

**Department of Justice/Office of the Attorney General**

**BUDGET NO. 0820**

**REPORT NO. 1**

**GOVERNMENT CODE**

**TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000. - 22980.] ( Title 2 enacted by Stats. 1943, Ch. 134. )**

**DIVISION 3. EXECUTIVE DEPARTMENT [11000. - 15986.] ( Division 3 added by Stats. 1945, Ch. 111. )**

**PART 6. DEPARTMENT OF JUSTICE [15000. - 15204.] ( Part 6 added by Stats. 1945, Ch. 118. )**

**CHAPTER 1. Administration [15000. - 15051.] ( Chapter 1 added by Stats. 1945, Ch. 118. )**

**ARTICLE 2. Organized Crime [15025. - 15029.] ( Article 2 added by Stats. 1971, Ch. 1795. )**

**15028.**

The department shall annually report on its activities and accomplishments to the Legislature and to federal, state, and local law enforcement agencies, as well as to other interested groups. The first report to the Legislature shall be made no later than July 1, 1972, and shall specify the way in which the department's organization and positions relate to suppressing organized crime and its accomplishments as of that date.

(Added by Stats. 1971, Ch. 1795.)

**NO RELATED LEGISLATION**

**COMMENTS/RECOMMENDATIONS:**

The Legislature may wish to delete this broad requirement from 1972.

## REPORT NO. 2

### INSURANCE CODE

**DIVISION 1. GENERAL RULES GOVERNING INSURANCE [100. - 1879.8.] ( Division 1 enacted by Stats. 1935, Ch. 145. )**

**PART 2. THE BUSINESS OF INSURANCE [680. - 1879.8.] ( Part 2 enacted by Stats. 1935, Ch. 145. )**

**CHAPTER 12. The Insurance Frauds Prevention Act [1871. - 1879.8.] ( Chapter 12 added by Stats. 1989, Ch. 1119, Sec. 3. )**

**ARTICLE 2. Bureau of Fraudulent Claims [1872. - 1872.96.] ( Article 2 added by Stats. 1989, Ch. 1119, Sec. 3. )**

#### 1872.83. (e) (2)

(e) If a district attorney is determined by the commissioner to be unable or unwilling to investigate and prosecute workers' compensation fraud claims or claims relating to the willful failure to secure the payment of workers' compensation, the commissioner shall discontinue distribution of funds allocated for that county and may redistribute those funds according to this subdivision.

(2) If the commissioner determines that no district attorney is willing or able to investigate and prosecute the workers' compensation fraud claims or claims relating to the willful failure to secure the payment of workers' compensation arising in the nonparticipating county, the commissioner, with the advice and consent of the Fraud Assessment Commission, may award to the Attorney General some or all of the funds previously awarded to the nonparticipating county. Before the commissioner may award any funds, the Attorney General shall submit to the commissioner an application setting forth in detail his or her proposed use of any funds provided and agreeing that any funds awarded shall be used solely for investigating and prosecuting those cases of workers' compensation fraud or claims relating to the willful failure to secure the payment of workers' compensation that are redirected pursuant to this subdivision. The Attorney General shall submit an annual report to the commissioner with respect to the success of the fraud prosecution efforts of his or her office.

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-349		Insurance: fraud.	Chaptered 08/26/1997		-		
AB-749	Calderon	Workers' compensation: administration and benefits.	Chaptered 02/19/2002	02/19/2002 - Chaptered by Secretary of State - Chapter 6, Statutes of 2002.	-		
AB-815	Wiggins	Workers' compensation fraud.	Amended Senate 06/21/2004	11/30/2004 - From Senate committee without further action.	-	Yes	Majority
AB-1004		Insurance: workers' compensation fraud.	Chaptered 07/21/1997		-		
AB-1183	Vargas	Insurance.	Chaptered 10/07/2005	10/07/2005 - Chaptered by Secretary of State - Chapter 717, Statutes of 2005.	-	Yes	Majority

