

## **State Controller's Office**

### **BUDGET NO. 0840**

### **REPORT NO. 1**

### **GOVERNMENT CODE**

#### **TITLE 3. GOVERNMENT OF COUNTIES [23000. - 33205.]**

*( Title 3 added by Stats. 1947, Ch. 424. )*

#### **DIVISION 3. FINANCIAL PROVISIONS [29000. - 30608.]**

*( Division 3 added by Stats. 1947, Ch. 424. )*

#### **CHAPTER 6.7. Supplemental Local Law Enforcement Funding [30061. - 30065.]**

*( Chapter 6.7 added by Stats. 1996, Ch. 134, Sec. 2. )*

#### **GOV CODES: 30061-30063**

#### **30061.**

(a) There shall be established in each county treasury a Supplemental Law Enforcement Services Account (SLESA), to receive all amounts allocated to a county for purposes of implementing this chapter.

(b) In any fiscal year for which a county receives moneys to be expended for the implementation of this chapter, the county auditor shall allocate the moneys in the county's SLESA within 30 days of the deposit of those moneys into the fund, and shall allocate those moneys in accordance with the requirements set forth in this subdivision. However, the auditor shall not transfer those moneys to a recipient agency until the Supplemental Law Enforcement Oversight Committee certifies receipt of an approved expenditure plan from the governing board of that agency. The moneys shall be allocated as follows:

- (1) Five and fifteen-hundredths percent to the county sheriff for county jail construction and operation. In the case of Madera, Napa, and Santa Clara Counties, this allocation shall be made to the county director or chief of corrections.
- (2) Five and fifteen-hundredths percent to the district attorney for criminal prosecution.
- (3) Thirty-nine and seven-tenths percent to the county and the cities within the county, and, in the case of San Mateo, Kern, Siskiyou, and Contra Costa Counties, also to the Broadmoor Police Protection District, the Bear Valley Community Services District, the Stallion Springs Community Services District, the Lake Shastina Community Services District, and the Kensington Police Protection and Community Services District, in accordance with the relative population of the cities within the county and the unincorporated area of the county, and the Broadmoor Police Protection District in the County of San Mateo, the Bear Valley Community Services District and the Stallion Springs Community Services District in Kern County, the Lake Shastina Community Services District in Siskiyou County, and the Kensington Police Protection and Community Services District in Contra Costa County, as specified in the most recent January estimate by the population research unit of the Department of Finance, and as adjusted to provide, except as provided in subdivision (j), a grant of at least one hundred thousand dollars (\$100,000) to each law enforcement jurisdiction. For a newly incorporated city whose population estimate is not published by the Department of Finance, but that was incorporated prior to July 1

of the fiscal year in which an allocation from the SLESA is to be made, the city manager, or an appointee of the legislative body, if a city manager is not available, and the county administrative or executive officer shall prepare a joint notification to the Department of Finance and the county auditor with a population estimate reduction of the unincorporated area of the county equal to the population of the newly incorporated city by July 15, or within 15 days after the Budget Act is enacted, of the fiscal year in which an allocation from the SLESA is to be made. No person residing within the Broadmoor Police Protection District, the Bear Valley Community Services District, the Stallion Springs Community Services District, the Lake Shastina Community Services District, or the Kensington Police Protection and Community Services District shall also be counted as residing within the unincorporated area of the County of San Mateo, Kern, Siskiyou, or Contra Costa, or within any city located within those counties. Except as provided in subdivision (j), the county auditor shall allocate a grant of at least one hundred thousand dollars (\$100,000) to each law enforcement jurisdiction. Moneys allocated to the county pursuant to this subdivision shall be retained in the county SLESA, and moneys allocated to a city pursuant to this subdivision shall be deposited in an SLESA established in the city treasury.

(4) Fifty percent to the county or city and county to implement a comprehensive multiagency juvenile justice plan as provided in this paragraph. The juvenile justice plan shall be developed by the local juvenile justice coordinating council in each county and city and county with the membership described in Section 749.22 of the Welfare and Institutions Code. If a plan has been previously approved by the Corrections Standards Authority, the plan shall be reviewed and modified annually by the council. The plan or modified plan shall be approved by the county board of supervisors, and in the case of a city and county, the plan shall also be approved by the mayor. The plan or modified plan shall be submitted to the Corrections Standards Authority by May 1 of each year.

(A) Juvenile justice plans shall include, but not be limited to, all of the following components:

(i) An assessment of existing law enforcement, probation, education, mental health, health, social services, drug and alcohol, and youth services resources that specifically target at-risk juveniles, juvenile offenders, and their families.

(ii) An identification and prioritization of the neighborhoods, schools, and other areas in the community that face a significant public safety risk from juvenile crime, such as gang activity, daylight burglary, late-night robbery, vandalism, truancy, controlled substances sales, firearm-related violence, and juvenile substance abuse and alcohol use.

(iii) A local juvenile justice action strategy that provides for a continuum of responses to juvenile crime and delinquency and demonstrates a collaborative and integrated approach for implementing a system of swift, certain, and graduated responses for at-risk youth and juvenile offenders.

(iv) Programs identified in clause (iii) that are proposed to be funded pursuant to this subparagraph, including the projected amount of funding for each program.

(B) Programs proposed to be funded shall satisfy all of the following requirements:

(i) Be based on programs and approaches that have been demonstrated to be effective in reducing delinquency and addressing juvenile crime for any elements of response to juvenile crime and delinquency, including prevention, intervention, suppression, and incapacitation.

(ii) Collaborate and integrate services of all the resources set forth in clause (i) of subparagraph (A), to the extent appropriate.

(iii) Employ information sharing systems to ensure that county actions are fully coordinated, and designed to provide data for measuring the success of juvenile justice programs and strategies.

(iv) Adopt goals related to the outcome measures that shall be used to determine the effectiveness of the local juvenile justice action strategy.

(C) The plan shall also identify the specific objectives of the programs proposed for funding and specified outcome measures to determine the effectiveness of the programs and contain an accounting for all program participants, including those who do not complete the programs. Outcome measures of the programs proposed to be funded shall include, but not be limited to, all of the following:

(i) The rate of juvenile arrests per 100,000 population.

