

AMENDED IN ASSEMBLY APRIL 17, 1997

AMENDED IN ASSEMBLY APRIL 14, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1565**

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**Introduced by Committee on Budget (Assembly Members Ducheny (Chair), Miller (Vice Chair), Bowen, Brown, Cardenas, Davis, Escutia, Figueroa, Gallegos, Keeley, Knox, Lempert, Scott, Strom-Martin, Torlakson, Villaraigosa, and Wright)**

March 13, 1997

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An act to relating to local agency costs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1565, as amended, Committee on Budget. Local costs: claims.

Existing law requires the governing board of each school district to adopt a policy authorizing teachers to provide that the parent or guardian of a pupil, who has been suspended by a teacher for specified reasons, attend a portion of a schoolday in his or her child's classroom.

Existing law provides interagency responsibilities for providing services to children with exceptional needs, including requiring counties to provide mental health services when required in a pupil's individualized education program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would appropriate \$940,000 from the Proposition 98 Reversion Account of the General Fund to the Controller for the payment of claims from school districts and county offices of education seeking reimbursement for state-mandated local costs incurred pursuant to the provision requiring the governing board of each school district to adopt a policy authorizing teachers to provide that a parent or guardian of a pupil, who has been suspended by a teacher, attend a portion of a schoolday in his or her child’s classroom.

This bill would appropriate \$8,443,000 from the General Fund to the Controller for the payment of claims from counties seeking reimbursement of state-mandated local costs incurred pursuant to the provisions pertaining to interagency responsibilities for providing services to children with exceptional needs.

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

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. The sum of nine hundred forty thousand  
 2 dollars (\$940,000) is hereby appropriated from the  
 3 Proposition 98 Reversion Account of the General Fund to  
 4 the Controller for the payment of claims from school  
 5 districts and county offices of education seeking  
 6 reimbursement of state-mandated local costs incurred  
 7 pursuant to Section 48900.1 of the Education Code,  
 8 Chapter 1284, Statutes of 1988, and Chapter 213, Statutes  
 9 of 1989 (Pupil Suspensions: Parent Classroom Visits), for  
 10 costs incurred from July 1, 1993, to June 30, 1998, inclusive.



1 SEC. 2. The sum of eight million four hundred  
2 thirty-three thousand dollars (\$8,433,000) is hereby  
3 appropriated from the General Fund to the Controller  
4 for the payment of claims from counties seeking  
5 reimbursement of state-mandated local costs incurred  
6 pursuant to Chapter 26.5 (commencing with Section  
7 7570) of Division 7 of Title 1 of the Government Code,  
8 Chapter ~~747~~ 1747, Statutes of 1984 (Services to  
9 Handicapped Children), for costs incurred from July 1,  
10 1994, to June 30, 1998, inclusive.

11 SEC. 3. This act is an urgency statute necessary for the  
12 immediate preservation of the public peace, health, or  
13 safety within the meaning of Article IV of the  
14 Constitution and shall go into immediate effect. The facts  
15 constituting the necessity are:

16 In order to settle claims by school districts, county  
17 offices of education, and counties against the state for  
18 mandated costs associated with implementing Section  
19 48900.1 of the Education Code and Chapter 26.5  
20 (commencing with Section 7570) of Division 7 of Title 1  
21 of the Government Code, and to end hardship to school  
22 districts, county offices of education, and counties, it is  
23 necessary for this act to take effect immediately.

