

ITEM 9
LEGISLATIVE UPDATE
2015 LEGISLATION

Commission staff continues to monitor for legislation that might affect the mandates process. AB 575 and AB 731 do not affect the mandates process, but both include language to amend Government Code section 17581.6, the education mandates block grant.

AB 575 - Teachers: best practices teacher evaluation system.

Introduced by Assembly member O'Donnell on February 24, 2015, AB 575 proposes adding sections to the Education Code, relating to teacher evaluation. The bill proposes, as of July 1, 2018, to add the best practices teacher evaluation system to the state-mandated local programs supported by the block grant funding. Thus, if enacted, this bill would create a legislatively determined mandate, funded through the education block grant. Specifically, it would add the following subsection to the list of programs currently found under Government Code section 17581.6(e):

- (44) The best practices teacher evaluation system described in Sections 44661 and 44662 of the Education Code.

On June 18, 2015, it was referred to the Senate Committee on Education.

AB 731 - Maintenance of the codes.

Introduced by Assembly member Gallagher, on February 25, 2015, this bill proposes amendments to many different code sections, described by the legislative counsel's digest as, relating to the maintenance of the codes. In section 219 of the bill, a minor change is proposed under the education block grant in Government Code section 17581.6(e)(46) to add "of" as shown below:

- (46) Uniform Complaint Procedures (03-TC-02; Chapter 1117 of the Statutes of 1982; Chapter 1514 of the Statutes of 1988; and Chapter 914 of the Statutes of 1998).

AB 731 appears to be a spot bill and may be amended in the future to propose substantive changes to Government Code section 17581.6. This bill passed the Assembly on consent and was not amended. It is now pending in the Senate Judiciary Committee.

Commission staff will continue to monitor both bills during this legislative session.

2015-2016 Budget Trailer Bills

SB 84 – State Government.

This bill, as part of the 2015-16 Budget package, makes various statutory and technical changes to implement the Budget Act related to the General Government and Local Government provisions. With regard to mandates, it would require Finance, in collaboration with the Secretary of State and the Legislative Analyst's Office, to convene a working group to evaluate alternatives for election-related state-mandated programs, and would require Finance to submit to the Legislature a report that summarizes the findings of the working group, including recommendations to the Legislature. This bill would also require Finance to conduct a survey of county election officials during years in which a statewide general election is held to determine whether or not counties are carrying out the

requirements set forth in these state mandates relating to elections, and would require Finance to report the results of the survey to the Legislature on the following mandates:

- (A) Absentee ballots.
- (B) Absentee ballots tabulation by precinct.
- (C) Modified primary election.
- (D) Permanent absentee voters II.
- (E) Voter identification procedures.
- (F) Voter registration procedures.

AB 104 – Education Finance: Education Omnibus Trailer Bill.

This bill makes various statutory changes and appropriations regarding child care, early childhood education, and K-14 education necessary for the implementation of the Budget Act of 2015.

Specifically, this bill:

- 1) Appropriates \$3.8 billion in Proposition 98 one-time and settle up funding to pay down the existing mandate backlog. Of this, \$3.2 billion is allocated to K-12 and over \$600 million is provided to community colleges.
- 2) Suspends the Proposition 98 split between K-12 education and the California Community Colleges. Establishes the Adult Education Block Grant program to provide adult education services through regional consortia.
- 3) Adds two newly-determined mandates, *Immunization Records – Pertussis*, 11-TC-02 and *Race to the Top* 10-TC-06 to the mandates block grant and creates a consolidated line item for the suspensions, expulsions, and expulsion appeals mandates (96-358-03, 03A, 98-TC-22, 01-TC-18, 98-TC-23, 97-TC-09; CSM 4455; CSM 4456 and CSM 4463).

2015-2016 Budget Act, AB 93

On June 24, 2015, the Governor adopted the 2015-2016 Budget Act which includes the following with regard to state-mandated programs imposed on local government:

- \$245,000 and \$28,000 respectively is appropriated for two newly-determined mandates, *State Authorized Risk Assessment Tool for Sex Offenders (SARATSO)*, 08-TC-03 and *Medi-Cal Eligibility of Juvenile Offenders*, 08-TC-04.
- \$4 million is appropriated for those counties that choose to participate in a block grant for *Interagency Child Abuse and Neglect Investigation Reports (ICAN)*, 00-TC-22.