

Revenue Distribution Training



December 2017

Training Agenda

Opening and Introduction

- Welcome
- Faculty introductions
- Housekeeping
- Training expectations and goals

Training Topics

Franchise Tax Board

- COD and IIC Program Information

State Controller's Office

- Current Urgency Legislation
- Key Updates to *Guidelines*
- TC-31 Submission
- Listserv Notification
- Audit and Distribution Issues



Training Agenda

Training Topics

Judicial Council

- 2018 Uniform Bail and Penalty Schedule
- 2017 Legislation of Interest
- Commission on the Future of the California's Court System
- Other Activities
 - Assembly Bill 103
 - Statewide Traffic Amnesty Program
 - Collections update

Information Items

- SAVE THE DATES! Spring 2018 Revenue Distribution Training

Wrap Up

- Training Certifications



Faculty

Franchise Tax Board

Court-Ordered Debt Program:

Jennifer Jacobsen, Supervisor

Jennifer.Jacobsen@ftb.ca.gov

Interagency Intercept Collections Program:

Kasia Killgore, Supervisor

Kasia.Killgore@ftb.ca.gov



JUDICIAL COUNCIL
OF CALIFORNIA

Faculty

State Controller's Office

Local Government Programs and Services Division:

Jim Reisinger, Manager

JReisinger@sco.ca.gov

Don Lowrie, Policy Analyst

DLowrie@sco.ca.gov

Audit Division:

Leesa Deniz, Auditor

LDeniz@sco.ca.gov



JUDICIAL COUNCIL
OF CALIFORNIA

Faculty and Contacts

Judicial Council

Criminal Justice Services:

Kim DaSilva, Attorney

Kimberly.DaSilva@jud.ca.gov

Funds and Revenues:

Maria Lira, Senior Analyst

Maria.Lira@jud.ca.gov

Manny Mandapat, Fiscal Analyst

Manuel.Mandapat@jud.ca.gov

Governmental Affairs:

Andi Liebenbaum, Attorney

Andi.Liebenbaum@jud.ca.gov



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Housekeeping Information

- Place your phone on **Mute**
- Do not place the call on hold
- Use WebEx “chat” feature for questions
- Send questions to Maria Lira
- Provide contact information (name, email and phone)
- “Pauses” between sections
- Questions submitted through the “chat” should also be submitted to SCO and Judicial Council email boxes at:
LocalGovPolicy@sco.ca.gov and
RevenueDistribution@jud.ca.gov



Housekeeping Information

- Evaluation Questionnaire:

Your feedback is important to us; we would like to know how we are doing and how to improve our trainings. Please complete evaluation by December 22, via Survey Monkey after the training.

- PowerPoint and Audio on Website

Will be posted by Friday, December 15, 2017 at:

<http://www.courts.ca.gov/revenue-distribution.htm>

- Training Completion Certificate

A 2-hour training completion certificate will be sent to registered participants upon request at RevenueDistribution@jud.ca.gov



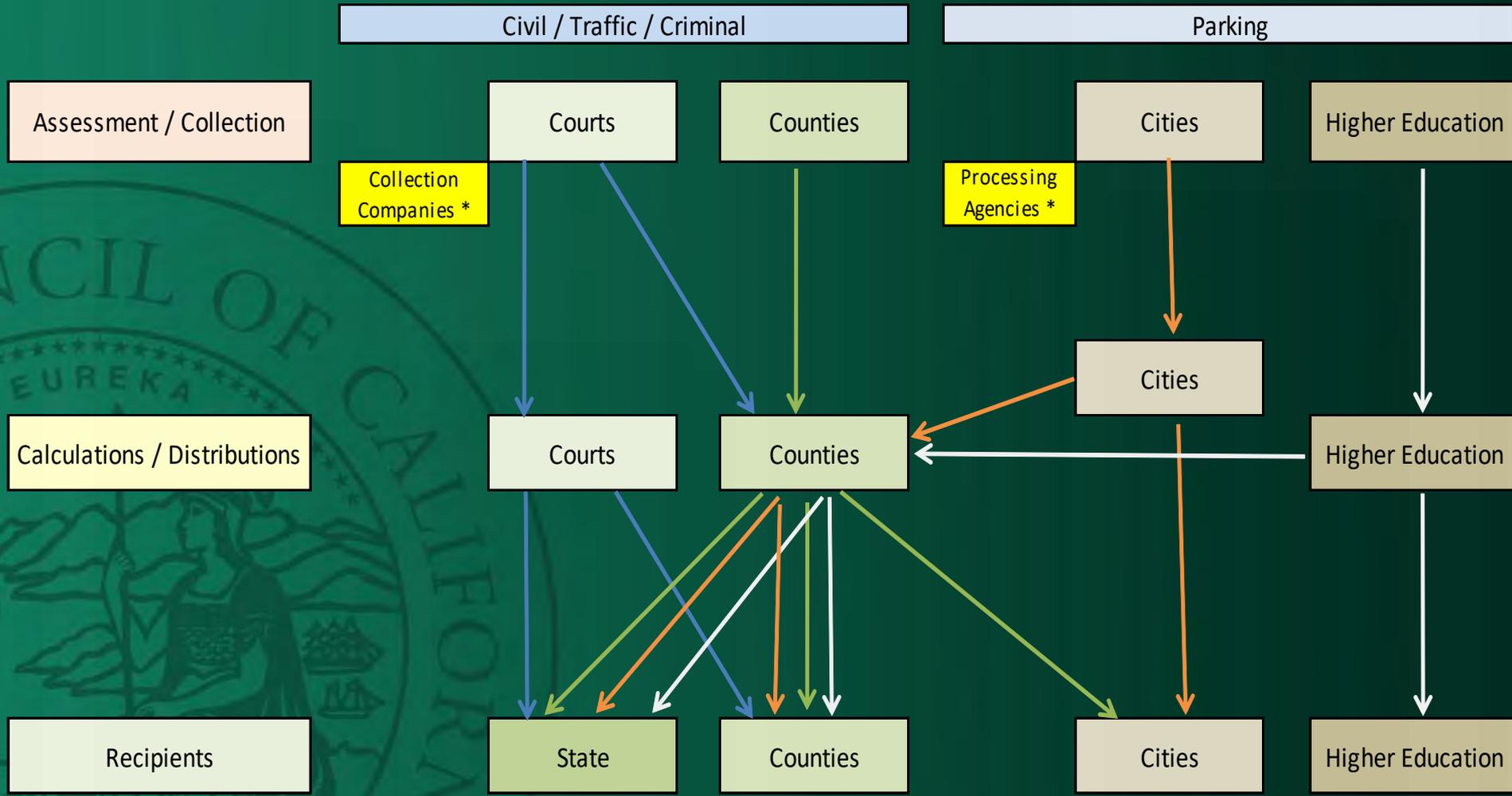
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Training Goals

- Present an overview of the Franchise Tax Board's collections programs
- Review changes to Trial Court Revenue Distribution Guidelines
- Provide an overview of audit findings related to distribution
- Identify changes to the Uniform Bail and Penalty Schedules, effective January 1, 2018
- Provide updates on recent legislation
- Present information and updates on collections and revenue distribution
- Discuss spring 2018 training