(ii) The rate of successful completion of probation.

(iii) The rate of successful completion of restitution and court-ordered community service responsibilities.

(iv) Arrest, incarceration, and probation violation rates of program participants.

(v) Quantification of the annual per capita costs of the program.

(D) The Corrections Standards Authority shall review plans or modified plans submitted pursuant to this paragraph within 30 days upon receipt of submitted or resubmitted plans or modified plans. The authority shall approve only those plans or modified plans that fulfill the requirements of this paragraph, and shall advise a submitting county or city and county immediately upon the approval of its plan or modified plan. The authority shall offer, and provide, if requested, technical assistance to any county or city and county that submits a plan or modified plan not in compliance with the requirements of this paragraph. The SLESA shall only allocate funding pursuant to this paragraph upon notification from the authority that a plan or modified plan has been approved.

(E) To assess the effectiveness of programs funded pursuant to this paragraph using the program outcome criteria specified in subparagraph (C), the following periodic reports shall be submitted:

(i) Each county or city and county shall report, beginning October 15, 2002, and annually each October 15 thereafter, to the county board of supervisors and the Corrections Standards Authority, in a format specified by the authority, on the programs funded pursuant to this chapter and program outcomes as specified in subparagraph (C).

(ii) The Corrections Standards Authority shall compile the local reports and, by March 15, 2003, and annually thereafter, make a report to the Governor and the Legislature on program expenditures within each county and city and county from the appropriation for the purposes of this paragraph, on the outcomes as specified in subparagraph (C) of the programs funded pursuant to this paragraph and the statewide effectiveness of the comprehensive multiagency juvenile justice plans.

(c) Subject to subdivision (d), for each fiscal year in which the county, each city, the Broadmoor Police Protection District, the Bear Valley Community Services District, the Stallion Springs Community Services District, the Lake Shastina Community Services District, and the Kensington Police Protection and Community Services District receive moneys pursuant to paragraph (3) of subdivision (b), the county, each city, and each district specified in this subdivision shall appropriate those moneys in accordance with the following procedures:

(1) In the case of the county, the county board of supervisors shall appropriate existing and anticipated moneys exclusively to provide frontline law enforcement services, other than those services specified in paragraphs (1) and (2) of subdivision (b), in the unincorporated areas of the county, in response to written requests submitted to the board by the county sheriff and the district attorney. Any request submitted pursuant to this paragraph shall specify the frontline law enforcement needs of the requesting entity, and those personnel, equipment, and programs that

are necessary to meet those needs. The board shall, at a public hearing held at a time determined by the board in each year that the Legislature appropriates funds for purposes of this chapter, or within 30 days after a request by a recipient agency for a hearing if the funds have been received by the county from the state prior to that request, consider and determine each submitted request within 60 days of receipt, pursuant to the decision of a majority of a quorum present. The board shall consider these written requests separate and apart from the process applicable to proposed allocations of the county general fund.

(2) In the case of a city, the city council shall appropriate existing and anticipated moneys exclusively to fund frontline municipal police services, in accordance with written requests submitted by the chief of police of that city or the chief administrator of the law enforcement agency that provides police services for that city. These written requests shall be acted upon by the city council in the same manner as specified in paragraph (1) for county appropriations.

(3) In the case of the Broadmoor Police Protection District within the County of San Mateo, the Bear Valley Community Services District or the Stallion Springs Community Services District within Kern County, the Lake Shastina Community Services District within Siskiyou County, or the Kensington Police Protection and Community Services District within Contra Costa County, the legislative body of that special district shall appropriate existing and anticipated moneys exclusively to fund frontline municipal police services, in accordance with written requests submitted by the chief administrator of the law enforcement agency that provides police services for that special district. These written requests shall be acted upon by the legislative body in the same manner specified in paragraph (1) for county appropriations.

(d) For each fiscal year in which the county, a city, or the Broadmoor Police Protection District within the County of San Mateo, the Bear Valley Community Services District or the Stallion Springs Community Services District within Kern County, the Lake Shastina Community Services District within Siskiyou County, or the Kensington Police Protection and Community Services District within Contra Costa County receives any moneys pursuant to this chapter, in no event shall the governing body of any of those recipient agencies subsequently alter any previous, valid appropriation by that body, for that same fiscal year, of moneys allocated to the county or city pursuant to paragraph (3) of subdivision (b).

(e) In the 2009–10 fiscal year, and every fiscal year thereafter, the Controller shall allocate 21.30 percent of the amount deposited in the Local Safety and Protection Account for purposes of paragraphs (1), (2), and (3) of subdivision (b), and shall allocate 21.30 percent for purposes of paragraph (4) of subdivision (b).

(f) Commencing with the 2011–12 fiscal year, the Controller shall allocate 23.54 percent of the amount deposited in the Local Law Enforcement Services Account in the Local Revenue Fund 2011 for the purposes of paragraphs (1), (2), and (3) of subdivision (b), and shall allocate 23.54 percent for purposes of paragraph (4) of subdivision (b).

(g) The Controller shall allocate funds to local jurisdictions for public safety in accordance with this section as annually calculated by the Director of Finance. In the 2009–10 fiscal year, and each fiscal year thereafter, the Controller shall allocate funds authorized for purposes of this chapter on a quarterly basis, beginning October 1 of each year.

(h) Funds received pursuant to subdivision (b) shall be expended or encumbered in accordance with this chapter no later than June 30 of the following fiscal year. A local agency that has not met this requirement shall remit unspent SLESF moneys received prior to April 1, 2009, to the Controller for deposit into the General Fund. A local agency that has not met the requirement of this subdivision shall remit unspent SLESF moneys received after April 1, 2009, to the

Controller for deposit in the Local Safety and Protection Account, and after April 1, 2012, to the Local Law Enforcement Services Account.

(i) If a county, a city, a city and county, or a qualifying special district does not comply with the requirements of this chapter to receive an SLESA allocation, the Controller shall revert funds that were provided for the noncompliant entity prior to April 1, 2009, to the General Fund. Funds provided for the noncompliant entity after March 1, 2009, shall be reverted to the Local Safety and Protection Account, and after March 1, 2012, shall be reverted to the Local Law Enforcement Services Account.

