

ASSEMBLY BILL

No. 2328

Introduced by Assembly Member Machado

February 19, 1998

An act to amend Sections 35735.1, 35735.2, and 42127.6 of, and to add Section 35700.3 to, the Education Code, relating to school district reorganization.

LEGISLATIVE COUNSEL'S DIGEST

AB 2328, as introduced, Machado. School district reorganization.

(1) Existing law authorizes the reorganization of school districts and provides for the disposition of the assets and obligations of reorganized school districts. Under existing law, an action to reorganize one or more school districts may be initiated upon the filing, with the county superintendent of schools, of a petition to reorganize the school districts. Existing law requires that this petition be signed by at least 25% of the registered voters residing in the territory proposed to be organized or, in a single school district with over 200,000 pupils in average daily attendance that is proposed to be reorganized into 2 or more school districts, by a number of registered voters residing in the territory proposed to be organized equal to at least 8% of all the votes cast for all candidates for Governor at the last gubernatorial election in the territory proposed to be reorganized.

This bill would require petitions filed under this provision to reasonably identify the territory to be reorganized, which identification may include references to streets or prominent

geographic features. The bill would provide that the inclusion of legal descriptions or plat maps, or both, shall not be a prerequisite for the filing of a valid petition.

(2) Existing law provides for the calculation by the county superintendent of schools of the base revenue limit for newly organized school districts in accordance with a prescribed procedure. Under existing law, the calculation of the base revenue limit includes calculations that are required of each affected school district for which the employment of 25% or more of either the classified or certificated employees is attributable to average daily attendance that the county superintendent of schools determines will be included in the newly organized school districts.

This bill would provide instead that these calculations would be required to be made for all affected school districts and that the calculations would be made with respect to full-time equivalent employees. To the extent that the bill would thereby require the county superintendent of schools to make additional calculations, it would constitute a state-mandated local program.

(3) Existing law provides that, if a newly organized school district is unable to provide the school facilities necessary to provide instructional services by employees of the district to all of the pupils who are residents of that district during the fiscal year in which the reorganization becomes effective for all purposes, the base revenue limit per unit of average daily attendance of the newly organized district shall be the blended revenue limit arrived at pursuant to a provision of the statute under which the calculation of the base revenue is made.

This bill would make a technical revision in this provision.

(4) Existing law provides that, if at any time during the fiscal year the county superintendent of schools determines that a school district may be unable to meet its financial obligations for the current or 2 subsequent fiscal years, or if a school district has a qualified certification relating to its ability to meet its financial obligations, he or she shall notify the governing board of the school district and the Superintendent of Public Instruction in writing of that determination and the basis for the determination. Existing law requires that this



notification include the assumptions used in making the determination and be made available to the public. Existing law prescribes the actions that the county superintendent of schools may take to ensure that the school district meets its financial obligations.

This bill would provide that, effective upon the first meeting of the governing board of a newly organized school district, the county superintendent of schools may exercise any of the powers and duties of this provision regarding the newly unified school district and the other affected school districts until the newly reorganized school district becomes effective for all purposes.

(5) 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 provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

- 1 SECTION 1. Section 35700.3 is added to the
2 Education Code, to read:
3 35700.3. A petition filed under Section 35700 shall be
4 required to reasonably identify the territory to be
5 reorganized, which identification may include references
6 to streets or prominent geographic features. The
7 inclusion of legal descriptions or plat maps, or both,
8 however, shall not be a prerequisite for the filing of a valid
9 petition.
10 SEC. 2. Section 35735.1 of the Education Code is
11 amended to read:



1 35735.1. (a) The base revenue limit per unit of
2 average daily attendance for newly organized school
3 districts shall be equal to the total of the amount of
4 blended revenue limit per unit of average daily
5 attendance of the affected school districts computed
6 pursuant to paragraph (1), the amount based on salaries
7 and benefits of classified employees computed pursuant
8 to paragraph (2), the amount based on salaries and
9 benefits of certificated employees calculated pursuant to
10 paragraph (3), and the amount of the inflation
11 adjustment calculated pursuant to paragraph (4). The
12 following computations shall be made to determine the
13 base revenue limit per unit of average daily attendance
14 for the newly organized school districts:

15 (1) Divide the average daily attendance computed
16 pursuant to Section 42238.5 into the base revenue limit
17 computed pursuant to Section 42238 for each affected
18 district, and then perform the following computation to
19 arrive at the blended revenue limit:

20 (A) For each school district affected by the
21 reorganization, multiply the amount determined
22 pursuant to paragraph (1) by the number of units of
23 average daily attendance for that school district that the
24 county superintendent of schools determines will be
25 included in the proposed school district.