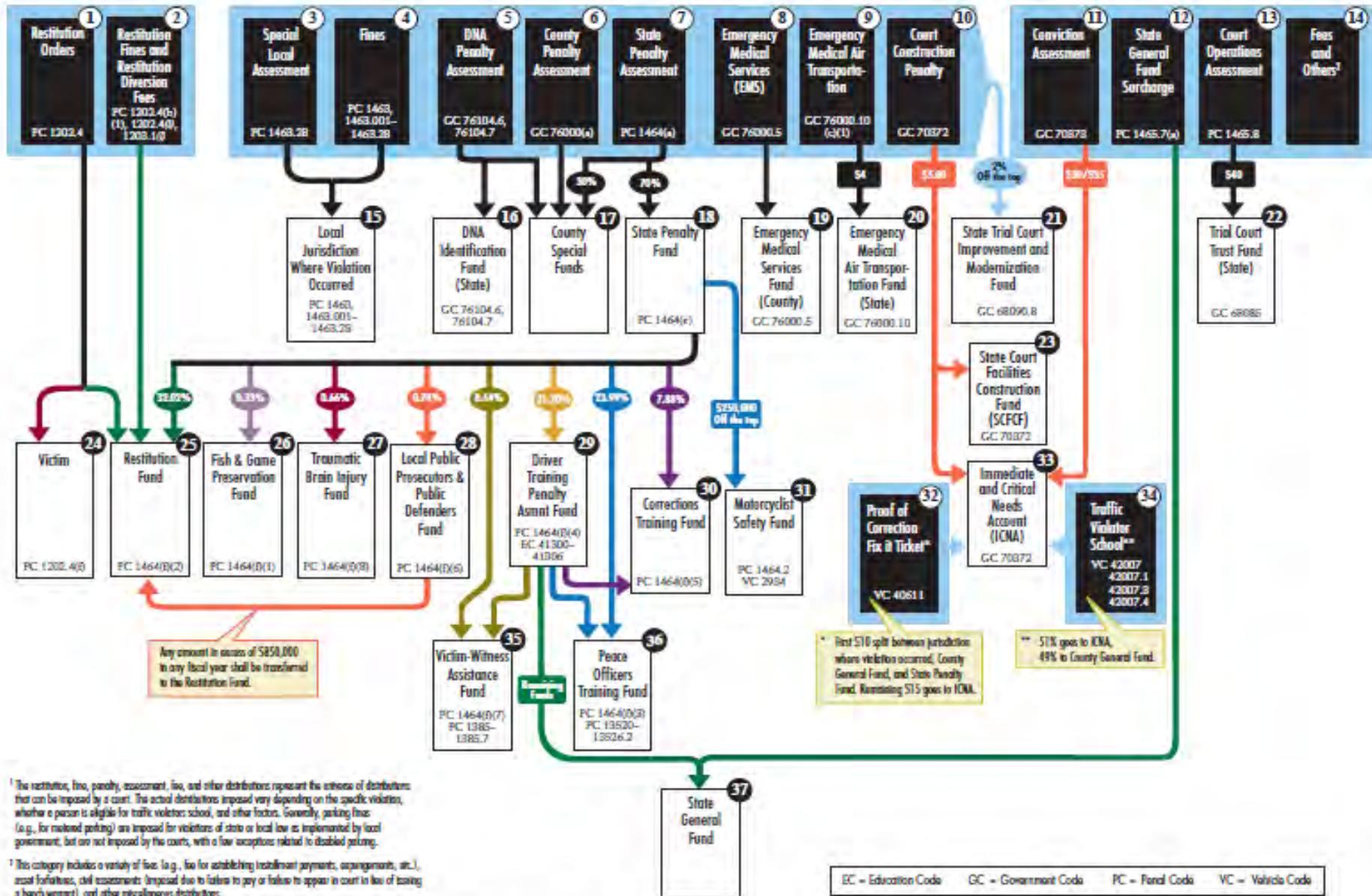
ASSESSMENT, COLLECTION, AND DISTRIBUTION COMPLEXITY OF THE PROCESS



* Entities under contract to perform collections.



Distribution of Criminal/Traffic Fines, Penalties, and Fees¹





STATE OF CALIFORNIA
Franchise Tax Board



STATE OF CALIFORNIA
Franchise Tax Board

Revenue Distribution Training

An Overview of FTB's Non-Tax Debt Collection Programs



Jennifer Jacobsen, Court-Ordered Debt Collection Program

Kasia Killgore, Interagency Intercept Collection Program



Court-Ordered Debt (COD)

Program Overview

COD Agenda



- Background and Funding
- Program Eligibility and Enrollment
- How the Program Works
- On-line Services
- Program Statistics
- Program Support

Background and Funding

- In 1994, the State Legislature authorized the FTB to collect delinquent court-ordered debt as a pilot program.
- In 2004, the Legislature made the program permanent and expanded it statewide. (California Revenue and Taxation Code Sections 19280–19282).
- Funding is provided by the participating courts and agencies. These costs cannot exceed 15 percent of the amount COD collects on behalf of their clients.

Program Eligibility and Enrollment

Eligibility

- State Agencies:
 - Any type of restitution orders and fines imposed by Juvenile or Superior Court of the State of California.
- Courts:
 - Any type of fines, state or local penalties, bail and forfeitures.
 - All offenses involving a violation of the Vehicle Code, and any amounts due pursuant to Section 903.1 of the Welfare and Institutions Code.

Enrollment

- Memorandum of Understanding
- Onboarding
- Testing

Debt Criteria

The following criteria must be met when submitting cases:

- Your case should be 90 days or more delinquent
- Minimum case balance must be \$25.00
- Minimum account balance due of \$100.00
- Must include your debtor's first and last name
- Must have either a social security number, or date of birth, or drivers license number
- Addresses must be complete

How the Program Works

- Validate Information
- Create a COD account
- Begin the collection cycle
 - Demand Notice
 - Wage Garnishment
 - Bank Levy
- We will return the case if:
 - We are unable to locate a good SSN
 - Case is deemed uncollectable

On-line Services

CA.GOV **FTB** STATE OF CALIFORNIA Franchise Tax Board

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My Court-Ordered Debt (COD) Account

[Traffic Tickets / Infractions Amnesty Program Information](#)

My COD Account

- View your balance due.
- View your last 25 payments.
- Make a payment.
- Complete an Installment Agreement request if you are unable to pay in full.

Log in

You will need your:

- Billing Number (Demand for Payment or Installment Agreement)
- Last Name
- Social Security Number

Time limit

- You will receive a two-minute warning and an option to continue your session.
- You will automatically be logged out after 20 minutes of inactivity.

Important security information

- Before you begin, make sure you are using a [compatible browser and operating system](#).
- When you are done, use the Logout tab to exit securely.

[Is there anything wrong with this page?](#)

MyFTB Learn more

Login **Register**

- Program Overview
- Payment Options
- Withholding Calculator
- My COD Account**
- FAQs - Debtor
- Representative Seeking Account Information
- Earnings Withholding Order - Employer Info
- Record Layout
- Contact Info

Court-Ordered Debt Program



2016-2017 Fiscal Year Collection Totals			
<i>Case Inventory</i>		<i>Collection Notices</i>	
Beginning Inventory	1,346,760	Demand Notices	898,604
Accepted Cases	524,623	Installment Agreements	78,991
Withdrawn Cases	80,347	Bank Levies	357,715
Returned Cases	563,419	Wage Garnishments	1,449,775
Ending Inventory	1,235,212	Total Collection Activities	2,785,085

Court-Ordered Debt Program

Program and Support

Court-Ordered Debt Client Services

Phone: 916.845.7503

Email: CODClientServices@ftb.ca.gov



Interagency Intercept Collection (IIC)

Program Overview

Intercept Agenda



- Background
- Program Eligibility
- How the Program Works
- How to Participate
- Annual Timeline
- Program Cost
- Program Statistics
- Program Support

Background

- Began in 1975.
- Authorized by Govt. Code Sections 12419.2-3, 12419.5, 12419.7-12.
- Administered by FTB on behalf of the State Controller's Office (SCO).

