

**Introduced by Senator Cannella
(Coauthors: Senators Anderson, Berryhill, Emmerson, Fuller,
Gaines, Huff, Knight, Walters, and Wyland)**

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

SB 58, as introduced, Cannella. 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:
 - 9 (1) In recognition of the promises made to the voters of
 - 10 California that the imposition of tax rate increases by the Schools
 - 11 and Local Public Safety Protection Act of 2012 would protect
 - 12 education, to provide General Fund support for the California State
 - 13 University, the University of California, and the California

1 Community Colleges in amounts that are at least as large as the
2 amounts provided to those respective segments for the 2012–13
3 fiscal year, for as long as those higher tax rates are in effect.

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

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

12
13 CHAPTER 3.7. FUNDING FOR PUBLIC POSTSECONDARY
14 EDUCATION
15

16 66170. (a) Notwithstanding any other law, from the 2013–14
17 fiscal year to the 2018–19 fiscal year, inclusive, mandatory
18 systemwide fees or tuition charged to students of the California
19 State University shall not exceed the level of the mandatory
20 systemwide fees or tuition charged to students of the California
21 State University for the 2011–12 fiscal year.

22 (b) Notwithstanding Section 76300 or any other law, from the
23 2013–14 fiscal year to the 2018–19 fiscal year, inclusive, the
24 mandatory systemwide fees charged to students of the California
25 Community Colleges shall not increase beyond the level of the
26 mandatory systemwide fees charged to students of the California
27 Community Colleges for the 2011–12 fiscal year.

28 (c) Notwithstanding any other law, from the 2013–14 fiscal year
29 to the 2018–19 fiscal year, inclusive, mandatory systemwide fees
30 or tuition charged to students of the University of California shall
31 not exceed the level of the mandatory systemwide fees or tuition
32 charged to students of the University of California for the 2011–12
33 fiscal year.

34 SEC. 3. This act is an urgency statute necessary for the
35 immediate preservation of the public peace, health, or safety within
36 the meaning of Article IV of the Constitution and shall go into
37 immediate effect. The facts constituting the necessity are:

38 In order to protect the students of the California State University,
39 the University of California, and the California Community
40 Colleges and their families from unjustified increases in mandatory

- 1 systemwide fees and tuition commencing with the 2013–14 fiscal
- 2 year, it is necessary that this act take effect immediately.

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