

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 67

**Introduced by Assembly Member Gorell
(Principal coauthor: Assembly Member Conway)
(Coauthors: Assembly Members Achadjian, Bigelow, Chávez, Beth
Gaines, Grove, Hagman, Harkey, Jones, Linder, Logue,
Maienschein, Mansoor, Melendez, Morrell, Olsen, Patterson,
Wagner, Waldron, and Wilk)**

January 7, 2013

An act to add Chapter 3.7 (commencing with Section 66170) to Part 40 of Division 5 of Title 3 of the Education Code, relating to public postsecondary education, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 67, as introduced, Gorell. Public postsecondary education: funding.

(1) Existing law establishes the California State University, under the administration of the Trustees of the California State University, the University of California, under the administration of the Regents of the University of California, and the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as the 3 segments of public postsecondary education in this state. Existing law appropriates funding, in the annual Budget Act and in other statutes, from the state General Fund for the support of these segments. Existing law also authorizes these segments to require their students to pay mandatory systemwide fees and tuition, among other costs, for matriculation at these institutions.

Proposition 30, known as the Schools and Local Public Safety Protection Act of 2012, was approved by the voters at the November 6, 2012, statewide general election and, among other things, increases personal income tax and sales and use tax rates and provides revenue for public elementary and secondary schools and community colleges.

This bill would express a finding and declaration of the Legislature, and express the intent of the Legislature, relating to the enactment of Proposition 30 by the voters and to the provision of funding to the California State University, the University of California, and the California Community Colleges.

The bill, from the 2013–14 fiscal year to the 2018–19 fiscal year, inclusive, would prohibit mandatory systemwide fees or tuition charged to students of the California State University from exceeding the level of the mandatory systemwide fees or tuition charged to students of the California State University for the 2011–12 fiscal year.

The bill, from the 2013–14 fiscal year to the 2018–19 fiscal year, inclusive, would prohibit the mandatory systemwide fees charged to students of the California Community Colleges from increasing beyond the level of the mandatory systemwide fees charged to students of the California Community Colleges for the 2011–12 fiscal year.

The bill, from the 2013–14 fiscal year to the 2018–19 fiscal year, inclusive, would prohibit the mandatory systemwide fees or tuition charged to students of the University of California from exceeding the level of the mandatory systemwide fees or tuition charged to students of the University of California for the 2011–12 fiscal year.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares that
2 Proposition 30, known as the Schools and Local Public Safety
3 Protection Act of 2012, which was enacted by the voters at the
4 statewide general election on November 6, 2012, is estimated to
5 raise fifty billion dollars (\$50,000,000,000) over a period of seven
6 years.

7 (b) It is the intent of the Legislature to accomplish both of the
8 following:

1 (1) In recognition of the promises made to the voters of
2 California that the imposition of tax rate increases by the Schools
3 and Local Public Safety Protection Act of 2012 would protect
4 education, to provide General Fund support for the California State
5 University, the University of California, and the California
6 Community Colleges in amounts that are at least as large as the
7 amounts provided to those respective segments for the 2012–13
8 fiscal year, for as long as those higher tax rates are in effect.

9 (2) To increase funding to the California State University,
10 University of California, and California Community Colleges
11 systems to ensure that increases in mandatory systemwide student
12 fees or tuition are not required during the period when the higher
13 tax rates imposed by the Schools and Local Public Safety
14 Protection Act of 2012 will be in effect.

15 SEC. 2. Chapter 3.7 (commencing with Section 66170) is added
16 to Part 40 of Division 5 of Title 3 of the Education Code, to read:

17
18 CHAPTER 3.7. FUNDING FOR PUBLIC POSTSECONDARY
19 EDUCATION
20

21 66170. (a) Notwithstanding any other law, from the 2013–14
22 fiscal year to the 2018–19 fiscal year, inclusive, mandatory
23 systemwide fees or tuition charged to students of the California
24 State University shall not exceed the level of the mandatory
25 systemwide fees or tuition charged to students of the California
26 State University for the 2011–12 fiscal year.

27 (b) Notwithstanding Section 76300 or any other law, from the
28 2013–14 fiscal year to the 2018–19 fiscal year, inclusive, the
29 mandatory systemwide fees charged to students of the California
30 Community Colleges shall not increase beyond the level of the
31 mandatory systemwide fees charged to students of the California
32 Community Colleges for the 2011–12 fiscal year.

33 (c) Notwithstanding any other law, from the 2013–14 fiscal year
34 to the 2018–19 fiscal year, inclusive, mandatory systemwide fees
35 or tuition charged to students of the University of California shall
36 not exceed the level of the mandatory systemwide fees or tuition
37 charged to students of the University of California for the 2011–12
38 fiscal year.

39 SEC. 3. This act is an urgency statute necessary for the
40 immediate preservation of the public peace, health, or safety within

1 the meaning of Article IV of the Constitution and shall go into
2 immediate effect. The facts constituting the necessity are:
3 In order to protect the students of the California State University,
4 the University of California, and the California Community
5 Colleges and their families from unjustified increases in mandatory
6 systemwide fees and tuition commencing with the 2013–14 fiscal
7 year, it is necessary that this act take effect immediately.

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