- Types of intercepted payments:
 - Personal Income Tax Refunds
 - Lottery Winnings
 - Unclaimed Property Disbursements

In Fiscal Year 16/17, the program redirected 926,638 payments valued at \$340 million dollars.

Program Eligibility

- State agencies
Any type of debt.
- Courts, Counties and cities
Property taxes, delinquent fines, bails, and other permitted debts.
- California colleges
Delinquent registration, tuition, bad check fees, and other permitted debts.
- Special districts
Water bills, waste disposal fees, and fire inspection fees.

How the Program Works

Participating agencies submit debtor accounts via Secure Web Internet File Transfer.

Criteria:

- Debt type qualifies under the Intercept Program authority.
 - 30 days have passed since the Pre-Intercept Notice has been mailed.
 - Debt amount is at least \$10.
 - Debtor is not in an active bankruptcy.
 - Debtor has a valid social security number.
 - There is one sum total debt amount for each debtor.
-
- We flag accounts with an offset indicator.
 - We reject debtor accounts that do not meet our criteria.

How the Program Works

- IIC notifies you when offset occurs.
- IIC sends the debtor an Intercept Notice with:
 - Debtor's account number with the agency
 - Original payment amount
 - Offset amount
 - Remaining refund amount
 - Agency's public contact address and telephone number
 - Government code authorizing the Intercept Program

How to Participate

Apply with SCO

- Initial Request to Participate (FTB 2282 PC)

Participate with FTB

Review the Interagency Intercept Collection Program Participation Guide (FTB 2645), prior to submitting the following:

- Intent to Participate (FTB 2280 PC)
- Vendor/Contractor Confidentiality Statement (FTB 7904)
- Copy of your Pre-Intercept Notice

How to Participate

Sending a Pre-Intercept Notice to each debtor is **required**.

The Pre-Notice must provide the following:

- Government Codes Section(s) authorizing your agency to submit the debt for intercept.
- 30 days written notice to resolve or dispute the liability before submitting the debt.
- Address or telephone number for your agency.

Annual Timeline

September

- Submit all forms.
- Mail all pre-notices.

November

- Submit the annual load file to FTB.

December

- Intercept purges all current year accounts mid month.
- Intercept loads all new annual accounts by end of month.

May

- SCO bills all participants for prior year services.

Program Cost

SCO charges a fee to reimburse the administrative costs of the program.

- Fee based on actual costs incurred
 - Varies each year
 - Approximately \$2 per offset
-
- Bills sent in April/May for each successful offset we collect during the previous calendar year.

Intercept Program



Fiscal Year 16/17 Participation Year Collection Totals			
<i>Case Inventory</i>		<i>Intercept Dollars</i>	
PIT Intercepts	872,660	PIT Intercept	\$315,518,799
Lottery Winnings	6,253	Lottery Winnings	\$4,857,241
Unclaimed Property	46,944	Unclaimed Property	\$11,055,795
BOE	205	BOE	\$2,493,639
EDD	576	EDD	\$5,887,888
		Total Intercepted	\$339,726,398

Program Support

Intercept Client Services

Phone: 916.845.5344

Fax: 916.843.2460

Email: iicgroup@ftb.ca.gov

- Answer client questions.
- Provide copies of missing reports.
- Reconcile weekly reports to monthly fund transfer.
- Register for Secure Web Internet File Transfer (SWIFT).

Non-Tax Debt Collection Contact Information

Jennifer Jacobsen, Program Supervisor - Court-Ordered Debt

Phone: 916.845.5326

Jennifer.Jacobsen@ftb.ca.gov

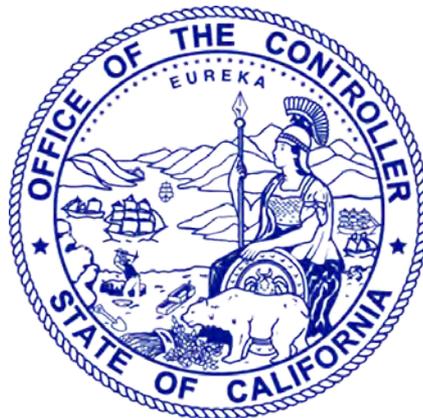
Kasia Killgore, Program Supervisor - Interagency Intercept Collections

Phone: 916.845.3134

Kasia.Killgore@ftb.ca.gov

Questions?

Trial Court Revenue Distribution Training December 2017



BETTY T. YEE
California State Controller

Introduction

Trial Court Revenue Distribution Guidelines

- Jim Reisinger, Manager
- Don Lowrie, Policy Analyst

Common Audit Findings

- Leesa Deniz, Auditor

If you have any questions related to trial court revenue distribution, please email LocalGovPolicy@sco.ca.gov.



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California State Controller

Overview of SCO Guidance

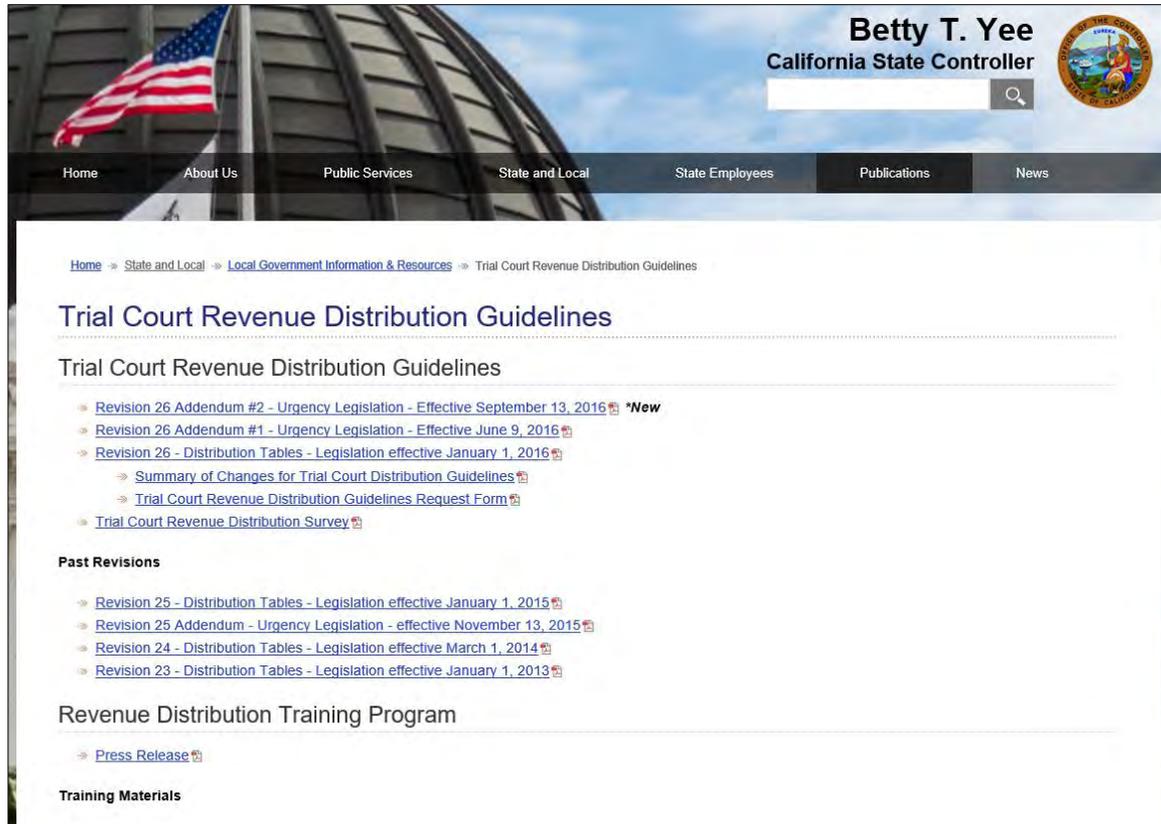
- Current Urgency Legislation
- Key Legislative Updates to *Trial Court Revenue Distribution Guidelines*, to be published in Revision 28
- TC-31 Submission
- Listserv Notifications



