

**ITEM 14**  
**LEGISLATIVE UPDATE**  
**2013 LEGISLATION**

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Commission staff continues to monitor legislation for bills that might effect the mandates process. There are no new mandates bills to report on at this time.

Staff has also been monitoring the budget process and changes to the budget that effect mandates. At the July 26, 2013 meeting of the Commission staff reported on the 2013 Budget Act and on trailer bill SB 71. Subsequent to that meeting, staff has reviewed trailer bill AB 86 which is discussed below.

**Education Omnibus Trailer Bill AB 86**

Signed on July 1, 2013, this omnibus trailer bill made the following three changes relative to education mandates:

1. With respect to the *Behavioral Intervention Plans* program (CSM 4464), the bill amended section 56523 of the Education code to direct the Superintendent of Public Instruction to repeal the regulations governing the use of behavioral interventions with individuals with exceptional needs receiving special education and related services found in Section 3052 and subdivisions (d), (e), (f), (g), and (ab) of Section 3001 of Title 5 of the California Code of Regulations. The amendments also prohibit the adoption of any additional regulations. The intent of the change is to bring California state law in line with the federal Individuals with Disabilities Act and associated regulations<sup>1</sup>, while reducing costs to the state.
2. The Budget Act added \$50 million dollars to the education mandate block grant fund and added two state-mandated programs to the list of programs funded by the block grant. This bill amended Government Code section 17581.6 to reflect those changes by adding *Graduation Requirements* (CSM 4181) and *Pupil Expulsions/Suspensions* (96-358-03 et al.) to the listed programs that are funded by the block grant.
3. The omnibus trailer bill also amended Government Code sections 17581.5, 17581.6 and 17581.7 to reflect the suspension in the Budget Act of the following four state-mandated K-14 education programs previously included in the block grants:
  - (a) *Absentee Ballots* (Chapter 77 of the Statutes of 1978 and CSM 3713);
  - (b) *Brendon Maguire Act* (Chapter 391 of the Statutes of 1988 and CSM 4357);
  - (c) *Mandate Reimbursement Process I and II* (Chapter 486 of the Statutes of 1975; Chapter 890 of the Statutes of 2004; CSM-4204; CSM-4485; and 05-TC-05); and
  - (d) *Sex Offenders Disclosure by Law Enforcement* (Chapters 908 and 909 of the Statutes of 1996; and 97-TC-15).

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<sup>1</sup> Stats. 2013, ch.48, section 44