(j) In the 2010–11 fiscal year, if the fourth quarter revenue derived from fees imposed by subdivision (a) of Section 10752.2 of the Revenue and Taxation Code that are deposited in the General Fund and transferred to the Local Safety and Protection Account, and continuously appropriated to the Controller for allocation pursuant to this section, are insufficient to provide a minimum grant of one hundred thousand dollars (\$100,000) to each law enforcement jurisdiction, the county auditor shall allocate the revenue proportionately, based on the allocation schedule in paragraph (3) of subdivision (b). The county auditor shall proportionately allocate, based on the allocation schedule in paragraph (3) of subdivision (b), all revenues received after the distribution of the fourth quarter allocation attributable to these fees for which payment was due prior to July 1, 2011, until all minimum allocations are fulfilled, at which point all remaining revenue shall be distributed proportionately among the other jurisdictions.

*(Amended by Stats. 2011, 1st Ex. Sess., Ch. 14, Sec. 1, Effective September 21, 2011.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
ABX3-8	Evans	State and local government.	Amended Senate 02/15/2009	10/27/2009 - Died on Senate third reading file.	Senate-Died	Yes	Two Thirds
ABX1-16	Blumenfield	Local Revenue Fund 2011.	Chaptered 09/21/2011	09/21/2011 - Chaptered by Secretary of State. Chapter 13, Statutes of 2011-12 First Extraordinary Session.	Secretary of State-Chaptered	Yes	Majority
AB-118	Committee on Budget	Local Revenue Fund 2011.	Chaptered 06/30/2011	06/30/2011 - Chaptered by Secretary of State - Chapter 40, Statutes of 2011.	Secretary of State-Chaptered	Yes	Majority
AB-172	Nakanishi	Law enforcement funding.	Chaptered 09/17/2003	09/17/2003 - Chaptered by Secretary of State - Chapter 377, Statutes of 2003.	-		
AB-1389	Committee on Budget	State government.	Chaptered 09/30/2008	09/30/2008 - Chaptered by Secretary of State - Chapter 751, Statutes of 2008.	Secretary of State-Chaptered	Yes	Two Thirds

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-1758	Committee on Budget	Corrections.	Chaptered 08/02/2003	08/02/2003 - Chaptered by Secretary of State - Chapter 158, Statutes of 2003. 08/02/2003 - Approved by the Governor.	-		
AB-1913	Cardenas	Local law enforcement funding.	Chaptered 09/08/2000	09/08/2000 - Chaptered by Secretary of State - Chapter 353, Statutes of 2000.	-		
AB-2125	Price	Supplemental local law enforcement funding.	Chaptered 09/26/2008	09/26/2008 - Chaptered by Secretary of State - Chapter 326, Statutes of 2008.	Secretary of State-Chaptered	No	Two Thirds
AB-2885	Cardenas	Supplemental local law enforcement funding.	Chaptered 07/07/2000	08/07/2000 - Consideration of Governor's item veto pending.	-		
AB-2951	Aroner	Law enforcement funding: districts.	Amended Assembly 04/17/2002	11/30/2002 - Died on inactive file.	-	Yes	Majority
AB-3082	Committee on Judiciary	Maintenance of the codes.	Chaptered 07/20/2004	07/20/2004 - Chaptered by Secretary of State - Chapter 183, Statutes of 2004.	-		
AB-3229		Local law enforcement: supplemental funding.	Chaptered 07/10/1996		-		
SBX1-4	Committee on Budget and Fiscal Review	Supplemental Law Enforcement Services Account.	Chaptered 09/21/2011	09/21/2011 - Chaptered by Secretary of State. Chapter 14, Statutes of 2011-12 First Extraordinary Session.	Secretary of State-Chaptered	Yes	Majority
SBX1-7	Ducheny	Budget Act of 2008: state and local government.	Enrolled 12/18/2008	01/06/2009 - Vetoed by Governor.	Senate-Vetoed	Yes	Majority
SBX3-8	Ducheny	State and local government.	Chaptered 02/20/2009	02/20/2009 - Chaptered by Secretary of State. Chapter 4, Statutes of 2009-10 Third Extraordinary Session.	Secretary of State-Chaptered	Yes	Two Thirds

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SBX4-11	Committee on Budget and Fiscal Review	Budget Act of 2008: State and local government.	Amended Senate 11/25/2008	11/30/2008 - Died at Desk	Senate-In Floor Process	Yes	Two Thirds
SB-366		Local government finance.	Chaptered 09/23/1996		-		
SB-600	Committee on Judiciary	Maintenance of the codes.	Chaptered 07/14/2003	07/14/2003 - Chaptered by Secretary of State. Chapter 62, Statutes of 2003. 07/14/2003 - Approved by Governor.	-		
SB-736	Poochigian, Burton	Local law enforcement funding.	Chaptered 10/04/2001	10/04/2001 - Chaptered by Secretary of State. Chapter 475, Statutes of 2001.	-		
SB-823	Poochigian, Burton	Local law enforcement funding.	Chaptered 04/08/2002	04/08/2002 - Chaptered by Secretary of State. Chapter 21, Statutes of 2002.	-		
SB-947	Committee on Judiciary	Maintenance of the Codes.	Chaptered 05/30/1997		-		
SB-1080	Committee on Budget and Fiscal Review	State government.	Amended Assembly 09/15/2008	11/30/2008 - From Assembly without further action.	Assembly-Died	Yes	Two Thirds
SB-1108	Committee on Judiciary	Maintenance of the codes.	Chaptered 06/28/2005	06/28/2005 - Chaptered by Secretary of State. Chapter 22, Statutes of 2005.	-	No	Majority
SB-1936	Schiff, Poochigian	Supplemental local law enforcement funding.	Amended Senate 06/07/2000	11/30/2000 - From Assembly without further action.	-	Yes	Two Thirds

### 30062.

(a) Except as required by paragraphs (1), (2), and (4) of subdivision (b) of Section 30061, moneys allocated from a Supplemental Law Enforcement Services Fund (SLESF) to a recipient entity shall be expended exclusively to provide front line law enforcement services. These moneys shall supplement existing services, and shall not be used to supplant any existing funding for law enforcement services provided by that entity. Moneys allocated pursuant to paragraph (4) of subdivision (b) of Section 30061 shall be used to supplement and not supplant funding by local agencies for existing services.