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California State Controller

SCO Trial Court Website

The Trial Court Revenue Distribution Guidelines can be found at:
http://www.sco.ca.gov/ard_trialcourt_manual_guidelines.html



The screenshot displays the official website of the State Controller of California, Betty T. Yee. The header includes the name and title of the State Controller, a search bar, and the official seal. A navigation menu is located below the header, with options for Home, About Us, Public Services, State and Local, State Employees, Publications, and News. The main content area shows a breadcrumb trail: Home > State and Local > Local Government Information & Resources > Trial Court Revenue Distribution Guidelines. The title of the page is "Trial Court Revenue Distribution Guidelines". Below the title, there is a list of links for various revisions and addendums, including "Revision 26 Addendum #2 - Urgency Legislation - Effective September 13, 2016" marked as "New". Other links include "Revision 26 Addendum #1 - Urgency Legislation - Effective June 9, 2016", "Revision 26 - Distribution Tables - Legislation effective January 1, 2016", "Summary of Changes for Trial Court Distribution Guidelines", "Trial Court Revenue Distribution Guidelines Request Form", and "Trial Court Revenue Distribution Survey". A section titled "Past Revisions" lists "Revision 25 - Distribution Tables - Legislation effective January 1, 2015", "Revision 25 Addendum - Urgency Legislation - effective November 13, 2015", "Revision 24 - Distribution Tables - Legislation effective March 1, 2014", and "Revision 23 - Distribution Tables - Legislation effective January 1, 2013". Below this, there is a section for "Revenue Distribution Training Program" with a link to a "Press Release". The page also includes a "Training Materials" section at the bottom.

Urgency Legislation

The codes below took effect immediately upon enactment. More information about the changes may be found on our website at http://www.sco.ca.gov/ard_trialcourt_manual_guidelines.html.

These codes will also be included in Revision 28 of the *Guidelines*.

CCP 384: Changed the distribution of unclaimed class action settlements or judgments

H&S 103625: Extended the \$2 fee for the Umbilical Cord Blood Collection Fund to January 1, 2023

PC 1464: Made the distribution of State Penalty Fund subject to the Budget Act

Urgency Legislation cont'd

The codes below reflect the consolidation of the medical cannabis statutes first approved in 2015 with the provisions of Proposition 64, legalizing recreational cannabis:

B&P 19360: Repealed (provisions consolidated with B&P 26038)

B&P 26038: Consolidated civil penalties for violations of Medicinal and Adult-Use Cannabis Regulation and Safety Act

R&T 34016: Cannabis-related businesses; fine for failure to allow inspection of premises or filing of false tax reports

WC 1847: Updated code references for unauthorized diversion or use of water for cannabis cultivation

Updates due to Legislation

In addition to the urgency legislation, the codes on the following slide have been added or amended in 2017, and will become effective January 1, 2018.

They will be included in the forthcoming Revision 28 of the *Trial Court Revenue Distribution Guidelines*.

Updates due to Legislation cont'd

Added, Amended Or Removed	Code Section	Description
Added	B&P 17533.6.5	Prohibits nongovernmental entities from soliciting a fee for copy of a public record without specified disclosures.
Added	GC 6223	Prohibits the presenting for recording or filing a document related to conveyance of federal lands without certificate of compliance from State Lands Commission.
Added	GC 65589.5	Imposes fines on local agencies for failure to comply with Housing Accountability Act, as specified.
Added	GC 7285.1	Prohibits employers from admitting immigrant enforcement agents to non-public areas of business without a warrant.
Added	GC 7285.2	Prohibits employers from permitting immigration enforcement agents access to employee records without a warrant or subpoena.
Amended	GC 76000.10	Renamed EMAT Fund as Emergency Medical Air Transportation and Children's Coverage Fund and extended sunset date for collection to January 1, 2020.
Amended	LC 1305	Violations of Labor Code provisions related to employment of minors.
Added	LC 98.7	Employers failing to comply with court orders concerning specified Labor Code subject to civil penalties.
Amended	PC 1203.1ab	Defendants over 21, if able, to pay cost of drug testing as required by probation officer.
Added	PC 1203.42	Permits felons who would have been sentenced to county jail after 2011 realignment to petition for have guilty plea or verdict set aside, under specified condition.
Removed	PC 1463.23	\$50 of base fine for specified offenses allocated to AIDS education programs. Repealed January 1, 2018.
Added	PC 851.92	Unauthorized distribution of information related to a sealed arrest subject to civil penalty.
Amended	PC 987.8	Defendants convicted of misdemeanors and felonies may be required to reimburse counties for cost of counsel and other legal assistance.
Amended	W&I 903.1	The parents or other adults liable for the support of a minor are not liable for the costs of legal services related to delinquency jurisdiction.

TC-31 Submission

Remittance to the State Treasurer (TC-31) forms can be found at http://www.sco.ca.gov/Files-ARD-Local/Remittc_tc31.xlsx