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
				10/07/2005 - Approved by the Governor.			
AB-1673		Business practices.	Chaptered 10/14/1991		-		
AB-1692		Workers' compensation.	Chaptered 10/04/1993		-		
SBX4-18	Poochigian	Workers' compensation: fraud.	Amended Senate 06/21/2004	11/30/2004 - From committee without further action.	-	Yes	Majority
SB-71	Burton, Calderon	Workers' compensation: administration and benefits.	Enrolled 09/06/2001	03/09/2002 - Died on File pursuant to Joint Rule 58.5.	-		
SB-179	Poochigian	Workers' compensation: fraud prevention.	Amended Senate 04/18/2005	02/01/2006 - Returned to Secretary of Senate pursuant to Joint Rule 56.	-	Yes	Majority
SB-247		Insurance fraud.	Chaptered 07/24/1995		-		
SB-320	Solis	Workers' compensation: administration and benefits.	Enrolled 09/09/1999	01/10/2000 - Stricken from Senate file. Veto sustained.	-		
SB-619		Vocational education: job shadowing: workers' compensation.	Chaptered 10/16/1995		-		
SB-662	Committee on Judiciary	Maintenance of the codes.	Chaptered 08/09/2001	08/09/2001 - Chaptered by Secretary of State. Chapter 159, Statutes of 2001.	-		
SB-996	Johnston	Workers' compensation: administration and benefits.	Enrolled 08/31/2000	11/30/2000 - Died on file.	-		
SB-1004		Workers' compensation: fraud investigation and prosecution: appointment of qualified medical evaluators.	Chaptered 07/21/1994		-		
SB-1053		Insurance fraud.	Chaptered 10/16/1995		-		
SB-1218		Insurance: workers' compensation.	Chaptered 07/16/1991		-		
SB-1395	Rubio	State Auditor.	Amended Senate 05/15/2012	06/19/2012 - From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 9. Noes 0.) (June 19). Re-referred to Com. on APPR.	Assembly - In Committee Process - Appropriations	Yes	Majority
SB-1847	Committee on Banking,	Insurance: privacy.	Chaptered 09/22/2006	09/22/2006 - Chaptered by	-	Yes	Two Thirds

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
	Finance and Insurance			Secretary of State. Chapter 405, Statutes of 2006. 09/22/2006 - Approved by Governor.			
SB-1918	Committee on Insurance	Insurance fraud.	Introduced 04/12/2004	11/30/2004 - From committee without further action.	-	Yes	Majority

**COMMENTS/RECOMMENDATIONS:**

This reporting requirement was contingent upon DOJ obtaining funding for this program. DOJ never obtained funds for this program and therefore never documented the use of the funds as required by 1872.83. (e) (2).

## REPORT NO. 3

### PENAL CODE

#### PART 4. PREVENTION OF CRIMES AND APPREHENSION OF CRIMINALS [11006. - 14315.]

( Part 4 added by Stats. 1953, Ch. 1385. )

#### TITLE 5.7. REPRODUCTIVE RIGHTS LAW ENFORCEMENT ACT [13775. - 13779.]

( Title 5.7 added by Stats. 2001, Ch. 899, Sec. 3. )

#### 13777.

(a) Except as provided in subdivision (d), the Attorney General shall do each of the following:

(1) Collect information relating to anti-reproductive-rights crimes, including, but not limited to, the threatened commission of these crimes and persons suspected of committing these crimes or making these threats. This information shall be published on the Department of Justice Internet Web site in a manner that shall distinguish between crimes of violence, including, but not limited to, violations of subdivisions (a) and (e) of Section 423.2, and nonviolent crimes, including, but not limited to, violations of subdivision (c) of Section 423.2.

(2) Direct local law enforcement agencies to provide to the Department of Justice, in a manner that the Attorney General prescribes, any information that may be required relative to anti-reproductive-rights crimes. The report of each crime that violates Section 423.2 shall note the subdivision that prohibits the crime. The report of each crime that violates any other law shall note the code, section, and subdivision that prohibits the crime. The report of any crime that violates both Section 423.2 and any other law shall note both the subdivision of Section 423.2 and the other code, section, and subdivision that prohibits the crime.

