

Assembly Bill No. 513

CHAPTER 90

An act to add and repeal Section 35780.5 of the Education Code, relating to school districts.

[Approved by Governor July 5, 1995. Filed with
Secretary of State July 6, 1995.]

LEGISLATIVE COUNSEL'S DIGEST

AB 513, Cannella. School district reorganization: lapsation: Delhi Unified School District.

Under existing law, the county committee on school district organization shall initiate lapsation procedures or revert the reorganized district to its original status if, after 5 years, a newly organized school district has been unable to provide the necessary school facilities for instructional services by employees of the district to all pupils who are residents of the district.

This bill would provide, until January 1, 2004, that if the Delhi Unified School District has not been able to provide these necessary school facilities because there are no state bond funds available and the school district is unable to fund the project through other specified means, including local bonds, the county committee shall not initiate the lapsation procedures nor revert the district to its original status.

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

SECTION 1. Section 35780.5 is added to the Education Code, to read:

35780.5. (a) Notwithstanding Section 35780, or any other provision of law, the Delhi Unified School District shall not be lapsed or reverted to its original status if the district has been unable to provide the necessary school facilities for instructional service to all of the pupils who are residents of the district because there are no state bond funds available and the school district is unable to fund the project through any other available means including, but not limited to, one of the following:

(1) Local bonded indebtedness.

(2) Funding provided under the Mello-Roos Community Facilities Act of 1982 contained in Chapter 2.5 (commencing with Section 53311) of Division 2 of Title 5 of the Government Code for purposes of school facilities.

(3) Developer fees or other charges imposed pursuant to Section 53080 of, or Title 7 (commencing with Section 65000) of, the



Government Code, for which an ordinance, resolution, or other legislative enactment has been adopted.

(b) This section shall remain in effect only until January 1, 2004, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2004, deletes or extends that date.

SEC. 2. The Legislature finds and declares that for purposes of Section 1 of this act, a special law is necessary and that a general law can not be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances of the Delhi Unified School District.