(b) In the Counties of Los Angeles, Orange, and San Diego only, the district attorney may, in consultation with city attorneys in the county, determine a prorated share of the moneys received by the district attorney pursuant to this section to be allocated to city attorneys in the county in

each fiscal year to fund the prosecution by those city attorneys of misdemeanor violations of state law.

(c) In no event shall any moneys allocated from the county's SLESF be expended by a recipient agency to fund any of the following:

(1) Administrative overhead costs in excess of 0.5 percent of a recipient entity's SLESF allocation for that year.

(2) The costs of any capital project or construction project funded from moneys allocated pursuant to paragraph (3) of subdivision (b) of Section 30061 that does not directly support front line law enforcement services.

(3) The costs of any capital project or construction project funded from moneys allocated pursuant to paragraph (4) of subdivision (b) of Section 30061.

(d) For purposes of subdivision (c), both of the following shall apply:

(1) A "recipient agency" or "recipient entity" is that entity that actually incurs the expenditures of SLESF funds allocated pursuant to paragraph (1), (2), (3), or (4) of subdivision (b) of Section 30061.

(2) Administrative overhead costs shall only be charged by the recipient entity, as defined in paragraph (1), up to 0.5 percent of its SLESF allocation.

(e) For purposes of this chapter, "front line law enforcement services" and "front line municipal police services" each include antigang, community crime prevention, and juvenile justice programs.

*(Repealed and added by Stats. 2000, Ch. 353, Sec. 5. Effective September 8, 2000.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-1913	Cardenas	Local law enforcement funding.	Chaptered 09/08/2000	09/08/2000 - Chaptered by Secretary of State - Chapter 353, Statutes of 2000.	-		
AB-2885	Cardenas	Supplemental local law enforcement funding.	Chaptered 07/07/2000	08/07/2000 - Consideration of Governor's item veto pending.	-		
AB-3229		Local law enforcement: supplemental funding.	Chaptered 07/10/1996		-		
SB-1936	Schiff, Poochigian	Supplemental local law enforcement funding.	Amended Senate 06/07/2000	11/30/2000 - From Assembly without further action.	-	Yes	Two Thirds

### **30063.**

(a) The Supplemental Law Enforcement Services Fund (SLESF) in each county or city is to be expended exclusively as required by this chapter. Moneys in that fund shall not be transferred to, or intermingled with, the moneys in any other fund in the county or city treasury, except that moneys may be transferred from the SLESF to the county's or city's general fund to the extent



necessary to facilitate the appropriation and expenditure of those transferred moneys in the manner required by this chapter.

(b) Moneys in an SLESF may only be invested in safe and conservative investments in accordance with those standards of prudent investment applicable to the investment of trust moneys. The treasurer of the county and each city shall provide a monthly SLESF investment report to either the police chief or the county sheriff and district attorney, as applicable.

(c) Each year, at least 30 days prior to the date of the duly noticed public hearing required pursuant to paragraph (1) of subdivision (c) of Section 30061, the county auditor and city treasurer shall detail and summarize allocations from the county's or city's SLESF, as applicable, in a written, public report filed with the Supplemental Law Enforcement Oversight Committee (SLEOC), the county board of supervisors, or the city council, as applicable, for the entirety of the immediately preceding fiscal year, and the county sheriff or police chief, as applicable.

(d) A summary of the annual reports required in subdivision (c) shall be submitted in a standardized format to be developed by the Controller, in conjunction with the California District Attorney's Association, California Police Chief's Association, California State Sheriff's Association, California Peace Officer's Association, California County Auditor's Association, and California Municipal Treasurer's Association, by each SLEOC to the Controller on or before October 15, 2001, and each year thereafter. The Controller shall make a copy of the summarized reports available to the Governor, the Legislature, and the Legislative Analyst's Office.

(e) A county, a city, or a city and county that fails to submit the data required pursuant to subdivision (d) of this section or to report as required pursuant to clause (i) of subparagraph (E) of paragraph (4) of subdivision (b) of Section 30061 shall not continue to expend funds allocated pursuant to subdivision (b) of Section 30061 or interest earned pursuant to subdivision (b) of this section until that data and that report are submitted as required by this chapter.

(f) Notwithstanding subdivision (e), if the SLEOC fails to transmit the data to the Controller required pursuant to subdivision (d), the local law enforcement agency may submit its expenditure data directly to the Controller no later than 15 days after the date specified in subdivision (d). If the local law enforcement agency has complied with other requirements in this chapter, it may continue to expend funds allocated and interest earned pursuant to this chapter.

*(Amended by Stats. 2005, Ch. 497, Sec. 1. Effective October 4, 2005.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-1584		Local funding.	Chaptered 08/18/1997		-		
AB-1913	Cardenas	Local law enforcement funding.	Chaptered 09/08/2000	09/08/2000 - Chaptered by Secretary of State - Chapter 353, Statutes of 2000.	-		
AB-2885	Cardenas	Supplemental local law enforcement funding.	Chaptered 07/07/2000	08/07/2000 - Consideration of Governor's item veto pending.	-		
AB-3229		Local law enforcement: supplemental funding.	Chaptered 07/10/1996		-		

