

ITEM 8
LEGISLATIVE UPDATE
2018 LEGISLATION

The Legislature reconvened into session on January 3, 2018.

Commission staff continues to monitor legislation for bills that might affect the mandates process. As of this writing, there are no new mandates bills to report.

Additionally, Commission staff continues to monitor the following bill from last year's session:

AB 268 – State Mandates

AB 268 was introduced by Assembly Member Walderon on February 1, 2017. This bill proposes a technical, nonsubstantive change to Government Code section 17552, which currently addresses the process by which local agencies or school districts may claim reimbursement for state mandated costs.

According to the author's office, they do not intend to pursue changes to the mandates process with this bill. However, should they decide to proceed with the bill, January 31, 2018 is the deadline to pass it out of the Assembly.

SB 806 – Charter Schools: operation: for-profit entities

SB 806 was introduced by Senator Glazer on February 17, 2017. This bill prohibits the operation of for-profit charter schools, prohibits for-profit entities from engaging in certain activities as they relate to a charter school, and subjects charter schools either to the Ralph M. Brown Act or the Bagley-Keene Open Meeting Act, depending on the governing entity, and the California Public Records Act. In addition, the bill allows charter school authorizers to correct violations of current self-dealing laws through court. Finally, the bill authorizes charter schools to seek reimbursement for state-mandated activities and waivers from the State Board of Education from some provisions of the Education code.

This is noteworthy because it would extend mandate reimbursement to non-profits which are not local governments, and thus not subject to the taxing and spending limitations of article XIII of the California Constitution. Additionally, it would allow *individual* non-profit *schools* to seek mandate reimbursement whereas only *school districts* may seek reimbursement on behalf of public schools. (See Government Code section 17500 et seq.)

On April 25, 2017, the bill failed passage in the Senate Judiciary committee. Reconsideration was granted. The bill was amended and re-referred to the Judiciary committee on January 3, 2018.