

AMENDED IN SENATE JUNE 1, 2009  
AMENDED IN SENATE APRIL 21, 2009  
AMENDED IN SENATE MARCH 23, 2009

**SENATE BILL**

**No. 108**

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**Introduced by Senator Walters**

January 27, 2009

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An act to amend Section 6528 of the Government Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 108, as amended, Walters. Charter schools.

(1) Existing law provides that a charter school, including a charter school operated as or by a nonprofit public benefit corporation, may be considered a public agency, as defined, for the purpose of being eligible for membership in a joint powers agreement for risk-pooling.

This bill, in addition, would prohibit a joint powers authority for risk-pooling from refusing to admit to membership or provide coverage to a charter school, including a charter school operated as or by a nonprofit public benefit corporation, or a school district that operates a charter school, solely on the basis that the school under consideration is a charter school or the district under consideration operates a charter school. *The bill would authorize a joint powers authority for risk-pooling to set the price for coverage for a charter school or a school district that operates a charter school at a level that is commensurate with the increased risk involved.* By limiting the discretion of joint powers authorities, this 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.

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 6528 of the Government Code is amended  
2 to read:

3 6528. (a) A charter school, including a charter school organized  
4 pursuant to Section 47604 of the Education Code, may be  
5 considered a public agency, as defined in Section 6500, for the  
6 purpose of being eligible for membership in a joint powers  
7 agreement for risk-pooling.

8 (b) A joint powers authority for risk-pooling shall not refuse to  
9 admit to membership or provide coverage to a charter school,  
10 including a charter school organized pursuant to Section 47604 of  
11 the Education Code, or a school district that operates a charter  
12 school, solely on the basis that the school under consideration is  
13 a charter school or the district under consideration operates a  
14 charter school. *A joint powers authority for risk-pooling may set  
15 the price for coverage for a charter school or a school district that  
16 operates a charter school at a level that is commensurate with the  
17 increased risk involved.*

18 SEC. 2. If the Commission on State Mandates determines that  
19 this act contains costs mandated by the state, reimbursement to  
20 local agencies and school districts for those costs shall be made  
21 pursuant to Part 7 (commencing with Section 17500) of Division  
22 4 of Title 2 of the Government Code.

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