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-275	Committee on Local Government	1999 Local Agency Omnibus Act.	Chaptered 09/28/1999	09/28/1999 - Chaptered by Secretary of State. Chapter 550, Statutes of 1999. 09/28/1999 - Approved by Governor.	-		
SB-453	Poochigian, Ashburn, Denham, Florez, Machado	Local law enforcement.	Chaptered 10/04/2005	10/04/2005 - Chaptered by Secretary of State. Chapter 497, Statutes of 2005. 10/04/2005 - Approved by Governor.	-	Yes	Two Thirds
SB-600	Committee on Judiciary	Maintenance of the codes.	Chaptered 07/14/2003	07/14/2003 - Chaptered by Secretary of State. Chapter 62, Statutes of 2003. 07/14/2003 - Approved by Governor.	-		
SB-736	Poochigian, Burton	Local law enforcement funding.	Chaptered 10/04/2001	10/04/2001 - Chaptered by Secretary of State. Chapter 475, Statutes of 2001.	-		
SB-823	Poochigian, Burton	Local law enforcement funding.	Chaptered 04/08/2002	04/08/2002 - Chaptered by Secretary of State. Chapter 21, Statutes of 2002.	-		
SB-1936	Schiff, Poochigian	Supplemental local law enforcement funding.	Amended Senate 06/07/2000	11/30/2000 - From Assembly without further action.	-	Yes	Two Thirds

**COMMENTS/ RECOMMENDATIONS:** The State Controller's office states that this program is no longer funded. The reporting requirement contained in Sections 30063 (c) and 30063 (d) has been chaptered out. No action is required.

## **REPORT NO. 2**

### **VEHICLE CODE**

#### **DIVISION 3. REGISTRATION OF VEHICLES AND CERTIFICATES OF TITLE [4000. - 9808.]**

*( Division 3 enacted by Stats. 1959, Ch. 3. )*

#### **CHAPTER 6. Registration and Weight Fees [9101. - 9808.]**

*( Chapter 6 enacted by Stats. 1959, Ch. 3. )*

#### **ARTICLE 2. Registration Fees [9250. - 9271.]**

*( Article 2 enacted by Stats. 1959, Ch. 3. )*

#### **9250.7.**

(a) (1) A service authority established under Section 22710 may impose a service fee of one dollar (\$1) on all vehicles, except vehicles described in subdivision (a) of Section 5014.1, registered to an owner with an address in the county that established the service authority. The fee shall be paid to the department at the time of registration, or renewal of registration, or when renewal becomes delinquent, except on vehicles that are expressly exempted under this code from the payment of registration fees.

(2) In addition to the one-dollar (\$1) service fee, and upon the implementation of the permanent trailer identification plate program, and as part of the Commercial Vehicle Registration Act of 2001, all commercial motor vehicles subject to Section 9400.1 registered to an owner with an address in the county that established a service authority under this section shall pay an additional service fee of two dollars (\$2).

(b) The department, after deducting its administrative costs, shall transmit, at least quarterly, the net amount collected pursuant to subdivision (a) to the Treasurer for deposit in the Abandoned Vehicle Trust Fund, which is hereby created. All money in the fund is continuously appropriated to the Controller for allocation to a service authority that has an approved abandoned vehicle abatement program pursuant to Section 22710, and for payment of the administrative costs of the Controller. After deduction of its administrative costs, the Controller shall allocate the money in the Abandoned Vehicle Trust Fund to each service authority in proportion to the revenues received from the fee imposed by that authority pursuant to subdivision (a). If any funds received by a service authority pursuant to this section are not expended to abate abandoned vehicles pursuant to an approved abandoned vehicle abatement program that has been in existence for at least two full fiscal years within 90 days of the close of the fiscal year in which the funds were received and the amount of those funds exceeds the amount expended by the service authority for the abatement of abandoned vehicles in the previous fiscal year, the fee imposed pursuant to subdivision (a) shall be suspended for one year, commencing on July 1 following the Controller's determination pursuant to subdivision (e).

(c) Every service authority that imposes a fee authorized by subdivision (a) shall issue a fiscal year end report to the Controller on or before October 31 of each year summarizing all of the following:

- (1) The total revenues received by the service authority during the previous fiscal year.
- (2) The total expenditures by the service authority during the previous fiscal year.
- (3) The total number of vehicles abated during the previous fiscal year.
- (4) The average cost per abatement during the previous fiscal year.

(5) Any additional, unexpended fee revenues for the service authority during the previous fiscal year.

(6) The number of notices to abate issued to vehicles during the previous fiscal year.

(7) The number of vehicles disposed of pursuant to an ordinance adopted pursuant to Section 22710 during the previous fiscal year.

(8) The total expenditures by the service authority for towing and storage of abandoned vehicles during the previous fiscal year.

(d) Each service authority that fails to submit the report required pursuant to subdivision (c) by October 31 of each year shall have its fee pursuant to subdivision (a) suspended for one year commencing on July 1 following the Controller's determination pursuant to subdivision (e).

(e) On or before January 1 annually, the Controller shall review the fiscal yearend reports, submitted by each service authority pursuant to subdivision (c) and due no later than October 31, to determine if fee revenues are being utilized in a manner consistent with the service authority's approved program. If the Controller determines that the use of the fee revenues is not consistent with the service authority's program as approved by the Department of the California Highway Patrol, or that an excess of fee revenues exists, as specified in subdivision (b), the authority to collect the fee shall be suspended for one year pursuant to subdivision (b). If the Controller determines that a service authority has not submitted a fiscal yearend report as required in subdivision (c), the authorization to collect the service fee shall be suspended for one year pursuant to subdivisions (b) and (d). The Controller shall inform the Department of Motor Vehicles on or before January 1 annually, that the authority to collect the fee is suspended. A suspension shall only occur if the service authority has been in existence for at least two full fiscal years and the revenue fee surpluses are in excess of those allowed under this section, the use of the fee revenue is not consistent with the service authority's approved program, or the required fiscal yearend report has not been submitted by October 31.

(f) On or before January 1 annually, the Controller shall prepare and submit to the Legislature a revenue and expenditure summary for each service authority established under Section 22710 that includes, but is not limited to, all of the following:

(1) The total revenues received by each service authority.

(2) The total expenditures by each service authority.

(3) The unexpended revenues for each service authority.

(4) The total number of vehicle abatements for each service authority.

(5) The average cost per abatement as provided by each service authority to the Controller pursuant to subdivision (c).

(g) On or before January 1, 2010, and biennially thereafter, the service authority shall have a financial audit of the service authority conducted by a qualified independent third party.