26 (B) Add the amounts calculated pursuant to
27 subparagraph (A).

28 (2) For each affected school district ~~for which the~~
29 ~~employment of 25 percent or more of the classified~~
30 ~~full-time equivalent employees of the district is~~
31 ~~attributable to average daily attendance that the county~~
32 ~~superintendent of schools determines will be included~~ in
33 the newly organized school districts, the following
34 computation shall be made to determine the amount to
35 be included in the base revenue limit per unit of average
36 daily attendance for the newly organized school districts
37 that is based on the salaries and benefits of *full-time*
38 *equivalent* classified employees:

39 (A) For each of those school districts, make the
40 following computation to arrive at the highest average



1 amount expended for salaries and benefits for classified
2 full-time employees by the districts:

3 (i) Add the amount of all salaries and benefits for
4 classified employees of the district, including both
5 part-time and full-time employees.

6 (ii) Divide the amount computed in clause (i) by the
7 total number of full-time equivalent classified employees
8 in the district.

9 (B) ~~Compare~~ Among those school districts that will
10 make up 25 percent or more of the average daily
11 attendance of the resulting newly organized school
12 district, the amounts determined for each of those school
13 districts pursuant to subparagraph (A) and identify the
14 highest average amount expended for salaries and
15 benefits for classified employees.

16 (C) For each of ~~those~~ the school districts included in
17 whole or in part in the newly organized district, subtract
18 the amount determined for the district pursuant to
19 subparagraph (A) from the amount identified pursuant
20 to subparagraph (B).

21 (D) For each of those school districts, multiply the
22 amount determined for the district pursuant to
23 subparagraph (C) by the number of full-time equivalent
24 classified employees employed by the district, and then
25 multiply by the percentage of the district's average daily
26 attendance to be included in the new district.

27 (E) Add the amounts computed for each school
28 district pursuant to subparagraph (D).

29 (3) For each affected school district ~~for which the~~
30 ~~employment of 25 percent or more of the certificated~~
31 ~~full-time equivalent employees of the district is~~
32 ~~attributable to average daily attendance that the county~~
33 ~~superintendent of schools determines will be included in~~
34 the newly organized school districts, the following
35 computation shall be made to determine the amount to
36 be included in the base revenue limit per unit of average
37 daily attendance for the newly organized school districts
38 that is based on the salaries and benefits of *full-time*
39 *equivalent* certificated employees:



1 (A) For each of those school districts, make the
2 following computation to determine the highest average
3 amount expended for salaries and benefits for certificated
4 full-time employees:

5 (i) Add the amount of all salaries and benefits for
6 certificated employees, including both part-time and
7 full-time employees.

8 (ii) Divide the amount determined in clause (i) by the
9 total number of full-time equivalent certificated
10 employees in the district.

11 (B) ~~Compare~~ *Among those school districts that will*
12 *make up 25 percent or more of the average daily*
13 *attendance of the resulting newly organized school*
14 *district,* the amounts determined for each school district
15 pursuant to subparagraph (A) and identify the highest
16 average amount expended for salaries and benefits for
17 certificated employees.

18 (C) For each of ~~those~~ *the* school districts *included in*
19 *whole or in part in the newly organized school district,*
20 subtract the amount determined for the district pursuant
21 to subparagraph (A) from the amount identified
22 pursuant to subparagraph (B).

23 (D) For each of those school districts, multiply the
24 amount determined for the district pursuant to
25 subparagraph (C) by the number of full-time equivalent
26 certificated employees of the school district, and then
27 multiply by the percentage of the district's average daily
28 attendance to be included in the new district.

29 (E) Add the amount calculated for each school district
30 identified pursuant to subparagraph (D).