COM MONTH		FISCAL YEAR		STATE FUND AGENCY NUMBER	
				CO _ _ _ _ _	
REPORT TO STATE CONTROLLER OF REMITTANCE TO STATE TREASURER - TC-31 COUNTY NAME - NUMBER: _____ / _____ COLLECTIONS FOR THE MONTH OF (MM / YY): _____ / _____					
FUND	AGENCY	FF	REV YEAR	AMOUNT	DESCRIPTION
0 0 0 1	0 2 5 0		1 6 1 4 0 3		General Fund - Penal Code 1406.7, AB 3000 - 20% surcharge on criminal fines
0 0 0 1	0 8 2 0		1 3 1 5 0 0		General Fund - Health & Safety 11372.5 - Criminalists Lab Fee; Health & Safety 11402 - State Fines
0 0 0 1	9 9 9 0		1 3 0 9 0 1		General Fund - Penal Code 290.3 - First Conviction
0 0 0 1	9 9 9 0		1 3 0 9 0 2		General Fund - Penal Code 290.3 - Second & Subsequent Convictions
0 0 0 1	9 9 9 0		1 6 0 5 0 0		General Fund - Health & Safety 11489 - Asset Forfeitures (24%)
0 0 0 1	9 9 9 0		1 6 4 0 0 0		General Fund - Penal Code 1463.22(d) - Uninsured Motorists (\$10 Conviction)
0 0 0 1	9 9 9 0		1 6 4 2 0 1		General Fund - Vehicle Code 40225(d)
0 0 0 1	9 9 9 0		1 6 4 3 0 1		General Fund - Health & Safety 106267 - State penalty on lead abatement fines
0 0 4 4	2 7 4 0		1 1 4 3 0 0		Motor Vehicle Account - Vehicle Code 11208(c), AB 2499 - Traffic violator school (\$3 Certificate of Completion fee)
0 0 4 4	2 7 4 0		1 6 4 0 0 0		Motor Vehicle Account - Penal Code 1463.22(b) - Uninsured motorists (\$3 conviction)
0 1 0 2	3 5 4 0		1 2 5 2 0 0		State Fire Marshall Lic/Cert Fund - Health & Safety 12105 - Explosive Permit Fees
0 1 5 9	0 2 5 0		1 6 4 6 0 2		Trial Court Improvement Fund - Government Code 68030.8 - 2% Automation
0 1 5 9	0 2 5 0		1 6 4 6 0 3		Trial Court Improvement Fund - GC 77205 - 50% Excess
0 2 0 0	3 6 0 0		1 2 5 6 0 0		Fish & Game Preservation Fund - Fish & Game 711.4 - Environmental Document Filing Fees
0 2 0 0	3 6 0 0		1 3 1 0 0 0		Fish & Game Preservation Fund - Fish & Game 13003 - Fish & Game Preservation Fund
0 2 0 0	3 6 0 0		1 3 1 3 0 0		Fish & Game Preservation Fund - Fish & Game 12021, 13006 - Secret Witness Program
0 2 1 4	7 8 7 0		1 3 0 8 0 0		Restitution Fund - Penal Code 1202.4, W&M 730.6
0 2 1 4	7 8 7 0		1 3 0 8 0 3		Restitution Fund - Penal Code 1001.90 - Diversion Restitution Fee
0 2 1 4	7 8 7 0		1 3 0 8 0 6		Restitution Fund - Penal Code 1202.44 - Conditional Sentence Restitution Fines
0 2 1 4	7 8 7 0		1 6 4 4 0 0		Restitution Fund - Penal Code 1463.18 - DUI Fines
TOTAL					
					STATE TREASURER'S ENDORSEMENT
TO STATE CONTROLLER: I hereby certify that the foregoing report, as it relates to the agency I represent, is a correct statement of the State's share of collections deposited for the month stated above in accordance with Section 68101 of the Government Code. Remittance has been made to the State Treasurer.					
SIGNATURE: _____ OFFICIAL TITLE: _____ DATE: _____ COUNTY NUMBER: _____					

TC-31 Submission cont'd

Please submit your TC-31s to:

OR

State Treasurer
Cash Management Division
915 Capitol Mall, Room 319
Sacramento, CA 95814

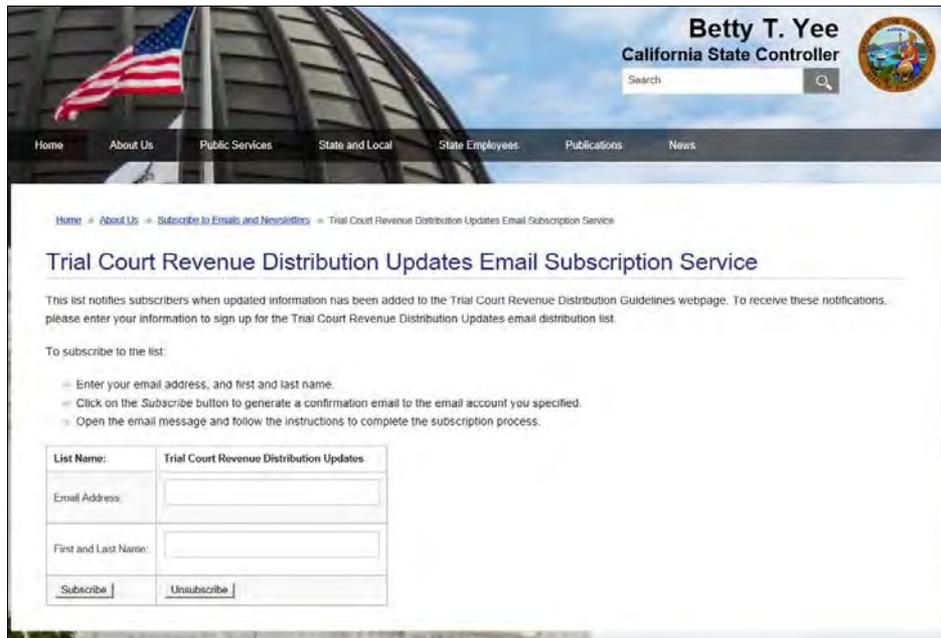
State Treasurer
Cash Management Division
P.O. Box 942809
Sacramento, CA 94209-0001

NOT to the State Controller's Office.

Note that the TC-31s include only the most commonly used codes. For remittances to funds not listed on the form, please email DebraMorton@sco.ca.gov and she will be happy to assist you.

Listserv Notifications

To receive automatic notification of updates to the *Guidelines*, including Urgency Legislation updates, please visit our website at: http://www.sco.ca.gov/ard_trial_courts_notification_email.html



The screenshot shows the website of Betty T. Yee, California State Controller. The page is titled "Trial Court Revenue Distribution Updates Email Subscription Service". It includes a search bar and a navigation menu with links for Home, About Us, Public Services, State and Local, State Employees, Publications, and News. The main content area contains a breadcrumb trail: Home > About Us > Subscribe to Emails and Newsletters > Trial Court Revenue Distribution Updates Email Subscription Service. Below the title, there is a paragraph explaining the service: "This list notifies subscribers when updated information has been added to the Trial Court Revenue Distribution Guidelines webpage. To receive these notifications, please enter your information to sign up for the Trial Court Revenue Distribution Updates email distribution list." A section titled "To subscribe to the list:" provides three steps: 1. Enter your email address, and first and last name. 2. Click on the Subscribe button to generate a confirmation email to the email account you specified. 3. Open the email message and follow the instructions to complete the subscription process. At the bottom, there is a form with the following fields: List Name (Trial Court Revenue Distribution Updates), Email Address, First and Last Name, and two buttons: Subscribe and Unsubscribe.

Betty T. Yee
California State Controller

Search

Home About Us Public Services State and Local State Employees Publications News

Home > About Us > Subscribe to Emails and Newsletters > Trial Court Revenue Distribution Updates Email Subscription Service

Trial Court Revenue Distribution Updates Email Subscription Service

This list notifies subscribers when updated information has been added to the Trial Court Revenue Distribution Guidelines webpage. To receive these notifications, please enter your information to sign up for the Trial Court Revenue Distribution Updates email distribution list.

