
Introduced by Senator Huff

February 25, 2009

An act to amend Section 17582 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 349, as introduced, Huff. School facilities: district deferred maintenance fund.

Existing law authorizes the governing board of each school district to establish a restricted fund to be known as the district deferred maintenance fund for the purpose of major repair or replacement of, among other things, plumbing, heating, air conditioning, electrical, roofing, floor systems, and any other items of maintenance approved by the State Allocation Board.

This bill would make technical, nonsubstantive changes to this provision.

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

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

- 1 SECTION 1. Section 17582 of the Education Code is amended
- 2 to read:
- 3 17582. (a) The governing board of ~~each~~ a school district may
- 4 establish a restricted fund to be known as the ~~“district deferred~~
- 5 ~~maintenance fund”~~ *district deferred maintenance fund* for the
- 6 purpose of major repair or replacement of plumbing, heating, air
- 7 conditioning, electrical, roofing, and floor systems, the exterior
- 8 and interior painting of school buildings, the inspection, sampling,

1 and analysis of building materials to determine the presence of
2 asbestos-containing materials, the encapsulation or removal of
3 asbestos-containing materials, the inspection, identification,
4 sampling, and analysis of building materials to determine the
5 presence of lead-containing materials, the control, management,
6 and removal of lead-containing materials, and any other items of
7 maintenance approved by the State Allocation Board. Funds
8 deposited in the district deferred maintenance fund may be received
9 from any source ~~whatsoever~~, and shall be accounted for separately
10 from all other funds and accounts and retained in the district
11 deferred maintenance fund for purposes of this section. ~~The For~~
12 ~~purposes of this article, the~~ term “school building” ~~as used in this~~
13 ~~article~~ includes a facility that a county office of education is
14 authorized to use pursuant to Article 3 (commencing with Section
15 17280) of Chapter 3.

16 (b) Funds deposited in the district deferred maintenance fund
17 shall only be expended for maintenance purposes as provided
18 pursuant to subdivision (a).

19 (c) The governing board of ~~each~~ *a* school district shall have
20 complete control over the funds and earnings of funds once
21 deposited in the district deferred maintenance fund, provided that
22 no funds deposited in the district deferred maintenance fund
23 pursuant to subdivision (a) or (b) of Section 17584 may be
24 expended by the governing board for any purpose except those
25 specified in subdivision (a) of this section.