

AMENDED IN ASSEMBLY MAY 31, 2001

AMENDED IN ASSEMBLY MAY 1, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1536

Introduced by Assembly Member Cardenas

February 23, 2001

An act to add and repeal Article 2 (commencing with Section 69540) of Chapter 5 of Title 8 of the Government Code, relating to superior courts, and making an appropriation therefor. *courts.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1536, as amended, Cardenas. Truancy.

Existing law provides for making habitually truant minors a ward of the juvenile court.

This bill would provide that, as a pilot project, one division of the juvenile court in Los Angeles County selected by the Judicial Council shall be devoted solely to issues involving truancy, to be known as the “truancy court,” which would have jurisdiction over the parents or guardians of a truant, as well as the truant, but shall exercise such jurisdiction only upon referral by specified agencies. The bill would also specify the staff of the truancy court, provide for the rotation of the truancy court throughout Los Angeles County, provide for the coordination of the pilot project by the Los Angeles Countywide Justice Coordinating Council, and provide for the repeal of the pilot project on ~~an unspecified date~~ *January 1, 2004*.

The bill would impose a state-mandated local program by imposing new duties on the juvenile court in Los Angeles County.

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions provide a procedure for paying this reimbursement and require any statute mandating these costs to specify that reimbursement shall be made from the State Mandates Claims Fund for these costs.~~

~~This bill would appropriate \$1,500,000 to the State Mandates Claims Fund to reimburse local agencies and school districts for costs mandated by the state and incurred by them pursuant to this act.~~

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: ~~2/3~~ majority. Appropriation: ~~yes~~-no. Fiscal committee: yes. State-mandated local program: yes.

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

1 SECTION 1. Article 2 (commencing with Section 69540) is
2 added to Chapter 5 of Title 8 of the Government Code, to read:

3
4 Article 2. Truancy Court Pilot Project

5
6 69540. As a pilot project, one division of the juvenile court in
7 Los Angeles County selected by the Judicial Council shall be
8 devoted solely to issues involving truancy in violation of Section
9 601 of the Welfare and Institutions Code, to be known as the
10 “truancy court.”

11 69541. (a) The truancy court shall have jurisdiction over the
12 parents or guardians of a truant, as well as the truant, but shall
13 exercise such jurisdiction only upon referral by the truant’s school,
14 the School Attendance Review Board, and the Los Angeles



1 County Truancy Mediation Program, following their diligent
2 attempts to resolve the minor’s truancy problem.

3 (b) The truancy court shall regularly rotate to different juvenile
4 courts geographically located throughout Los Angeles County to
5 ensure that all residents of the county have access to the truancy
6 court without placing an undue hardship on the family.

7 69542. The truancy court shall be staffed by a team of
8 professionals, including a district attorney, public defender, school
9 district liaison, probation officer, mental health professional,
10 special education expert, and case manager who volunteer for
11 assignment to the truancy court, to consider and discuss the
12 circumstances of each case and attempt to reach consensus on the
13 action plan prior to a court hearing.

14 69543. The Los Angeles Countywide Criminal Justice
15 Coordinating Council shall coordinate the pilot project.

16 69544. This article shall be repealed on *January 1,*
17 *2004.*

18 ~~SEC. 2.—The sum of one million five hundred thousand dollars~~
19 ~~(\$1,500,000) is hereby appropriated from the General Fund to the~~
20 ~~State Mandates Claims Fund to reimburse local agencies and~~
21 ~~school districts pursuant to Part 7 (commencing with Section~~
22 ~~17500) of Division 4 of Title 2 of the Government Code for costs~~
23 ~~mandated by the state and incurred by them pursuant to this act.~~

24 *SEC. 2. Notwithstanding Section 17610 of the Government*
25 *Code, if the Commission on State Mandates determines that this*
26 *act contains costs mandated by the state, reimbursement to local*
27 *agencies and school districts for those costs shall be made*
28 *pursuant to Part 7 (commencing with Section 17500) of Division*
29 *4 of Title 2 of the Government Code. If the statewide cost of the*
30 *claim for reimbursement does not exceed one million dollars*
31 *(\$1,000,000), reimbursement shall be made from the State*
32 *Mandates Claims Fund.*

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