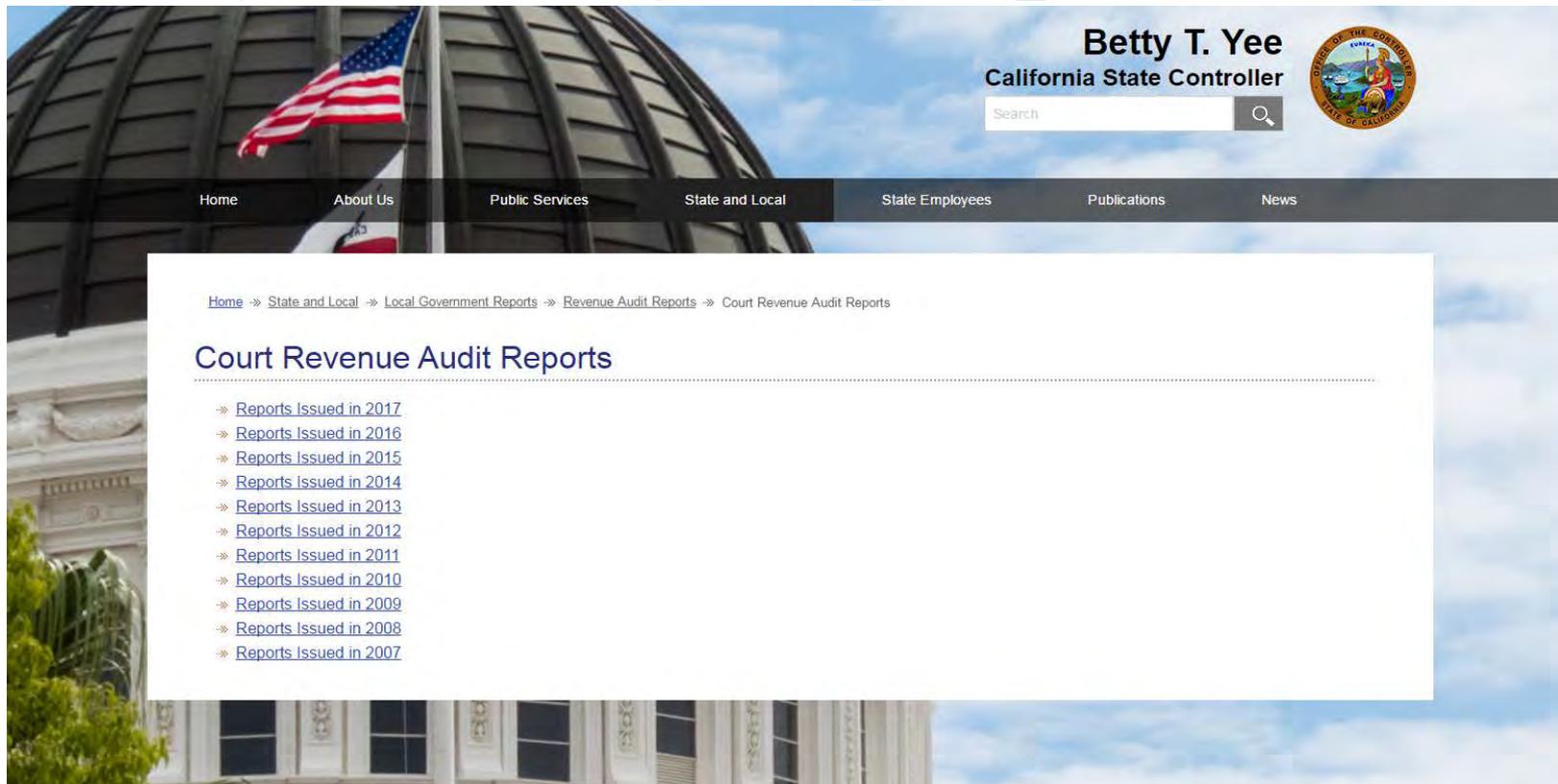
To subscribe to the list:

- Enter your email address, and first and last name.
- Click on the *Subscribe* button to generate a confirmation email to the email account you specified.
- Open the email message and follow the instructions to complete the subscription process.

List Name:	Trial Court Revenue Distribution Updates
Email Address:	<input type="text"/>
First and Last Name:	<input type="text"/>
<input type="button" value="Subscribe"/>	<input type="button" value="Unsubscribe"/>

SCO Court Revenue Audits

Court Revenue Audit Reports can be found at:
http://www.sco.ca.gov/aud_court_revenues.html



The screenshot displays the website of the California State Controller, Betty T. Yee. The header includes the name and title of the controller, a search bar, and the official seal of the State of California. A navigation menu is located below the header, with 'State and Local' selected. The main content area features a breadcrumb trail: Home -> State and Local -> Local Government Reports -> Revenue Audit Reports -> Court Revenue Audit Reports. The title 'Court Revenue Audit Reports' is followed by a list of links for reports issued from 2007 to 2017.

Betty T. Yee
California State Controller

Search

Home About Us Public Services State and Local State Employees Publications News

Home -> State and Local -> Local Government Reports -> Revenue Audit Reports -> Court Revenue Audit Reports

Court Revenue Audit Reports

- [Reports Issued in 2017](#)
- [Reports Issued in 2016](#)
- [Reports Issued in 2015](#)
- [Reports Issued in 2014](#)
- [Reports Issued in 2013](#)
- [Reports Issued in 2012](#)
- [Reports Issued in 2011](#)
- [Reports Issued in 2010](#)
- [Reports Issued in 2009](#)
- [Reports Issued in 2008](#)
- [Reports Issued in 2007](#)

SCO Common Audit Issues

- Emergency Medical Air Transportation (EMAT) Penalties
- Distributions of Parking Surcharges and Penalties
- Equipment/Tag Violations
- 50-50 Excess of Qualified Revenues (MOE)



BETTY T. YEE
California State Controller

EMAT Penalties

EMAT penalties are being incorrectly distributed in Red Light Violations & Traffic Violator School (TVS) Violations

Red Light Violations

- PC §1463.11 requires certain revenues collected for red light violations to be allocated:
 - **First 30% of PC §1463.001 base fine, PC §1464 state penalty, GC §70372(a) state court construction fund, GC §76000 local additional penalties, and GC §76000.10 EMAT** goes to the city/county general fund.
 - **Remaining 70%** (after deducting 2% automation) is deposited by the county treasurer under PC §1463 and 1464 on a pro rata basis.
- EMAT Penalty (GC §76000.10) should be included in the 30% allocation.

TVS Violations

- When the defendant elects to take traffic school, the total bail is converted into a TVS fee. (VC §42007)
- EMAT penalty (GC §76000.10) is **not an exception** to VC §42007 and should still be included in TVS fee.
- Leads to findings in the TVS portion of the 50-50 Excess of Qualified Revenues.



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Distribution of Parking Surcharges and Penalties

Parking surcharges and penalties are not being distributed as required

VC §40200.4 requires processing agencies to deposit with county treasurer all sums due to the county from parking violations.

County Criminal Justice Facilities Fund	GC §76000	\$1.50
County Court Construction Fund	GC §76000	\$1.50 (or \$0 depending on BOS resolution)
County General Fund	GC §76000	\$2.00 (\$1.00 from CJFF & \$1.00 from CCF or entire \$2.00 from CJFF)
State Court Construction Facilities Fund	GC §70372(b)	\$1.50
State Court Construction Facilities Fund ICNA	GC §70372(b)	\$3.00
State Trial Court Trust Fund	GC §76000.3	\$3.00

- These parking surcharges and penalties are not being imposed and collected from some of the parking citation issuing agencies such as universities, colleges, and cities.
- These parking surcharges and penalties are not being remitted or incorrectly distributed (should be \$12.50 or \$11.00 per case) by the issuing agencies.
- The entire amount of \$2 per parking violation are not being deposited into county General Fund GC §76000(c). This leads to incorrect calculation of 50-50 Excess of Qualified Revenues.

