

Assembly Bill No. 2684

Passed the Assembly August 25, 2000

Chief Clerk of the Assembly

Passed the Senate August 24, 2000

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2000, at _____ o'clock ____M.

Private Secretary of the Governor



CHAPTER _____

An act to add and repeal Section 17560.5 of the Government Code, relating to state-mandated local costs.

LEGISLATIVE COUNSEL'S DIGEST

AB 2684, Bock. State-mandated local costs.

Existing law establishes specified procedures for local agencies and school districts to file claims with the Commission on State Mandates for reimbursement of state-mandated local programs and for payment of those claims by the Controller.

This bill would establish a Savings Allocation Program. The program would authorize a city, county, city and county, special district, or school district when filing a claim, to submit findings to the Controller identifying savings generated from the implementation of either of 2 specified mandated programs and would provide for allocation of the savings by the Controller, as specified. The bill would require the Commission on State Mandates to decide any appeals of the Controller's decision regarding whether or not a savings has occurred. The bill would require the Controller to report to the Legislature on or before January 1, 2006, on any savings realized through this program. The bill would repeal these provisions on January 1, 2007, unless a later enacted statute extends or deletes that date.

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

SECTION 1. Section 17560.5 is added to the Government Code, to read:

17560.5. (a) A Savings Allocation Program is hereby established. The Controller shall develop administrative procedures for the program, which shall include eligibility standards, criteria for any award, application procedures, and deadlines, pursuant to a process that is in compliance with the rulemaking provisions of the



Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3).

(b) A city, county, city and county, special district, or school district filing a claim for reimbursement of state-mandated local costs may submit findings to the Controller identifying savings generated from implementation of either of the following mandates:

(1) Services to Handicapped Students (Chapter 1747, Statutes of 1984).

(2) Child Abduction and Recovery (Chapter 1399, Statutes of 1976).

(c) If the Controller finds that the city, county, city and county, special district, or school district has generated reduced costs over a reasonable period of time as a result of efficiencies taken by the city, county, city and county, special district, or school district, he or she shall provide to the city, county, city and county, special district, or school district an appropriate amount representing a portion, not exceeding one-third, of the realized savings. The remainder of the realized savings shall be paid to the General Fund after reimbursement to the Controller for reasonable administrative costs. This reimbursement, if any, shall begin no later than January 1, 2003. These amounts shall be paid at the time that the claim is paid from funds made available by the Legislature for this purpose.

(d) The Commission on State Mandates shall decide any appeals of the Controller's decision regarding whether or not a savings has occurred.

(e) The Savings Allocation Program shall only apply to General Fund savings of actual cost mandates, as determined by the Commission on State Mandates.

(f) The Controller shall report to the Legislature on or before January 1, 2006, on the amount of any savings realized through this program.

(g) This section shall remain in effect only until January 1, 2007, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2007, deletes or extends that date.



Approved _____, 2000

Governor