31 (4) The base revenue limit per unit of average daily
32 attendance shall be adjusted for inflation as follows:

33 (A) Add the amounts determined pursuant to
34 subparagraph (B) of paragraph (1), subparagraph (E) of
35 paragraph (2), and subparagraph (E) of paragraph (3),
36 and divide that sum by the number of units of average
37 daily attendance in the newly organized school districts.
38 The amount determined pursuant to this subparagraph
39 shall not exceed 110 percent of the blended revenue limit



1 per unit of average daily attendance calculated pursuant
2 to paragraph (1).

3 (B) (i) Increase the amount determined pursuant to
4 subparagraph (A) by the amount of the inflation
5 adjustment calculated and used for apportionment
6 purposes pursuant to Section 42238.1 for the fiscal year
7 immediately preceding the year in which the
8 reorganization becomes effective.

9 (ii) With respect to a school district that unifies
10 effective July 1, 1997, and that has an average daily
11 attendance in the 1996–97 fiscal year of more than 1,500
12 units, increase the amount determined pursuant to
13 subparagraph (A) by an amount calculated as follows:

14 (I) For each component district of the newly unified
15 district, multiply the amount of revenue limit
16 equalization aid per unit of average daily attendance
17 determined pursuant to Sections 42238.41, 42238.42, and
18 42238.43, or any other sections of law, for the 1996–97 fiscal
19 year by the 1996–97 second principal apportionment units
20 of average daily attendance determined pursuant to
21 Section 42238.5 for that component district.

22 (II) Add the results for all component districts, and
23 divide this amount by the sum of the 1996–97 second
24 principal apportionment units of average daily
25 attendance determined pursuant to Section 42238.5 for all
26 component districts.

27 (C) Increase the amount determined pursuant to
28 subparagraph (B) by the amount of the inflation
29 adjustment calculated and used for apportionment
30 purposes pursuant to Section 42238.1 for the fiscal year in
31 which the reorganization becomes effective for all
32 purposes.

33 (D) Increase the amount determined pursuant to
34 subparagraph (C) by any other adjustments to the base
35 revenue limit per unit of average daily attendance that
36 the newly organized school districts would have been
37 eligible to receive had they been reorganized in the fiscal
38 year two years prior to the year in which the
39 reorganization becomes effective for all purposes.



1 (b) The amount determined pursuant to
2 subparagraph (D) of paragraph (4) of subdivision (a)
3 shall be the base revenue limit per unit of average daily
4 attendance for the newly organized school districts.

5 (c) The base revenue limit per unit of average daily
6 attendance for the newly organized school district shall
7 not be greater than the amount set forth in the proposal
8 for reorganization that is approved by the State Board of
9 Education. The Superintendent of Public Instruction
10 may make adjustments to base revenue limit
11 apportionments to a newly organized school district, if
12 necessary to cause those apportionments to be consistent
13 with this section.

14 (d) If the territorial jurisdiction of any school district
15 was revised pursuant to a unification, consolidation, or
16 other reorganization, occurring on or before July 1, 1989,
17 that resulted in a school district having a larger territorial
18 jurisdiction than the original school district prior to the
19 reorganization, and a reorganization of school districts
20 occurs on or after the effective date of the act that added
21 this subdivision that results in a school district having a
22 territorial jurisdiction that is substantially the same, as
23 determined by the State Board of Education, as the
24 territorial jurisdiction of that original school district prior
25 to the most recent reorganization occurring on or before
26 July 1, 1989, the revenue limit of the school district
27 resulting from the subsequent reorganization shall be the
28 same, notwithstanding subdivision (b), as the revenue
29 limit that was determined for the original school district
30 prior to the most recent reorganization occurring on or
31 before July 1, 1989.

32 (e) The average daily attendance of a newly organized
33 school district, for purposes of subdivision (d) of Section
34 42238, shall be the average daily attendance that is
35 attributable to the area reorganized for the fiscal year two
36 years prior to the fiscal year in which the new district
37 becomes effective for all purposes.

38 (f) For purposes of computing average daily
39 attendance pursuant to subdivision (d) of Section 42238
40 for each school district that exists prior to the



1 reorganization and whose average daily attendance is
2 directly affected by the reorganization, the following
3 calculation shall apply for the fiscal year two years prior
4 to the fiscal year in which the newly reorganized school
5 district becomes effective:

6 (1) Divide the 1982–83 fiscal year average daily
7 attendance, computed pursuant to subdivision (d) of
8 Section 42238, by the total average daily attendance of the
9 district pursuant to Section 42238.5.

