties were clerical, even if he or she was subject to occasional call or was occasionally called upon to perform duties within the scope of active law enforcement or active fire suppression and prevention.

(4) He or she was killed in the performance of active law enforcement or active fire suppression and prevention duties, or died as a result of an accident or an injury caused by external violence or physical force, incurred in the performance of his or her active law enforcement or active fire suppression and prevention duties.

(b) Notwithstanding subdivision (a), a person who qualifies for the waiver of mandatory systemwide fees and tuition *and mandatory campus-based fees* under this section as a surviving child of a contractor, or of an employee of a contractor, who performed services for a public agency shall, in addition to the requirements set forth in subdivision (a), meet both of the following requirements:

(1) Enrollment as an undergraduate student at a campus of the University of California or the California State University.

(2) Documentation that his or her annual income, including the value of any support received from a parent, does not exceed the

1 maximum household income and asset level for an applicant for
2 a Cal Grant B award, as set forth in Section 69432.7.

3 (c) As used in this section:

4 (1) “Contractor” or “employee of a contractor” does not include
5 a security guard or security officer, as defined in Section 7582.1
6 of the Business and Professions Code.

7 (2) “Public agency” means the state or any city, city and county,
8 county, district, or other local authority or public body of or within
9 the state.

10 (3) “Surviving child” means either of the following:

11 (A) A surviving natural or adopted child of the deceased person.

12 (B) A surviving stepchild who meets both of the following
13 requirements:

14 (i) He or she was living or domiciled with the deceased person
15 at the time of his or her death.

16 (ii) He or she was claimed on the tax form most recently filed
17 by the deceased person prior to that person’s death, or he or she
18 received 50 percent or more of his or her support from that
19 deceased person in the tax year immediately preceding the death
20 of the deceased person, or both.