(h) The fee imposed by a service authority shall remain in effect only for a period of 10 years from the date that the actual collection of the fee commenced unless the fee is extended pursuant to this subdivision. The fee may be extended in increments of up to 10 years each if the board of supervisors of the county, by a two-thirds vote, and a majority of the cities having a majority of the incorporated population within the county adopt resolutions providing for the extension of the fee.

*(Amended by Stats. 2007, Ch. 389, Sec. 1. Effective January 1, 2008.)*

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-135		Vehicles: registration fees.	Chaptered 10/13/1995		-		
AB-468	Ruskin	Vehicles: abatement of abandoned vehicles.	Chaptered 10/10/2007	10/10/2007 - Chaptered by Secretary of State - Chapter 389, Statutes of 2007.	Secretary of State-Chaptered	Yes	Majority
AB-1069	Cook	Abandoned property: vehicles and mobilehomes.	Amended Assembly 06/01/2007	11/30/2008 - From Senate committee without further action.	Senate-Died - Transportation and Housing	Yes	Majority
AB-1472	Longville	Vehicles: commercial vehicle registration.	Chaptered 10/13/2001	10/13/2001 - Chaptered by Secretary of State - Chapter 826, Statutes of 2001.	-		
AB-2527	Scott	Vehicles: fees.	Amended Assembly 04/13/2000	11/30/2000 - From committee without further action.	-	Yes	Two Thirds
AB-2681	Pavley	Vehicles: registration fees: fines.	Enrolled 08/29/2006	09/22/2006 - Vetoed by Governor.	-	Yes	Majority
AB-3034	Committee on Judiciary	Maintenance of the codes.	Chaptered 09/18/2002	09/18/2002 - Chaptered by Secretary of State - Chapter 664, Statutes of 2002.	-		
AB-3047	Committee on Transportation	Transportation.	Chaptered 09/21/2004	09/21/2004 - Chaptered by Secretary of State - Chapter 650, Statutes of 2004. 09/21/2004 - Approved by the Governor.	-		
AB-4114		Motor vehicles: abandonment.	Chaptered 09/30/1990		-		
SB-106	Sher	Service authority.	Chaptered 08/13/2001	08/13/2001 - Chaptered by Secretary of State. Chapter 175, Statutes of 2001.	-		
SB-112		Vehicles: service authorities for the abatement of abandoned vehicles.	Chaptered 08/15/1997		-		
SB-1225	Chesbro, Soto	Service authority: registration and	Enrolled 08/25/2006	10/04/2006 - In Senate. To	-	No	Majority

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
		service fees.		unfinished business. (Veto)			
SB-1333	Sher	Abandoned vehicle fee.	Enrolled 08/25/2000	11/30/2000 - Died on file.	-		
SB-1615	Committee on Transportation	Transportation: highways: public construction contracts: vehicles: fees: equipment: driver's licenses: hazardous substance incidents.	Chaptered 09/30/1992		-		
SB-2084	Polanco	Transportation.	Chaptered 09/29/2000	09/29/2000 - Chaptered by Secretary of State. Chapter 861, Statutes of 2000.	-		

**COMMENTS/RECOMMENDATIONS:**

According to the State Controller's office, no inquiries on these reports or programs have ever been received. The Legislature may wish to clarify if the Controller's office is proposing to eliminate both the program and reporting requirements.

## **REPORT NO. 3**

### **VEHICLE CODE**

#### **DIVISION 3. REGISTRATION OF VEHICLES AND CERTIFICATES OF TITLE [4000. - 9808.]**

*( Division 3 enacted by Stats. 1959, Ch. 3. )*

#### **CHAPTER 6. Registration and Weight Fees [9101. - 9808.]**

*( Chapter 6 enacted by Stats. 1959, Ch. 3. )*

#### **ARTICLE 2. Registration Fees [9250. - 9271.]**

*( Article 2 enacted by Stats. 1959, Ch. 3. )*

#### **9250.19.**

(a) (1) In addition to any other fees specified in this code and the Revenue and Taxation Code, upon the adoption of a resolution pursuant to this subdivision by any county board of supervisors, a fee of one dollar (\$1) shall be paid at the time of registration, renewal, or supplemental application for apportioned registration pursuant to Article 4 (commencing with Section 8050) of Chapter 4 of every vehicle, except vehicles described in subdivision (a) of Section 5014.1, registered to an address within that county except those expressly exempted from payment of registration fees. The fees, after deduction of the administrative costs incurred by the department in carrying out this section, shall be paid quarterly to the Controller.

(2) In addition to the one-dollar (\$1) service fee, and upon the implementation of the permanent trailer identification plate program, and as part of the Commercial Vehicle Registration Act of 2001, all commercial motor vehicles subject to Section 9400.1 registered to an owner with an address in the county that established a service authority under this section, shall pay an additional service fee of two dollars (\$2).

(3) A resolution adopted pursuant to paragraph (1) shall include findings as to the purpose of, and the need for, imposing the additional registration fee.

(b) Notwithstanding Section 13340 of the Government Code, the money paid to the Controller pursuant to subdivision (a) is continuously appropriated, without regard to fiscal years, for disbursement by the Controller to each county that has adopted a resolution pursuant to subdivision (a), based upon the number of vehicles registered, or whose registration is renewed, to an address within that county, or supplemental application for apportioned registration, and for the administrative costs of the Controller incurred under this section.

(c) Money allocated to a county pursuant to subdivision (b) shall be expended exclusively to fund programs that enhance the capacity of local law enforcement to provide automated mobile and fixed location fingerprint identification of individuals who may be involved in driving under the influence of alcohol or drugs in violation of Section 23152 or 23153, or vehicular manslaughter in violation of Section 191.5 of the Penal Code or subdivision (c) of Section 192 of the Penal Code, or any combination of those and other vehicle-related crimes, and other crimes committed while operating a motor vehicle.

(d) The data from a program funded pursuant to subdivision (c) shall be made available by the local law enforcement agency to a local public agency that is required by law to obtain a criminal history background of persons as a condition of employment with that local public agency. A local law enforcement agency that provides the data may charge a fee to cover its actual costs in providing that data.

(e) (1) Money collected pursuant to this section shall not be used to offset a reduction in any other source of funds for the purposes authorized under this section.