10 (2) Multiply the percentage computed pursuant to
11 paragraph (1) by the total average daily attendance of
12 the district calculated pursuant to Section 42238.5,
13 excluding the average daily attendance of pupils
14 attributable to the area reorganized.

15 (g) This section shall not apply to any reorganization
16 proposal approved by the State Board of Education prior
17 to January 1, 1995.

18 (h) Notwithstanding any other provision of law, this
19 section shall not be subject to waiver by the State Board
20 of Education pursuant to Section 33050 or by the
21 Superintendent of Public Instruction.

22 SEC. 3. Section 35735.2 of the Education Code is
23 amended to read:

24 35735.2. (a) If a newly organized school district is
25 unable to provide the school facilities necessary to
26 provide instructional services by employees of the district
27 to all of the pupils who are residents of that district during
28 the fiscal year in which the reorganization becomes
29 effective for all purposes, the base revenue limit per unit
30 of average daily attendance of the newly organized
31 district shall be the blended revenue limit arrived at
32 pursuant to paragraph (1) of subdivision (a) of Section
33 *35735.1 as adjusted by the calculations made pursuant to*
34 *subparagraphs (B), (C), and (D) of paragraph (4) of*
35 *subdivision (a) of Section 35735.1 and subdivision (b) of*
36 *Section 35735.1. As the newly organized school district as*
37 ~~adjusted by the calculations pursuant to subparagraphs~~
38 ~~(B), (C), and (D) of paragraph (4) of subdivision (a) of~~
39 ~~Section 35735.1 and subdivision (b) of Section 35735.1~~
40 obtains the school facilities necessary to provide



1 instructional services by employees of the district to all or
2 a portion of those pupils, the following adjustment shall
3 be made to the base revenue limit per unit of average
4 daily attendance of the district each fiscal year
5 subsequent to the fiscal year in which the reorganization
6 becomes effective until the fiscal year in which the
7 district provides the facilities necessary to provide those
8 services for all of those pupils:

9 (1) Determine the total number of pupils who are
10 residents of the district to whom the district was unable
11 to provide school facilities necessary to provide that
12 instruction during the fiscal year in which the
13 reorganization becomes effective for all purposes.

14 (2) Determine the total number of pupils identified in
15 paragraph (1) that will attend school in school facilities
16 located in, and receive instructional services provided by
17 employees of, that district in the current fiscal year.

18 (3) Divide the number determined pursuant to
19 paragraph (2) by the number determined pursuant to
20 paragraph (1) to determine the percentage of pupils
21 identified in paragraph (1) who will attend school in
22 school facilities located in, and receive instructional
23 services provided by employees of, that district in the
24 current fiscal year.

25 (4) Multiply the numbers determined pursuant to
26 paragraphs (2) and (3) of subdivision (a) of Section
27 35735.1 by the percentage determined pursuant to
28 paragraph (3) for that fiscal year, and total the amounts.
29 Divide that sum by the number of units of average daily
30 attendance residing in the proposed district in the
31 current fiscal year.

32 (5) Increase the base revenue limit calculated
33 pursuant to subdivision (a) of this section for the school
34 district by the amount arrived at pursuant to paragraph
35 (4) as adjusted by the calculations pursuant to
36 subparagraphs (B), (C), and (D) of paragraph (4) of
37 subdivision (a) of Section 35735.1. In no event shall the
38 amount determined pursuant to this paragraph exceed
39 that amount that would otherwise be calculated pursuant
40 to subdivision (a) of Section 35735.1.



1 (b) For the purposes of making the adjustments
2 described in subdivision (a), the annual audit of the
3 school district required pursuant to Section 41020 shall
4 include an audit of the average daily attendance of pupils
5 by grade level and the numbers of certificated and
6 classified employees on which the adjustments to the base
7 revenue limit of the district were made pursuant to
8 paragraphs (1), (2), and (3) of subdivision (a) of Section
9 35735.1. Until the newly organized school district
10 provides the school facilities necessary to provide
11 instructional services by employees of the district to
12 pupils who are residents of the district in the manner and
13 in the timeframes set forth in the proposal to reorganize
14 that was approved by the State Board of Education, the
15 county superintendent of schools shall, for each fiscal
16 year, inform the Superintendent of Public Instruction of
17 the extent to which the district is providing those facilities
18 to those pupils. The county superintendent of schools may
19 charge the school district for the cost of preparation of the
20 report. Based on that information, the superintendent
21 shall make base revenue limit apportionments to the
22 school district in a manner consistent with subdivision
23 (a).