(3) On or before July 1, 2003, and every July 1 thereafter, publish the information it obtains pursuant to this section on the Department of Justice Internet Web site.

(4) Develop a plan to prevent, apprehend, prosecute, and report anti-reproductive-rights crimes, and to carry out the legislative intent expressed in subdivisions (c), (d), (e), and (f) of Section 1 of the act that enacts this title in the 2001–02 Regular Session of the Legislature.

(b) In carrying out his or her responsibilities under this section, the Attorney General shall consult the Governor, the Commission on Peace Officer Standards and Training, and other subject matter experts.

(c) The Attorney General shall implement this section to the extent the Legislature appropriates funds in the Budget Act or another statute for this purpose.

[\(Amended by Stats. 2008, Ch. 206, Sec. 1.5. Effective January 1, 2009. Repealed as of January 1, 2014, pursuant to Section 13779.\)](#)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-603	Ortiz	Law enforcement: anti-reproductive rights crimes.	Chaptered 09/26/2006	09/26/2006 - Chaptered by Secretary of State. Chapter 481, Statutes of 2006. 09/26/2006 - Approved by Governor.	-	Yes	Majority

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-780	Ortiz, Chesbro, Karnette, Kuehl, Murray, Speier	Protection of the exercise of constitutional rights.	Chaptered 10/14/2001	10/14/2001 - Chaptered by Secretary of State. Chapter 899, Statutes of 2001. 10/14/2001 - Approved by Governor.	-		
SB-1770	Padilla	Anti-reproductive-rights crime.	Chaptered 07/25/2008	07/25/2008 - Chaptered by Secretary of State. Chapter 206, Statutes of 2008.	Secretary of State-Chaptered	Yes	Majority

**COMMENTS/RECOMMENDATIONS:**

According to the Department of Justice, this information is of limited value and less than ten Anti-Reproductive Rights Crimes have been reported annually between 2003 and 2010. This information would still be available by request if the reporting requirement were deleted.

## REPORT NO. 4

### HEALTH AND SAFETY CODE

**DIVISION 20. MISCELLANEOUS HEALTH AND SAFETY PROVISIONS [24000. - 26204.] ( Division 20 enacted by Stats. 1939, Ch. 60. )**

**CHAPTER 6.5. Hazardous Waste Control [25100. - 25258.2.]( Chapter 6.5 added by Stats. 1972, Ch. 1236.)**

**ARTICLE 7. Treatment, Recycling, and Disposal Technology [25170. - 25179.] ( Heading of Article 7 amended by Stats. 1982, Ch. 89, Sec. 13. )**

#### **25174(b)(4)(B)(i) through (iv) and 25174(b)(4)(c)**

(b) The funds deposited in the Hazardous Waste Control Account may be appropriated by the Legislature, for expenditure as follows:

(4) (B) On or before October 1 of each year, the Attorney General shall report to the Legislature on the expenditure of any funds allocated to the office of the Attorney General for the preceding fiscal year pursuant to this paragraph and paragraph (15) of subdivision (b) of Section 25173.6. The report shall include all of the following:

(i) A description of cases resolved by the office of the Attorney General through settlement or court order, including the monetary benefit to the department and the state.

(ii) A description of injunctions or other court orders benefiting the people of the state.

(iii) A description of any cases in which the Attorney General's Toxic Substance Enforcement Program is representing the department or the state against claims by defendants or responsible parties.

(iv) A description of other pending litigation handled by the Attorney General's Toxic Substance Enforcement Program.

(4) The department shall identify, with regard to site mitigation and corrective action, the projected allocations of budgets and staff resources for the oversight and implementation of the following activities:

(C) State match and operation and maintenance costs, by site, at joint state and federally funded National Priority List Sites.