(2) Funds collected pursuant to this section, upon recommendation of local or regional Remote Access Network Boards to the board of supervisors, shall be used exclusively for the purchase, by competitive bidding procedures, and the operation of equipment that is compatible with the Department of Justice's Cal-ID master plan, as described in Section 11112.2 of the Penal Code, and the equipment shall interface in a manner that is in compliance with the requirement described in the Criminal Justice Information Services, Electronic Fingerprint Transmission Specification, prepared by the Federal Bureau of Investigation and dated August 24, 1995.

(f) Every county that has authorized the collection of the fee pursuant to subdivision (a) shall issue a fiscal yearend report to the Controller on or before November 1 of each year, summarizing all of the following with respect to those fees:

(1) The total revenues received by the county for the fiscal year.

(2) The total expenditures and encumbered funds by the county for the fiscal year. For purposes of this subdivision, "encumbered funds" means funding that is scheduled to be spent pursuant to a determined schedule and for an identified purchase consistent with this section.

(3) Any unexpended or unencumbered fee revenues for the county for the fiscal year.

(4) The estimated annual cost of the purchase, operation, and maintenance of automated mobile and fixed location fingerprint equipment, related infrastructure, law enforcement enhancement programs, and personnel created or utilized in accordance with this section for the fiscal year. The listing shall detail the make and model number of the equipment, and include a succinct description of the related infrastructure items, law enforcement enhancement programs, and the classification or title of any personnel.

(5) How the use of the funds benefits the motoring public.

(g) For each county that fails to submit the report required pursuant to subdivision (f) by November 1 of each year, the Controller shall notify the Department of Motor Vehicles to suspend the fee for that county imposed pursuant to subdivision (a) for one year.

(h) If any funds received by a county pursuant to subdivision (a) are not expended or encumbered in accordance with this section by the close of the fiscal year in which the funds were received, the Controller shall notify the Department of Motor Vehicles to suspend the fee for that county imposed pursuant to subdivision (a) for one year. For purposes of this subdivision, "encumbered funds" means funding that is scheduled to be spent pursuant to a determined schedule and for an identified purchase consistent with this section.

(i) On or before January 1, 2004, and on January 1 annually thereafter, the Controller shall prepare and submit to the Legislature a revenue and expenditure summary based on the information provided pursuant to paragraphs (1) to (3), inclusive, of subdivision (f), for each county that has authorized the collection of the fee pursuant to subdivision (a). The Controller shall attach to the revenue and expenditure summary the documents provided by each county pursuant to paragraphs (4) and (5) of subdivision (f).

[\*\(Amended by Stats. 2011, Ch. 205, Sec. 1. Effective January 1, 2012.\)\*](#)

## **NO RELATED LEGISLATION**

**COMMENTS/RECOMMENDATIONS:** According to the State Controller's office, no inquiries on these reports or programs have ever been received. The Legislature may wish to clarify if the Controller's office is proposing to eliminate both the program and reporting requirements.



## **REPORT NO. 4**

### **VEHICLE CODE**

#### **DIVISION 3. REGISTRATION OF VEHICLES AND CERTIFICATES OF TITLE [4000. - 9808.]**

*( Division 3 enacted by Stats. 1959, Ch. 3. )*

#### **CHAPTER 6. Registration and Weight Fees [9101. - 9808.]**

*( Chapter 6 enacted by Stats. 1959, Ch. 3. )*

#### **ARTICLE 2. Registration Fees [9250. - 9271.]**

*( Article 2 enacted by Stats. 1959, Ch. 3. )*

#### **9250.14.**

(a) (1) In addition to any other fees specified in this code and the Revenue and Taxation Code, upon the adoption of a resolution by any county board of supervisors, a fee of one dollar (\$1) shall be paid at the time of registration or renewal of registration of every vehicle, except vehicles described in subdivision (a) of Section 5014.1, registered to an address within that county except those expressly exempted from payment of registration fees. The fees, after deduction of the administrative costs incurred by the department in carrying out this section, shall be paid quarterly to the Controller.

(2) In addition to the one dollar (\$1) service fee, and upon the implementation of the permanent trailer identification plate program, and as part of the Commercial Vehicle Registration Act of 2001, all commercial motor vehicles subject to Section 9400.1 registered to an owner with an address in the county that established a service authority under this section, shall pay an additional service fee of two dollars (\$2).

(b) Notwithstanding Section 13340 of the Government Code, the money paid to the Controller is continuously appropriated, without regard to fiscal years, for the administrative costs of the Controller, and for disbursement by the Controller to each county that has adopted a resolution pursuant to subdivision (a), based upon the number of vehicles registered, or whose registration is renewed, to an address within that county.

(c) Except as otherwise provided in this subdivision, money allocated to a county pursuant to subdivision (b) shall be expended exclusively to fund programs that enhance the capacity of local police and prosecutors to deter, investigate, and prosecute vehicle theft crimes. In any county with a population of 250,000 or less, the money shall be expended exclusively for those vehicle theft crime programs and for the prosecution of crimes involving driving while under the influence of alcohol or drugs, or both, in violation of Section 23152 or 23153, or vehicular manslaughter in violation of Section 191.5 or subdivision (c) of Section 192 of the Penal Code, or any combination of those crimes.

(d) Money collected pursuant to this section shall not be expended to offset a reduction in any other source of funds, nor for any purpose not authorized under this section.

(e) Any funds received by a county prior to January 1, 2000, pursuant to this section, that are not expended to deter, investigate, or prosecute crimes pursuant to subdivision (c) shall be returned to the Controller, for deposit in the Motor Vehicle Account in the State Transportation Fund. Those funds received by a county shall be expended in accordance with this section.

(f) Each county that adopts a resolution under subdivision (a) shall submit, on or before the 13th day following the end of each quarter, a quarterly expenditure and activity report to the

designated statewide Vehicle Theft Investigation and Apprehension Coordinator in the Department of the California Highway Patrol.

(g) A county that imposes a fee under subdivision (a) shall issue a fiscal year-end report to the Controller on or before August 31 of each year. The report shall include a detailed accounting of the funds received and expended in the immediately preceding fiscal year, including, at a minimum, all of the following:

(1) The total revenues received by the county under subdivision (b) for the immediately preceding fiscal year.