24 (c) If the newly organized school district is unable to
25 provide the school facilities necessary to provide
26 instructional services by employees of the district to all of
27 the pupils who are residents of the district five years from
28 the date on which the reorganization becomes effective
29 for all purposes, the State Department of Education shall
30 recommend to the State Board of Education whether or
31 not the district should be lapsed pursuant to Article 5
32 (commencing with Section 35780). The State
33 Department of Education shall make that
34 recommendation for each fiscal year until either the
35 school district provides the school facilities necessary to
36 provide instructional services by employees of the district
37 to all of the pupils who are residents of the district or the
38 district is lapsed. Upon recommendation by the State
39 Department of Education, the State Board of Education
40 may direct the county committee on school district



1 organization to lapse the school district according to the
2 procedures set forth in Article 5 (commencing with
3 Section 35780).

4 (d) This section shall not apply to any reorganization
5 proposal approved by the State Board of Education prior
6 to January 1, 1995.

7 SEC. 4. Section 42127.6 of the Education Code is
8 amended to read:

9 42127.6. (a) If at any time during the fiscal year the
10 county superintendent of schools determines that a
11 school district may be unable to meet its financial
12 obligations for the current or two subsequent fiscal years
13 or if a school district has a qualified certification pursuant
14 to Section 42131, he or she shall notify the governing
15 board of the school district and the Superintendent of
16 Public Instruction in writing of that determination and
17 the basis for the determination. The notification shall
18 include the assumptions used in making the
19 determination and shall be available to the public. The
20 county superintendent of schools shall do any or all of the
21 following, as necessary, to ensure that the district meets
22 its financial obligations:

23 (1) Assign a fiscal expert, paid for by the county
24 superintendent, to advise the district on its financial
25 problems.

26 (2) Conduct a study of the financial and budgetary
27 conditions of the district. If, in the course of this review,
28 the county superintendent determines that his or her
29 office requires analytical assistance or expertise that is not
30 available through the district, he or she may employ, on
31 a short-term basis, with the approval of the
32 Superintendent of Public Instruction, staff, including
33 certified public accountants, to provide the assistance and
34 expertise. The school district shall pay 75 percent and the
35 county office of education shall pay 25 percent of these
36 staff costs.

37 (3) Direct the school district to submit a financial
38 projection of all fund and cash balances of the district as
39 of June 30 of the current year and subsequent fiscal years
40 as he or she requires.



1 (4) Require the district to encumber all contracts and
2 other obligations, to prepare appropriate cash-flow
3 analyses and monthly or quarterly budget revisions, and
4 to appropriately record all receivables and payables.

5 (5) Direct the district to submit a proposal for
6 addressing the fiscal conditions that resulted in the
7 determination that the district may not be able to meet
8 its financial obligations.

9 (6) Withhold compensation of the members of the
10 governing board and the district superintendent for
11 failure to provide requested financial information. This
12 action may be appealed to the Superintendent of Public
13 Instruction pursuant to subdivision (b).

14 Any contract entered into by a county superintendent
15 of schools for the purposes of this subdivision is subject to
16 the approval of the Superintendent of Public Instruction.

17 (b) Within five days of the county superintendent
18 making the determination specified in subdivision (a), a
19 school district may appeal the basis of the determination,
20 and any of the proposed actions that the county
21 superintendent has indicated that he or she will take to
22 further examine the financial condition of the district.
23 The Superintendent of Public Instruction shall sustain or
24 deny any or all parts of the appeal within 10 days.

25 (c) If, after taking the actions identified in subdivision
26 (a), the county superintendent determines that a district
27 will be unable to meet its financial obligations for the
28 current or subsequent fiscal year, he or she shall notify the
29 school district governing board and the Superintendent
30 of Public Instruction in writing of that determination and
31 the basis for that determination. The notification shall
32 include the assumptions used in making the
33 determination and shall be available to the public.

