

Contingency Appropriation Language

Adds Uncodified Section

SEC. XX. (a) The funds appropriated in the 2017-18 fiscal year pursuant to subdivision (a) of Section 17581.96 of the Government Code and one hundred twenty-four million two hundred twenty thousand (\$124,220,000) of the funds appropriated in the 2017-18 fiscal year pursuant to Schedule (24) of Item 6870-101-0001 of Section 2.00 of the Budget Act of 2017, shall be disbursed by the State Controller in an amount determined by the Director of the Department of Finance pursuant to subdivision (b) of this section, and in accordance with the timeframe specified in subdivisions (c) and (d) of this section.

(b) On or before May 15, 2019, the Director of the Department of Finance shall determine if the Proposition 98 guarantee for the 2017-18 fiscal year is greater than, equal to, or less than the amount reflected in the Budget Act of 2017 for that year.

(1) To the extent that the Director of the Department of Finance determines the Proposition 98 guarantee for the 2017-18 fiscal year to be greater than, or equal to, the amount reflected in the Budget Act of 2017 for that year, the funds specified in subdivision (a) of this section shall be allocated in full pursuant to subdivisions (c) and (d) of this section.

(2) To the extent that the Director of the Department of Finance determines the Proposition 98 guarantee for the 2017-18 fiscal year to be less than the amount reflected in the Budget Act of 2017 for that year, the funds specified in subdivision (a) of this section shall be reduced proportionately in an amount equal to the calculated reduction in the 2017-18 Proposition 98 guarantee, up to the entire amount specified in subdivision (a). Any funds determined to be available for allocation pursuant to this subparagraph shall be distributed pursuant to subdivisions (c) and (d) of this section.

(c) The Director of the Department of Finance shall notify the Chairperson of the Joint Legislative Budget Committee of his or her intent to notify the State Controller of the necessity to take action pursuant to subdivisions (a) and (b), and shall report the amount to be appropriated, if any, pursuant to subdivision (b).

(d) The State Controller shall make funds available pursuant to subdivision (b) not sooner than five days after notification by the Director of the Department of Finance. The Superintendent of Public Instruction and the Chancellor of the California Community Colleges shall work with the State Controller to allocate these funds to school districts, county offices of education, charter schools and community college districts as soon as practicable.

(e) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriations determined pursuant to subdivision (b) shall be deemed to be "General Fund revenues appropriated for school districts and community college districts," as defined in subdivisions (c) and (d) of Section 41202, for the 2017-18 fiscal year, and included within the "total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B," as defined in subdivision (e) of Section 41202, for the 2017-18 fiscal year.