

ASSEMBLY BILL

No. 1437

Introduced by Assembly Member Briggs

February 26, 1999

An act to add Section 46015 to the Education Code, relating to school attendance, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1437, as introduced, Briggs. School attendance: state of emergency.

(1) Existing law requires county superintendents of schools and governing boards of school districts to report attendance information for purposes of apportionment, and requires the county superintendent of schools to determine a revenue limit for each school district in the county according to a formula based on average daily attendance.

This bill, in the event that the Governor has declared a state of emergency, as defined, within a school district, would allow a pupil to be excused from school, and would require that this absence not be deemed an absence in computing average daily attendance. The new duties for school districts concerning the accounting and reporting of attendance information pursuant to the bill would impose a state-mandated local program.

(2) 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.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. 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 46015 is added to the Education
2 Code, to read:

3 46015. In the event that the Governor has declared a
4 state of emergency, as defined in subdivision (b) of
5 Section 8558 of the Government Code, within a school
6 district, a pupil may be excused from school, and this
7 absence shall not be deemed an absence in computing
8 average daily attendance.

9 SEC. 2. Notwithstanding Section 17610 of the
10 Government Code, if the Commission on State Mandates
11 determines that this act contains costs mandated by the
12 state, reimbursement to local agencies and school
13 districts for those costs shall be made pursuant to Part 7
14 (commencing with Section 17500) of Division 4 of Title
15 2 of the Government Code. If the statewide cost of the
16 claim for reimbursement does not exceed one million
17 dollars (\$1,000,000), reimbursement shall be made from
18 the State Mandates Claims Fund.

19 SEC. 3. This act is an urgency statute necessary for the
20 immediate preservation of the public peace, health, or
21 safety within the meaning of Article IV of the
22 Constitution and shall go into immediate effect. The facts
23 constituting the necessity are:

24 In order for this act to become effective prior to the
25 1999–2000 school year in the event of a state of emergency



1 declared by the governor, it is necessary that this act take
2 effect immediately.

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