



MANDATE REDETERMINATION REQUEST FORM

Section 1

Name of Program for Which You Are Requesting a New Test Claim Decision Pursuant to Government Code section 17570 and CCR, tit.2, § 1190.1 et seq.:

Section 2

Name of Local Agency, School District, Statewide Association of Local Agencies or School Districts, or State Agency:

Name and Title of Requester Official Authorized to File for the Requester:

Street Address, City, State, and Zip:

Telephone Number

Email Address

Section 3 – If the requester designates another person to act as its sole representative for this request, all correspondence and communications regarding this request shall be forwarded to this representative. Any change in representation must be authorized by the requester in writing, and sent to the Commission on State Mandates. Please complete information below if designating a representative.

Name and Title of Requester Representative:

Organization:

Street Address, City, State, Zip:

Telephone Number

Email Address

For CSM Use Only

Filing Date:

MR #:

Section 4 – Please identify the name(s) of the programs, test claim number(s), and the date of adoption of the Decision, for which you are requesting a new test claim decision, and the subsequent change in law that allegedly changes the state’s liability. Regarding the subsequent change in law, please identify all relevant code sections (include register number and effective date), executive orders (include effective date), cases, or ballot measures pursuant to [Government Code section 17570\(d\)\(1\)\(A\)](#) and [CCR, tit.2, § 1190.1](#):

Section 5 – Under the heading “5. Detailed Analysis,” please provide a detailed analysis of how and why the state’s liability for mandate reimbursement has been modified pursuant to article XIII B, section 6(a) of the California Constitution based on a “subsequent change in law” as defined in Government Code section 17570. This analysis shall be more than a written narrative or simple statement of the facts at law. It requires the application of the law (Government Code section 17570 (a) and (b)) to the facts (i.e., the alleged subsequent change in law) discussing, for each activity addressed in the prior test claim decision, how and why the state’s liability for that activity has been modified. Specific references shall be made to chapters, articles, sections, or page numbers that are alleged to impose or not impose a reimbursable state-mandated program.

Also include all of the following elements:

- The actual or estimated amount of the annual statewide changes in the state's liability for mandate reimbursement pursuant to [article XIII B, section 6\(a\)](#) on a subsequent change in the law
- Identifies of all of the following if relevant:
 - Dedicated state funds appropriated for the program
 - Dedicated federal funds appropriated for the program
 - Fee authority to offset the costs of the program
 - Federal law
 - Court decisions
 - State or local ballot measures and corresponding date of election

Section 6 – The Detailed Analysis Shall be Supported with Declarations Under Penalty of Perjury Pursuant to [Government Code section 17570\(d\)\(1\)\(E\)](#), and [CCR, tit.2, §§ 1190.1 and 1187.5](#), as follows:

- Declarations of *actual* or *estimated* annual statewide costs that will or will not be incurred to implement the alleged mandate.
- Declarations identifying all local, state, or federal funds, or fee authority that may or may not be used to offset the increased costs that will or will not be incurred by claimants to implement the alleged mandate or result in a finding of no costs mandated by the state pursuant to [Section 17556](#).
- Declarations describing new activities performed to implement specific provisions of the statute or executive order alleged to impose a reimbursable state-mandated program (specific references shall be made to chapters, articles, sections, or page numbers alleged to impose or not impose a reimbursable state-mandated program). Note, however, that pursuant to [Government Code section 17570\(a\)\(2\)](#) a “subsequent change in law” does not include a change in the statutes or executive orders that impose new state-mandated activities and require a finding pursuant to [subdivision \(a\) of Section 17551](#).
- The declarations are signed under penalty of perjury, based on the declarant’s personal knowledge, information, or belief, by persons who are authorized and competent to do so.

Section 7 – The Detailed Analysis Shall be Supported with Copies of the Following Documentation Pursuant to [Government Code section 17570\(d\)\(1\)\(E\)](#) and [CCR, tit.2, § 1187.5](#):

- Relevant portions of state constitutional provisions, federal statutes, and executive orders that are alleged to change the state’s liability for state-mandated costs.
Pages _____ to _____.
- Administrative decisions and court decisions cited in the narrative. (Published court decisions arising from a state mandate determination by the Board of Control or the Commission are exempt from this requirement.) Pages _____ to _____.
- Evidence to support any written representation of fact. *Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions.* ([CCR, tit. 2, § 1187.5](#)). Pages _____ to _____.

Section 8 – MANDATE REDETERMINATION REQUEST CERTIFICATION Pursuant to [Government Code section 17570\(d\)\(2\)](#) and [CCR, tit.2, section 1190.1et seq.](#)

- The mandate redetermination request form is signed and dated at the end of the document, under penalty of perjury by the requester or its authorized representative, along with a declaration that the request is true and complete to the best of the declarant’s personal knowledge, information, or belief.

Read, sign, and date this section. Mandate redetermination requests that are not signed by the requester or its authorized representative pursuant to will be returned as incomplete. In addition, please note that this form also serves to designate a claimant representative for the matter (if desired) and for that reason should be signed by an authorized government official, and not by the representative.

This mandate redetermination request alleges changes to a reimbursable state-mandated program within the meaning of [article XIII B, section 6 of the California](#)

Constitution and Government Code section 17514. I hereby declare, under penalty of perjury under the laws of the State of California, that the information in this request for mandate redetermination is true and complete to the best of my own personal knowledge, information, or belief. All representations of fact are supported by documentary or testimonial evidence and are submitted in accordance with the Commission's regulations. (CCR, tit.2, §§ 1190.1 and 1187.5.)

Name of Authorized Government Official
pursuant to Cal. Code Regs., tit.2, § 1190.1(a)

Print or Type Title

Signature of Authorized Government Official
pursuant to Cal. Code Regs., tit.2, § 1190.1(a)

DO NOT FILE