*[\(Amended by Stats. 2008, Ch. 760, Sec. 8. Effective September 30, 2008.\)](#)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-1338	Committee on Budget	Public resources.	Chaptered 09/30/2008	09/30/2008 - Chaptered by Secretary of State - Chapter 760, Statutes of 2008.	Secretary of State-Chaptered	Yes	Two Thirds
AB-2201		Vehicles: cargo tanks: flammable liquids: hazardous waste: certification.	Chaptered 09/16/1996		-		
AB-2309	Florez	Hazardous waste: fees.	Enrolled 08/31/2000	09/25/2000 - Vetoed by Governor.	-		

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-2794		Hazardous waste facilities.	Chaptered 09/25/1990		-		
SB-85	Committee on Budget and Fiscal Review	Environment.	Chaptered 08/24/2007	08/24/2007 - Chaptered by Secretary of State. Chapter 178, Statutes of 2007.	Secretary of State-Chaptered	Yes	Two Thirds
SB-228		Fiscal procedures: Board of Equalization.	Chaptered 09/22/1989		-		
SB-475		Hazardous substances: fees and taxes: water quality.	Chaptered 08/03/1989		-		
SB-660		Hazardous waste management: hazardous substance response actions: fees.	Chaptered 10/12/1997		-		
SB-1079	Committee on Budget and Fiscal Review	Public Resources.	Amended Assembly 09/15/2008	11/30/2008 - From Assembly without further action.	Assembly-Died	Yes	Two Thirds
SB-1123		Hazardous waste: enforcement: unified program: fees.	Chaptered 05/09/1994		-		
SB-1222		Hazardous waste management.	Chaptered 10/05/1995		-		
SB-1469		Hazardous wastes, substances, and materials: fees and taxes.	Chaptered 09/22/1992		-		
SB-1526	Romero	Waste: out-of-state hazardous waste disposal: zero waste goal: conversion technology: out-of-state solid waste disposal.	Amended Senate 05/01/2002	11/30/2002 - Died on file.	-	Yes	Majority
SB-2240	Committee on Environmental Quality	Hazardous waste and substances: fees.	Chaptered 09/28/1998		-		

### COMMENTS/RECOMMENDATIONS:

The Department of Justice no longer receives a direct appropriation for this program.

## REPORT NO. 5

### GOVERNMENT CODE

**TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000. - 22980.] ( Title 2 enacted by Stats. 1943, Ch. 134. )**

**DIVISION 4. FISCAL AFFAIRS [16100. - 17700.] ( Division 4 added by Stats. 1945, Ch. 119. )**

**PART 2. STATE FUNDS [16300. - 16649.95.] ( Part 2 added by Stats. 1945, Ch. 120. )**

**CHAPTER 2. Special Funds [16346. - 16429.30.] ( Chapter 2 added by Stats. 1945, Ch. 120. )**

**ARTICLE 9.5. Ratepayer Relief Fund [16428.1. - 16428.7.] ( Article 9.5 added by Stats. 2003, Ch. 228, Sec. 16. )**

#### 16428.6.

(a) The Attorney General shall promptly notify the Director of Finance, Senate President pro Tempore, and the Speaker of the Assembly upon agreeing on behalf of the state to an energy settlement agreement. Notification shall include a description of how the terms of the settlement agreement, as they pertain to the state, are consistent with the purposes of this article.

(b) The Attorney General shall report semiannually to the appropriate policy and fiscal committees of the Legislature and the Director of Finance on energy settlement agreements, litigation and investigation expenses, and funds expended pursuant to this article.

(Added by Stats. 2003, Ch. 228, Sec. 16. Effective August 11, 2003.)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-1756	Committee on Budget	State government.	Chaptered 08/11/2003	08/11/2003 - Chaptered by Secretary of State - Chapter 228, Statutes of 2003.	-		

### COMMENTS/RECOMMENDATIONS:

The Attorney General's office may provide this information upon request. The Legislature may wish to consider deleting the reporting requirement in (b) only and retaining the requirement for the Attorney General to notify the Department of Finance and Legislature upon any settlement agreement.