(2) The total expenditures by the county under subdivision (c) for the immediately preceding fiscal year.

(3) Details of expenditures made by the county under subdivision (c), including salaries and expenses, purchase of equipment and supplies, and any other expenditures made listed by type with an explanatory comment.

(4) A summary of vehicle theft abatement activities and other vehicle theft programs funded by the fees collected under this section.

(5) The total number of stolen vehicles recovered and the value of those vehicles during the immediately preceding fiscal year.

(6) The total number of vehicles stolen during the immediately preceding fiscal year as compared to the fiscal year prior to the immediately preceding fiscal year.

(7) Any additional, unexpended fee revenues received under subdivision (b) for the county for the immediately preceding fiscal year.

(h) Each county that fails to submit the report required pursuant to subdivision (g) by November 30 of each year shall have the fee suspended by the Controller for one year, commencing on July 1 following the Controller's determination that a county has failed to submit the report.

(i) (1) On or before January 1, 2006, and on or before January 1 annually thereafter, the Controller shall provide to the Department of the California Highway Patrol copies of the yearend reports submitted by the counties under subdivision (g), and, in consultation with the Department of the California Highway Patrol, shall review the fiscal yearend reports submitted by each county pursuant to subdivision (g) to determine if fee revenues are being utilized in a manner consistent with this section. If the Controller determines that the use of the fee revenues is not consistent with this section, the Controller shall consult with the participating counties' designated regional coordinators. If the Controller determines that the fee revenues are still not consistent with this section, the authority to collect the fee by that county shall be suspended for one year.

(2) If the Controller determines that a county has not submitted a fiscal yearend report as required in subdivision (g), the authorization to collect the service fee shall be suspended for one year pursuant to subdivision (h).

(3) When the Controller determines that a fee shall be suspended for a county, the Controller shall inform the Department of Motor Vehicles on or before January 1, 2006, and on or before January 1 annually thereafter, that the authority to collect a fee for that county is suspended.

(j) On or before January 1, 2006, and on or before January 1 annually thereafter, the Controller shall prepare and submit to the Legislature a revenue and expenditure summary for each participating county that includes all of the following:

(1) The total revenues received by each county.

(2) The total expenditures by each county.

(3) The unexpended revenues for each county.

(k) The Department of the California Highway Patrol, in consultation with all participating county designated regional coordinators, shall review the effectiveness of reducing vehicle theft crimes that were funded by the fees imposed by this section. The Department of the California Highway Patrol shall provide a report based on that review and, on or before January 1, 2009, shall submit that report to the Legislature.

(l) For the purposes of this section, a county designated regional coordinator is that agency designated by the participating county's board of supervisors as the agency in control of its countywide vehicle theft apprehension program.

(m) This section shall remain in effect until January 1, 2018, and as of that date is repealed, unless a later enacted statute that is enacted on or before January 1, 2018, deletes or extends that date.

[\(Amended by Stats. 2009, Ch. 230, Sec. 1. Effective January 1, 2010. Repealed as of January 1, 2018, by its own provisions.\)](#)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-135		Vehicles: registration fees.	Chaptered 10/13/1995		-		
AB-183	Washington	Vehicles: registration fees.	Chaptered 08/26/1999	08/25/1999 - Chaptered by Secretary of State - Chapter 232, Statutes of 1999. 08/25/1999 - Approved by the Governor.	-		
AB-286	Salas, Jones	Vehicles: additional registration fees.	Chaptered 10/11/2009	10/11/2009 - Chaptered by Secretary of State - Chapter 230, Statutes of 2009.	Secretary of State-Chaptered	Yes	Majority
AB-860	Salas	Vehicles: additional registration fees.	Enrolled 08/08/2008	09/27/2008 - Vetoed by Governor.	Assembly-Vetoed	Yes	Majority
AB-878	Davis	Service authority: registration and service fees.	Enrolled 09/18/2007	01/14/2008 - Consideration of Governor's veto stricken from file.	Assembly-Vetoed	Yes	Majority
AB-1404	Committee on Judiciary	Vehicles: additional registration fee: vehicle-theft crimes.	Amended Senate 06/15/2012	06/18/2012 - Re-referred to Com. on T. & H.	Senate-In Committee Process - Transportation and Housing	Yes	Majority
AB-1472	Longville	Vehicles: commercial vehicle registration.	Chaptered 10/13/2001	10/13/2001 - Chaptered by Secretary of State - Chapter 826, Statutes of 2001.	-		
AB-1663	Dutra	Vehicle: additional registration fees.	Chaptered 09/14/2004	09/14/2004 - Chaptered by	-		

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
				Secretary of State - Chapter 514, Statutes of 2004. 09/14/2004 - Approved by the Governor.			
AB-1768	Davis	Vehicles: additional registration fees.	Introduced 02/17/2012	04/24/2012 - In committee: Set first hearing. Failed passage. Reconsideration granted.	Assembly-In Committee Process - Transportation	Yes	Majority
AB-2227	Torlakson	Driving under the influence: alcohol and drug programs: ignition interlock device.	Chaptered 09/30/2000	09/30/2000 - Chaptered by Secretary of State - Chapter 1064, Statutes of 2000. 09/30/2000 - Approved by the Governor.	-		
AB-2527	Scott	Vehicles: fees.	Amended Assembly 04/13/2000	11/30/2000 - From committee without further action.	-	Yes	Two Thirds
SB-2014		Vehicles: registration fees: vehicle-related crimes.	Chaptered 09/22/1992		-		
SB-2084	Polanco	Transportation.	Chaptered 09/29/2000	09/29/2000 - Chaptered by Secretary of State. Chapter 861, Statutes of 2000.	-		
SB-2139		Vehicle theft: deterrence, investigation and prosecution: fees.	Chaptered 09/30/1990		-		

**COMMENTS/RECOMMENDATIONS:**

According to the State Controller's office, no inquiries on these reports or programs have ever been received. The Legislature may wish to clarify if the Controller's office is proposing to eliminate both the program and reporting requirements.