34 (d) Within five days of the county superintendent
35 making the determination specified in subdivision (c), a
36 school district may appeal that determination to the
37 Superintendent of Public Instruction. The
38 Superintendent of Public Instruction shall sustain or deny
39 the appeal within 10 days. If the governing board of the
40 school district appeals the determination, the county



1 superintendent of schools may stay any action of the
2 governing board that he or she determines is inconsistent
3 with the district's ability to meet its financial obligations
4 for the current or subsequent fiscal year until resolution
5 of the appeal by the Superintendent of Public Instruction.

6 (e) If the appeal described in subdivision (d) is denied
7 or not filed, or if the district has a negative certification
8 pursuant to Section 42131, the county superintendent, in
9 consultation with the Superintendent of Public
10 Instruction, shall, as necessary to enable the district to
11 meet its financial obligation, do any or all of the following:

12 (1) Develop and impose, in consultation with the
13 Superintendent of Public Instruction and the school
14 district governing board, a budget revision that will
15 enable the district to meet its financial obligations in the
16 current fiscal year.

17 (2) Stay or rescind any action that is determined to be
18 inconsistent with the school district's ability to meet its
19 obligations for the current or subsequent fiscal year. This
20 includes any actions up to the point that the subsequent
21 year's budget is approved by the county superintendent
22 of schools. The county superintendent of schools shall
23 inform the school district governing board in writing of
24 his or her justification for any exercise of authority under
25 this paragraph.

26 (3) Assist in developing, in consultation with the
27 governing board of the school district, a financial plan
28 that will enable the district to meet its future obligations.

29 (4) Assist in developing, in consultation with the
30 governing board of the school district, a budget for the
31 subsequent fiscal year. If necessary, the county
32 superintendent of schools shall continue to work with the
33 governing board of the school district until the budget for
34 the subsequent year is adopted.

35 (5) As necessary, appoint a fiscal adviser to perform
36 any or all of the duties prescribed by this section on his or
37 her behalf.

38 (f) Any action taken by the county superintendent of
39 schools pursuant to paragraph (1) or (2) of subdivision
40 (e) shall be accompanied by a notification that shall



1 include the actions to be taken, the reasons for the actions,
2 and the assumptions used to support the necessity for
3 these actions.

4 (g) This section does not authorize the county
5 superintendent to abrogate any provision of a collective
6 bargaining agreement that was entered into by a school
7 district prior to the date upon which the county
8 superintendent of schools assumed authority pursuant to
9 subdivision (e).

10 (h) The school district shall pay 75 percent and the
11 county office of education shall pay 25 percent of the
12 administrative expenses incurred pursuant to subdivision
13 (e) or costs associated with improving the district's
14 financial management practices. The Superintendent of
15 Public Instruction shall develop, and distribute to
16 affected school districts and county offices of education,
17 advisory guidelines regarding the appropriate amount of
18 administrative expenses charged pursuant to this
19 subdivision.

20 (i) Notwithstanding Section 42647 or 42650, or any
21 other provision of law, a county treasurer shall not honor
22 any warrant when, pursuant to Sections 42127 to ~~42127.6~~
23 *42127.5*, inclusive, *or pursuant to this section* the county
24 superintendent or the Superintendent of Public
25 Instruction, as appropriate, has disapproved that warrant
26 or the order on school district funds for which a warrant
27 was prepared.

28 (j) *Effective upon the first meeting of the governing*
29 *board of a newly organized school district pursuant to*
30 *Section 35102, the county superintendent of schools may*
31 *exercise any of the powers and duties of this section*
32 *regarding the newly unified school district and the other*
33 *affected school districts until the newly reorganized*
34 *school district becomes effective for all purposes in*
35 *accordance with Article 4 (commencing with Section*
36 *35530) of Chapter 3 of Part 21.*

37 SEC. 5. Notwithstanding Section 17610 of the
38 Government Code, if the Commission on State Mandates
39 determines that this act contains costs mandated by the
40 state, reimbursement to local agencies and school



1 districts for those costs shall be made pursuant to Part 7
2 (commencing with Section 17500) of Division 4 of Title
3 2 of the Government Code. If the statewide cost of the
4 claim for reimbursement does not exceed one million
5 dollars (\$1,000,000), reimbursement shall be made from
6 the State Mandates Claims Fund.

7 Notwithstanding Section 17580 of the Government
8 Code, unless otherwise specified, the provisions of this act
9 shall become operative on the same date that the act
10 takes effect pursuant to the California Constitution.

