

Senate Bill No. 708

Passed the Senate May 27, 1997

Secretary of the Senate

Passed the Assembly August 4, 1997

Chief Clerk of the Assembly

This bill was received by the Governor this ____ day
of _____, 1997, at ____ o'clock __M.

Private Secretary of the Governor



CHAPTER ____

An act to amend Sections 17291 and 17405 of, and to repeal Sections 17290, 17405, 39141.10, and 39304.5 of, the Education Code, relating to school facilities, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 708, Greene. School facilities: relocatable buildings.

Existing law authorizes the State Allocation Board to approve requests from school districts for the waiver of Field Act provisions requiring approval of plans and relating to the structural safety of school buildings for specified owned and leased relocatable buildings, and specifies that any waiver that will expire on or before September 30, 1996, is extended until September 30, 1997. Those provisions are repealed as of September 30, 1997, at which point other provisions become operative that do not provide for that waiver of the Field Act.

This bill would require that the provisions of the Field Act be met for the specified relocatable buildings that are owned or leased prior to September 30, 1997, and for which no waiver has been granted before September 30, 1997, and be met for relocatable buildings, as specified, that are purchased or leased on or after September 30, 1997. This bill would specify that any waiver granted by the State Allocation Board to a school district, that is in effect on September 29, 1997, is extended until September 30, 2000.

This bill would declare that it is to take effect immediately as an urgency statute and be operative on September 30, 1997.

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

SECTION 1. Section 17290 of the Education Code is repealed.



SEC. 2. Section 17291 of the Education Code is amended to read:

17291. (a) An owned relocatable building or structure that is to be used for school purposes shall be subject to the provisions of Article 3 (commencing with Section 17280) and Article 6 (commencing with Section 17365).

(b) Notwithstanding any other provision of law, this section shall become operative on September 30, 1997.

SEC. 3. Section 17405 of the Education Code, as added by Section 3 (first text) of Chapter 277 of the Statutes of 1996, is repealed.

SEC. 4. Section 17405 of the Education Code, as added by Section 3 (second text) of Chapter 277 of the Statutes of 1996, is amended to read:

17405. Any lease or agreement shall be subject to the following requirements:

(a) A building or structure that is to be used for school purposes shall be subject to the provisions of Article 3 (commencing with Section 17280) and Article 6 (commencing with Section 17365). A building or facility used by a school district under a lease or lease-purchase agreement into which neither pupils nor teachers are required to enter or that would be excluded from the definition of "school building," as contained in Section 17368, shall not be considered to be a "school building" within the meaning of Section 17283.

(b) Subdivision (a) shall not apply to trailer coaches used for classrooms or laboratories if the trailer coaches conform to the requirements of Part 2 (commencing with Section 18000) of Division 13 of the Health and Safety Code, and the rules and regulations promulgated thereunder concerning mobilehomes, are not expanded or fitted together with other sections to form one unit greater than 24 feet in width, are used for special educational purposes, and are used by not more than 12 pupils at a time, except that the trailer coaches may be used by not more than 20 pupils at a time for driver training purposes.



(c) The site on which a leased relocatable structure is located shall be owned by the school district, or shall be under the control of the school district pursuant to a lease or a permit.

“Relocatable structure” is any structure that is designed to be relocated.

(d) For purposes of interconnection of fire alarms, buildings leased for 24 months or less shall be subject to Section 809 of the Uniform Building Code until applicable regulations proposed by the State Fire Marshal are adopted as part of Title 24 of the California Code of Regulations.

(e) Notwithstanding any other provision of law, this section shall become operative on September 30, 1997.

SEC. 5. Section 39141.10 of the Education Code, as amended by Section 1 of Chapter 655 of the Statutes of 1995, is repealed.

SEC. 6. Section 39141.10 of the Education Code, as added by Section 2 of Chapter 655 of the Statutes of 1995, is repealed.

SEC. 7. Section 39304.5 of the Education Code, as amended by Section 5 of Chapter 655 of the Statutes of 1995, is repealed.

SEC. 8. Section 39304.5 of the Education Code, as added by Section 6 of Chapter 655 of the Statutes of 1995, is repealed.

SEC. 9. Any waiver granted by the State Allocation Board to a school district pursuant to Section 39141.10 of the Education Code or Section 39304.5 of the Education Code, that is in effect on September 29, 1997, is hereby extended until September 30, 2000.

SEC. 10. This bill shall become operative on September 30, 1997.

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

As of September 30, 1997, school districts may not obtain waivers from the State Allocation Board for use of



State of California, Department of Housing and Community Development approved relocatable classrooms. This loss of the ability to obtain waivers may force school districts to replace or retrofit existing relocatable classrooms. There is an urgent need for school districts to maintain current options to obtain classroom space because of a need resulting from the class size reduction program. In order to allow school districts the time necessary to lease, purchase, or retrofit adequate classroom space, it is necessary that this act take effect immediately.



Approved _____, 1997

Governor

