

AMENDED IN ASSEMBLY APRIL 6, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 405

Introduced by Assembly Member Solorio

February 14, 2011

An act to amend Section ~~17077.40~~ 81420 of, and to add Section 81424 to, the Education Code, relating to joint-use facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 405, as amended, Solorio. Public postsecondary education: joint-use facilities.

Existing law establishes the California Community Colleges, which are administered by the Board of Governors of the California Community Colleges.

Existing law provides that a community college district may enter into a lease or agreement with a city, county, or city and county for the joint occupancy, or a private education institution for its sole occupancy, of the real property and buildings of the district, as specified.

Existing law, the Leroy F. Greene School Facilities Act of 1998, establishes a program for allocation by the State Allocation Board of state per-pupil funding to school districts for new construction and modernization of school facilities, including joint use-projects to construct facilities on kindergarten to grade 12, inclusive, schoolsites.

This bill would authorize a school district to enter into a joint use project with a community college district, as specified.

This bill would require the board of governors, upon funding being made available, to establish and govern the California Community College Joint Use Program, to support the creation of joint use facilities on community college campuses. The program would be required to be

in alignment with established facilities regulations and exclusively for the creation of new or renovated facilities governed by a joint use agreement between a community college governing body and a 3rd-party public agency, as specified.

~~This bill, in addition, would authorize the board to fund joint-use projects to construct facilities on community college campuses.~~

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

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

1 SECTION 1. *Section 81420 of the Education Code is amended*
2 *to read:*

3 81420. A community college district may enter into a lease or
4 agreement with a city, county, *school district*, or city and county
5 for the joint occupancy, or a private education institution for its
6 sole occupancy, of the real property and buildings of the district,
7 in accordance with the provisions of this article.

8 SEC. 2. *Section 81424 is added to the Education Code, to read:*

9 81424. (1) *The Board of Governors shall establish and govern*
10 *the California Community College Joint Use Program, to support*
11 *the creation of joint use facilities on community college campuses.*
12 *The program shall be in alignment with established facilities*
13 *regulations and shall be used exclusively for the creation of new*
14 *or renovated facilities, or both, governed by a joint use agreement*
15 *between a community college governing body and a third-party*
16 *public agency, as specified in this article.*

17 (2) *The Board of Governors shall establish the program, upon*
18 *the availability of funding.*

19 ~~SECTION 1. Section 17077.40 of the Education Code is~~
20 ~~amended to read:~~

21 ~~17077.40. (a) With funds made available for the purposes of~~
22 ~~this article, the board may provide a grant to fund joint-use projects~~
23 ~~to construct facilities on kindergarten to grade 12, inclusive,~~
24 ~~schoolsites, or community college campuses.~~

25 ~~(b) A school district or community college district may apply~~
26 ~~to the board for funding under this article for a project that meets~~
27 ~~any of the following criteria:~~

28 ~~(1) The joint-use project is part of an application for new~~
29 ~~construction funding under this chapter, and will increase the size~~

1 ~~or extra cost associated with the joint use of the proposed~~
2 ~~multipurpose room, gymnasium, child care facility, library, or~~
3 ~~teacher education facility beyond that necessary for school use.~~

4 ~~(2) The joint-use project proposes to either reconfigure existing~~
5 ~~school buildings or construct new school buildings, or both, to~~
6 ~~provide for a multipurpose room, a gymnasium, a library, a child~~
7 ~~care facility, or a teacher education facility and the project will be~~
8 ~~located at a school that does not have the type of facility for which~~
9 ~~funds are requested or the existing facility is inadequate.~~

10 ~~(3) The joint-use project proposes to either reconfigure existing~~
11 ~~school buildings or construct new school buildings, or both, to~~
12 ~~provide for facilities to improve pupil academic achievement, and~~
13 ~~the plans for the facility were accepted for review and approval~~
14 ~~by the department prior to January 1, 2004.~~

15 ~~(c) The board shall consult with the Board of Governors of the~~
16 ~~California Community Colleges with respect to the application of~~
17 ~~this section to the California Community Colleges.~~