

INTRODUCTION

Section 17600 of the Government Code requires the Commission on State Mandates (Commission) to report to the Legislature at least twice each calendar year on the number of mandates it has found, the estimated statewide costs of each mandate, and the reasons for recommending reimbursement.

Section 17612, subdivision (a), of the Government Code provides that upon receipt of this report, a local government claims bill shall be introduced in the Legislature. This section further states that, at its introduction, the bill shall provide for an appropriation sufficient to pay the estimated costs of the mandates approved by the Commission.

Section 17612, subdivision (c), of the Government Code specifies that if the Legislature deletes funding for a mandate from a local government claims bill, the local agency or school district may file an action in declaratory relief in the Superior Court of the County of Sacramento to declare the mandate unenforceable and enjoin its enforcement.

The following pages contain a summary of the reimbursable mandate findings for which the Commission has adopted statewide cost estimates during the period from January 1, 1997 through June 30, 1997.

Section 17561.5, subdivision (a), of the Government Code further states that if payment for an initial reimbursement claim is being made more than 365 days after adoption of the statewide cost estimate, the Controller shall include accrued interest at the Pooled Money Investment Account rate. (Added by Stats. 1995, c. 945 (S.B. 11), amended by Stats. 1996, c. 45 (S.B. 19).)

It should be noted that the Commission has approved other test claims during this and earlier periods, and those approvals often are made in part rather than in total. These approved mandates, however, are not to be reported under the provisions of section 17600 of the Government Code until the Commission has adopted their related statewide cost estimates.

Mandate Summary

Law Enforcement Agency Notifications

Education Code Section 48902, Subdivision (c)
Chapter 1117, Statutes of 1989

Eligible Claimants

School districts

Basis For Mandate

The Commission on State Mandates determined that Education Code section 48902, subdivision (c), requires school districts to notify the appropriate local law enforcement agency of any acts of a pupil that may involve the possession or sale of narcotics or of a controlled substance or a violation of Penal Code sections 626.9 and 626.10.

Penal Code section 626.9, known as the Gun-Free School Zone Act, makes it a crime, with certain exceptions, for a person to possess or to discharge a firearm in a school zone. Penal Code section 626.10 makes it a public offense, with certain exceptions, for a person to bring or possess any dirk, dagger, ice pick, knife, unguarded razor blade, taser, stun gun, BB gun, pellet gun or spot marker gun upon school grounds.

Statewide Cost Estimate

The following is a fiscal year breakdown of the statewide cost estimate adopted by the Commission on State Mandates:

<u>Fiscal Year</u>	<u>Estimate</u>
1994-95	\$ 744,127
1995-96	\$ 926,438
1996-97	\$1,154,227
1997-98	\$1,188,101
1998-99	<u>\$1,214,256</u>
Total	\$5,227,000 (Rounded)

(A copy of the Commission's adopted statement of decision is available upon request.)