Equipment/Tag Violations

Qualified penalties not being distributed to the State

- **VC §40225(d)** allows equipment and registration tag violations entered on notices of parking violations to be processed as civil penalties.
- This is **NOT** distributed like the additional parking penalties. Equipment/Tag violations use any penalty collected (including late penalties) divided equally between the State Treasury and issuing/processing agency.
 - Fix – it tickets which penalties are reduced to \$10 are also included in the 50-50 split between the state treasury and issuing/processing agency.



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California State Controller

50-50 Excess of Qualified Revenues

Underremittances to the State, due to incorrect calculation of total collections of qualified revenues

Calculate the revenue the county general fund has received from the eight specified fines, fees, and forfeitures stated in GC §77205; compare that amount to the statutory threshold listed in GC §77201.1; and remit 50% of the difference to State Trial Court Improvement and Modernization Fund and 50% to the County General Fund.

QUALIFIED REVENUE IN GC §77205	AMOUNT TO BE CALCULATED INTO MOE PAYMENTS
PC §1463.001 Base Fines	For county arrests, 75% of base fines and forfeitures (other than parking and H&S base fine). For city arrests, 75% of base fines and forfeitures (other than parking and H&S base fine) from the county percentage as listed in PC §1463.002.
PC §1464 - State Penalty	30% of county share of the state penalty deposited into the County General Fund.
VC §42007 - Traffic Violator School (TVS) Fee	77% of TVS fee collections deposited into the County General Fund.
VC §42007.1 – Traffic Violator School (TVS) Fee	\$24 TVS fee deposited to the County General Fund.
GC §27361(b) - Recording and Indexing Fee	100% of collections of the \$1 fee pursuant to GC §27361(b) deposited to the County General Fund.
PC §1463.07 - Administrative Screening and Citation Processing fee *Formerly GC §29550(f)	100% of collections deposited to the County General Fund.
GC §76000(c) – County General Fund portion of county parking penalty	100% of collections of the \$2 portion of every parking fee deposited to the County General Fund.

50-50 Excess of Qualified Revenues

Underremittances to the State, due to incorrect calculation of total collections of qualified revenues

VC §42007 – Traffic Violator School Fee

- **Only 77% of the TVS Fee** to the County General Fund (CGF) shall be calculated into the MOE (Maintenance of Effort) limit before 50-50 split.
- Counties have been issued findings for **excluding EMAT penalties from TVS fee**, resulting in an underremittances of excess qualified revenues.

GC §76000(c) – County General Fund portion of parking penalties

- The \$2.00 are to be calculated into the GC §76000 total collections of the MOE before 50-50 split.
- Counties have received multiple findings for not distributing parking penalties, resulting in underremittances of excess qualified revenues.



BETTY T. YEE
California State Controller

SCO Distribution Contact Information

If you have any questions related to trial court
revenue distribution, please email

LocalGovPolicy@sco.ca.gov



BETTY T. YEE
California State Controller



Break

JUDICIAL COUNCIL

UNIFORM BAIL AND PENALTY SCHEDULES (UBPS)



JUDICIAL COUNCIL
OF CALIFORNIA

Road Map

- Bail in this context
- Uniform Bail and Penalty Schedules
- Judicial Council adoption
- Traffic Infraction Schedule
- “Total Bail” explained
- Countywide bail schedules
- UBPS as a guide
- Penalties and fees
- Changes to the 2018 edition
- Additional resources



WHAT IS BAIL?

Regular bail:

- In general, bail is used to ensure the presence of the defendant before the court.

UBPS bail:

- However, for certain offenses a penalty in the form of a **fine** can be “forfeited” and cancel the need for any further court proceedings. (See Veh. Code § 40512.)
- Payment is treated as a conviction for the offense. (See Veh. Code §13103.)



UNIFORM BAIL AND PENALTY SCHEDULES

Every year the Judicial Council must establish a mandatory penalty schedule for:

- traffic infractions

The UBPS also includes suggested base fines for the following schedules:

- traffic misdemeanors
- boating
- forestry
- fish and game
- public utilities
- parks and recreation
- business licensing



JUDICIAL COUNCIL
OF CALIFORNIA

EXCEPTIONS TO THE UBPS

The following counties may exceed the UBPS traffic infraction schedule:

- | | | |
|-----------------|-----------------|-----------------|
| 1. Alpine | 11. Lassen | 21. San Joaquin |
| 2. Amador | 12. Los Angeles | 22. Santa Clara |
| 3. Butte | 13. Madera | 23. Sierra |
| 4. Calaveras | 14. Mariposa | 24. Stanislaus |
| 5. Contra Costa | 15. Mendocino | 25. Sutter |
| 6. Del Norte | 16. Modoc | 26. Trinity |
| 7. Fresno | 17. Mono | 27. Tulare |
| 8. Humboldt | 18. Plumas | 28. Tuolumne |
| 9. Kings | 19. San Benito | 29. Yolo |
| 10. Lake | 20. San Diego | 30. Yuba |



TRAFFIC INFRACTION SCHEDULE

Unless otherwise specified traffic violations default to the infraction category. Therefore, the vast majority of the annual revisions to the UBPS are to the traffic infraction schedule.

The Council has classified traffic infractions into four penalty categories, according to the severity of offenses, to allow convenient notice and payment of the scheduled penalty.

Infraction Category	Severity of Offense	Base Fine
1	Bicyclist, motorized scooter, pedestrian, pocket bike, vehicle registration and equipment offenses	\$25
2	Driver's license, operation of vehicle, and size and load offenses	\$35
3	Substance abuse infractions, VC 2818 (trespassing electronic beacon), VC 20004 (reporting deaths), VC 21706.5 (operation of vehicle in emergency accident zone), VC 27375 (modified limousines)	\$70
4	Miscellaneous offenses for which the penalties or the fee for dismissal with proof of correction are specifically set by the Vehicle Code, speeding offenses (refer to Speed Chart), and infractions pursuant to PC 19.8	\$25

Certain offenses are eligible for correction and, if the defendant can show proof of the correction, only require payment of a \$25 court processing fee.



Total Bail

Base + Penalties & Surcharge + Fees = Total Bail

The “Total Bail” for an offense not specifically listed in the Uniform Traffic Infraction Bail and Penalty Schedule is the amount set for the general category of that offense unless a California code or regulation specifies otherwise.

Category 1 Bicyclist, motorized scooter, pedestrian, pocket bike, vehicle registration and equipment offenses

Base + Penalties & Surcharge + Fees = Total Bail*/Fees
\$ 25 + \$96 + \$75 = \$196

Category 2 Driver’s license, operation of vehicle, and size and load offenses

Base + Penalties & Surcharge + Fees = Total Bail*/Fees
\$ 35 + \$127 + \$75 = \$237

Category 3 Substance abuse infractions, VC 2818, VC 20004, VC 21706.5, and VC 27375

Base + Penalties & Surcharge + Fees = Total Bail*/Fees
\$ 70 + \$221 + \$75 = \$366

Category 4 Miscellaneous offenses for which the penalties or the fee for dismissal with proof of correction are specifically set by the Vehicle Code, speeding offenses, and infractions pursuant to PC 19.8.



