

**PENDING LEGISLATION
OVERVIEW – May 11, 2004**

There are eight Assembly bills that address the mandate reimbursement process. These bills may be monitored from the Commission’s website (csm.ca.gov) or directly from the Legislature’s website (leginfo.ca.gov).

AB 2009 - Pacheco and Machado

Sponsor: Authors

Subject: Penalties for Late Filings- Mandate Reimbursement Claims

Status: Pending in Assembly Appropriations Committee, on Suspense File; no hearing date set

This bill would allow the Controller to waive the 10% penalty for filing initial reimbursement claims late if the Controller determines the late filing is due to “extraordinary circumstances” beyond the control of the claimant. This bill would also restore the \$1,000 ceiling for late filing penalties, and allow the Controller to decrease or waive this penalty based on a determination that the late filing is due to “extraordinary circumstances” beyond the control of the claimant.

AB 2224 – Cohn

(As Amended 4/16/04)

Sponsor: Commission on State Mandates and State Controller’s Office

Subject: State Mandates: Reimbursement

Status: Pending on the Assembly Floor

This bill would implement portions of the October 15, 2003 Bureau of State Audits report on the *Animal Adoption and Peace Officer Bill of Rights* programs. The bill would require the Commission to amend the parameters and guidelines for the *Animal Adoption* program to revise the formula for determining the reimbursable portion of acquiring or building additional shelter space to comply with the program, clarify how the costs for care and maintenance shall be calculated, and detail the documentation necessary to support reimbursement claims under this program, with the amendments becoming effective in the 2005-2006 fiscal year.

The bill would also authorize the State Controller to conduct field reviews of any reimbursement claim after it has been submitted and prior to reimbursement of the claim, and make other technical amendments to the mandates process. The April 16 amendments clarify that any audit must be completed no later than two years after the audit is commenced.

AB 2851 - Laird and Members of the Special Committee on State Mandates

(As Amended 4/29/04)

Sponsor: Authors (Not a committee bill)

Subject: Budget Act: State Mandates

Status: Pending on the Assembly Floor

This bill would suspend the *Investment Reports*, and *County Treasury Oversight Committees*, mandates for the 2003-04 budget year for school districts; and would delete budget act references to the following mandates which are no longer reimbursable: *Elections Materials*; *Democratic Presidential Delegates*; *Mineral Resources Policies*; *Short-Doyle Case Management*; and *Short-Doyle Audits*. The bill would also require the Commission to reconsider its decisions on the following mandates by January 1, 2006: *Sex Offenders: Disclosure by Law Enforcement Officers*; *Extended Commitment*, *Youth Authority*; *Brown Act Reform*; and *Photographic Record of Evidence*.

**AB 2852 - Laird and Members of the Special Committee on State Mandates
(As Amended 3/24/04)**

Sponsor: Authors (Not a committee bill)
Subject: Public Safety: State Mandates
Status: Pending on the Assembly Floor

This bill would make the following long suspended mandates optional: *Deaf Teletype Equipment; CPR Pocket Masks; Sexual Harassment Training in the Law Enforcement Workplace; Elder Abuse Training; SIDs Training for Firefighters; Two-Way Traffic Signal Communications; Victim's Statements in Felony Cases; Domestic Violence Information; Victim's Statements (Minors)* and the *Misdemeanors: Booking and Fingerprinting* program.

**AB 2853 - Laird and Members of the Special Committee on State Mandates
(As Amended 4/1/04)**

Sponsor: Authors (Not a committee bill)
Subject: Local Government Expenses: State Mandates
Status: Pending on the Assembly Floor

This bill would make the following mandates optional: *Involuntary Liens, Proration of Fines, County Treasury Oversight Committees, Filipino Employee Surveys, Investment Reports, and Property Tax-Family Transfers.*

**AB 2854 – Laird and Members of the Special Committee on State Mandates
(As Amended 3/23/04)**

Sponsor: Authors (Not a committee bill)
Subject: Elections: State Mandates
Status: Pending committee assignment in Senate Rules Committee

This bill would make specific elections mandates optional.

**AB 2855 – Laird
(As Amended 4/26/04)**

Sponsor: Authors
Subject: Education Policies
Status: Pending in Assembly Appropriations Committee, no hearing date set.

This bill would consolidate the *Comprehensive School Safety Plan and Emergency Procedures* mandates, and make the training requirement in the *Emergency Procedures* program permissive. The bill would also make numerous other education mandates permissive.

**AB 2856 – Laird
(As Amended 5/10/04)**

Sponsor: Author
Subject: State Mandates: Commission on State Mandates
Status: Pending on the Assembly Floor

This bill would clarify that an appropriation in a Budget Act or other bill, in addition to the executive order or statute imposing a mandate may provide offsetting savings or additional revenue for the mandate.