

ITEM 6
LEGISLATIVE UPDATE
2018 LEGISLATION

Commission staff continues to monitor legislation for bills that might affect the mandates process.

AB 1983 – State Mandates

AB 1983 was introduced by Assembly Member Walderon on January 31, 2018. This bill proposes amending Government Code section 17560 and changes the date by which an annual reimbursement claim must be filed with the State Controller’s Office from February 15 to March 1 following the fiscal year in which costs were incurred. AB 1983 appears to be a spot bill. According to the author’s office, they have no intent to pursue changes to the mandates process with this bill.

This bill was referred to the Committee on Local Government on March 1, 2018 and may be heard after March 3, 2018. Staff will continue to monitor this bill.

Additionally, Commission staff was monitoring the following two bills from last year’s session both of which failed to pass out of their houses of origin and have died:

AB 268 – State Mandates

AB 268 was introduced by Assembly Member Walderon on February 1, 2017. This bill proposed 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.

This bill had until January 31, 2018 to pass out of the Assembly. It failed to meet the deadline and the bill died.

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

SB 806 was introduced by Senator Glazer on February 17, 2017. This bill prohibited 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 allowed charter school authorizers to correct violations of current self-dealing laws through court. Finally, the bill authorized 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 was noteworthy because it would have extended 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 have allowed *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.)

This bill had until January 31, 2018 to pass out of the Senate. It failed to meet the deadline and the bill died.