

10-31-2013

State School Funding. Timing of Distributions to Schools. Initiative Statute.

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October 31, 2013

VIA PERSONAL DELIVERY

Office of the Attorney General
1300 "I" Street, 17th Floor
Sacramento, CA 95814

RECEIVED
OCT 31 2013

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Attention: Ashley Johansson, Initiative Coordinator

Re: *Fund Schools on Time Act of 2014*

Dear Ms. Johansson:

Pursuant to Elections Code section 9001(a), the proponent hereby respectfully requests that the Attorney General's office prepare a circulating title and summary of the enclosed proposed ballot initiative.

Included in this submission is the required certificate, signed by the proponent, and a check in the amount of \$200.00, in accordance with Elections Code section 9001(c).

Please direct all correspondence and inquiries regarding this measure to:

Suzanne Cordingley
Fund Cal Schools
PO Box 593
Cool, CA 95614
info@fundcalschools.org

Sincerely,



Suzanne Cordingley, proponent

FUND SCHOOLS ON TIME ACT OF 2014

INITIATIVE STATUTE

SECTION 1. Title.

This measure shall be known and may be cited as the “Fund Schools on Time Act of 2014”.

SECTION. 2. Section 14040.5 is added to the Education Code, to read:

14040.5. (a) Notwithstanding any other provision of law, commencing with the 2015-16 fiscal year the Controller shall draw warrants on the State Treasury in favor of the county treasurer of each county in each month of each year in the amounts and manner prescribed in this section so as to provide in each warrant a portion of the total amount certified by the Superintendent as apportioned under the provisions of Sections 41330 to 41343, inclusive, and Chapter 4 (commencing with Section 41600) and Chapter 5 (commencing with Section 41760.2) and Article 2 (commencing with Section 42238) of Chapter 7 of Part 24 of Division 3 of Title 2, during the fiscal year from the State School Fund to the school districts under the jurisdiction of the county superintendent of schools of the county, to the county school service fund, and to the county school tuition fund of the county.

(1) Warrants for amounts allowed to county school service funds under subdivisions (a) and (b) of Section 14054 shall be for amounts equal to 5 percent in July, 5 percent in August, and 9 percent in each remaining month of the fiscal year of the amounts certified by the superintendent as a part of the advance apportionment.

(2) Warrants for amounts apportioned to school districts and county school service funds for classes maintained by county superintendents of schools and to the county school tuition funds shall be for amounts equal to 5 percent in July, 5 percent in August, and 9 percent in September, October, November, December, and January, of the amounts certified by the Superintendent as a part of the advance apportionment.

(3) Warrants in the months of February to May, inclusive, shall be for amounts equal to one-fifth of the difference between the amounts certified by the Superintendent for school districts and county school service funds for classes maintained by county superintendents of schools and county school tuition funds as the first principal apportionment and the amounts required by paragraph (2).

(4) Warrants for the month of June shall be for amounts equal to the difference between the amounts certified by the Superintendent for school districts and county school service funds for classes maintained by county superintendents of schools and county school tuition funds as the second principal apportionment and the amounts required by paragraphs (2) and (3).

(5) Warrants in the months of July and August shall include 5 percent of the estimated total amounts of the special purpose apportionment, as determined by the Superintendent. Warrants in the months of September to November, inclusive, shall include 9 percent of the estimated total amounts of the special purpose apportionment, as determined by the Superintendent. Warrants in December shall include 9 percent of the amounts certified by the Superintendent as the special purpose apportionment, as adjusted, if necessary, to correct excesses or deficiencies in the estimates made for purposes of the warrants in the months of September to November, inclusive. An additional 9 percent of the amounts of the special purpose apportionment shall be included in the warrants for the months from January to June, inclusive.

(6) Warrants in June shall include the total amounts certified by the Superintendent as the final apportionment.

(7) Notwithstanding paragraph (2) to the contrary, for school districts that reported less than 5,000 units of average daily attendance in the previous fiscal year and that received 39 percent or more, but less than 75 percent, of their total revenue limits from local property taxes in that fiscal year, warrants for amounts apportioned to the school districts shall be for amounts equal to 15 percent in July, August, September, and October; zero percent in November and December; and 6 percent in January of the amounts certified by the Superintendent as a part of the advance apportionment. Warrants for amounts apportioned to the school districts for the months of February to May, inclusive, shall be in accordance with paragraph (3), and for the month of June, shall be in accordance with paragraph (4).

(8) Notwithstanding paragraph (2) or (7) to the contrary, for school districts which reported less than 5,000 units of average daily attendance in the previous fiscal year and which received 75 percent or more of their total revenue limits from local property taxes in that fiscal year, warrants for amounts apportioned to the school districts shall be for amounts equal to 15 percent in July; 30 percent in August and September; 15 percent in October; zero percent in November and December; 6 percent in January; and zero percent in February, March, April, and May, of the amounts certified by the Superintendent as a part of the advance apportionment. Warrants for the month of June shall be in accordance with paragraph (4).

(b) The drawing of the warrants required to be drawn during anyone of the months mentioned may be postponed by the Controller for not to exceed 30 days, but the total amounts due the several counties during any fiscal year shall be paid within the fiscal year. The warrants shall be paid by the Treasurer from the State School Fund and are not subject to Section 925.6 of the Government Code.

SECTION 3. Amendment.

(a) Except as specified in subdivision (b), the provisions of this act shall not be amended by the Legislature except by a bill passed in each house by roll call vote entered in the journal, three-fourths of the membership of each house concurring, and enacted into law, or by a statute that becomes effective only when approved by the voters.

(b) The Legislature may amend this act to further its purposes by a bill passed by a majority vote of the membership of each house and enacted into law to accelerate the drawing of warrants for amounts apportioned to school districts, county school service funds for classes maintained by county superintendents of schools, and to county school tuition funds.

(c) Amendments made to Section 14040.5 of the Education Code to accurately cross-reference other statutes are not deemed to amend this act.

(d) Legislation enacted pursuant to subdivision (a) or (b) shall not circumvent the minimum funding guarantee for schools and community colleges established pursuant to Section 8 of Article XVI of the California Constitution.

SECTION 4. Conflicting Law.

It is the intent of the people of the State of California in enacting this act that if any provision of this act conflicts with an existing provision of law that provides for a different schedule for the drawing of warrants for amounts apportioned to school districts, county school service funds for classes maintained by county superintendents of schools, and to county school tuition funds, the provisions of this act shall govern.

SECTION 5. Severability.

The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

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