Total Bail cont'd

The suggested minimum “Total Bail” for an offense not specifically listed in the following schedules, unless a California code or regulation specifies otherwise, are:

Traffic Misdemeanor

	Base	+	Penalties & Surcharge	+	Fees	=	Total Bail*/Fees
M	\$ 75	+	\$251	+	\$70	=	\$396

Public Utilities

	Base	+	Penalties & Surcharge	+	Fees	=	Total Bail*/Fees
M	\$185	+	\$588	+	\$70	=	\$843

Boating, Business Licensing, Fish and Game, Forestry, or Parks and Recreation

	Base	+	Penalties & Surcharge	+	Fees	=	Total Bail*/Fees
M	\$100	+	\$310	+	\$70	=	\$480
I	\$ 35	+	\$123	+	\$75	=	\$233



COUNTYWIDE BAIL SCHEDULES

The Council is not the only entity required to publish a bail schedule. Each individual court is required to prepare, adopt and annually revise a uniform countywide schedule of bail for all bailable felony offenses and for all misdemeanor and infraction offenses, except Vehicle Code infractions. Thus, while the Council is required to publish the traffic infraction schedule, the counties are responsible for all of the others.

Rule 4.102 additionally requires that, when performing those duties, counties “give consideration to the (UBPS) approved by the Judicial Council.” After adopting their countywide bail schedule, courts must send a copy of their countywide schedule to the Council “with a report stating how the revised schedule differs from the (UBPS).”

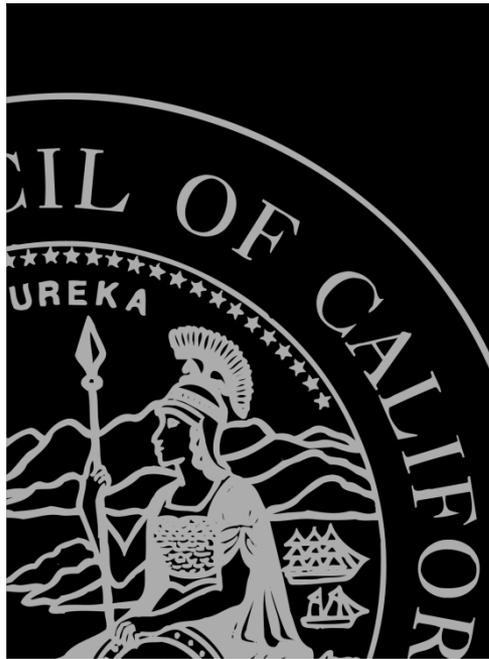


UBPS AS A GUIDE

Although the UBPS began as a penalty schedule for traffic offenses, over time the Council adopted additional schedules under the rule, including boating, forestry, fish and game, public utilities, parks and recreation, and business licensing.

The amounts listed in the non-traffic schedules serve as guidelines for the courts' countywide schedules. The rule requirement that the UBPS provide this guidance to the counties for non-traffic schedules is the reason that, on an annual basis, this committee revises those schedules based upon changes in law during the preceding year.





Uniform Bail and Penalty Schedules

2018 EDITION

(Cal. Rules of Court, rule 4.102)

TRAFFIC

BOATING

FORESTRY

FISH AND GAME

PUBLIC UTILITIES

PARKS AND RECREATION

BUSINESS LICENSING



JUDICIAL COUNCIL
OF CALIFORNIA

TRAFFIC INFRACTION FIXED PENALTY SCHEDULE
 (*See Preface, Section III) (**See Preface, Section IV)
 (Vehicle Code)

Offense	Base Fine /Fee	State PA*	County PA*/10	DNA PA*	Court PA* /10	Surcharge*	EMS PA* /10	EMAT PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	"Total Bail" ** / Fee	Category	DMV Points
Failure to Furnish Name and Address to Officer Upon Request	35	40	28.00	20	20	7	8	4	162.00	40	35	1	0.00	238.00	2a	0
Failure to Maintain Registration Card With Vehicle	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
Failure to Maintain Registration Card With Vehicle	25	0	0.00	0	0	0	0	0	0.00	0	0	0	0.00	25.00	4a	0
Failure to Display Temporary Permit–Foreign Commercial Vehicle	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
Failure to Display Temporary Permit–Foreign Commercial Vehicle	25	0	0.00	0	0	0	0	0	0.00	0	0	0	0.00	25.00	4a	0
Reporting Vehicle Sale to the DMV	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0
Reporting Vehicle Sale to the DMV	25	0	0.00	0	0	0	0	0	0.00	0	0	0	0.00	25.00	4a	0
Reporting Auction Vehicle Sale to the DMV	25	30	21.00	15	15	5	6	4	121.00	40	35	1	0.00	197.00	1a	0



Type	Code & Section	Formula	Use	Misc.
State penalty assessment “State PA”	Penal code § 1464	\$10 assessment for every \$10 or part of \$10 fine	State penalty fund, goes to law enforcement training, restitution fund, etc.	
County penalty assessment “County PA”	Gov Code § 76000	\$7 assessment for every \$10 or part of \$10 fine	County treasury	
County and state DNA funds penalty assessment “DNA PA”	Gov Code §§ 76104.6, 76104.7	\$5 assessment for every \$10 or part of \$10 fine	DNA identification	
State surcharge “State surcharge”	Penal code § 1465.7	20% of base fine	General fund	
Emergency medical services penalty assessment “EMS PA”	Gov Code § 76000.5	\$2 assessment for every \$10 or part of \$10 fine	County emergency medical services	
EMAT “EMAT PA”	Gov Code § 76000.10(c)(1)	\$4	Emergency medical air transport	EXTENDED
Court operations fee “Court ops”	Pen. Code § 1465.8	\$40	Court operations	
Criminal conviction assessment “Conv. Assess.”	Gov Code § 70373	\$35	Maintain adequate funding for court facilities	
Night or weekend court fee “Night court”	Veh. Code § 42006	\$1	Night or weekend court program	Optional special assessment by court
Traffic assistance program “TAP fee”	Veh. Code § 11205.2(c)	Varies, but cannot exceed actual court cost of traffic assistance program	Traffic assistance program	Optional by court



2018 UBPS Changes

Addition or modification of infraction offenses for violation of Vehicle Code sections:

- 12524 changed offense name to Operation of Vehicle Hauling Controlled Quantities of Radioactive Materials Without Appropriate License or Certificate;
- 21456(a, b), Pedestrian Violation of “Walk” or “Wait” Signals, changed subdivisions to 21456(a, c)
- 21655.1, Driving in Restricted Use Designated Public Transit Bus Lanes, changed DMV point count from 0 to 1; and, added in footnote that violations by commercial drivers carry a DMV point count of 1.5.
- 23220(a), changed offense name to Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana While Driving Prohibited; and, changed the DMV point count from 0 to 1;
- 23220(b), Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana While Riding as a Passenger Prohibited, was added to the schedule;
- 23221(a), changed offense name to Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana by Driver Prohibited;
- 23221(b), changed offense name to Drinking Alcoholic Beverage, Smoking or Ingesting Marijuana by Passenger Prohibited;
- 23222(b), Possession of Marijuana by Driver, changed subdivision to (b) (1);
- 28080, Audible/Visible Camper Signaling Device Required, changed the erroneous second non-correctable line to a correctable line; and
- 31560, Unlawful Transportation of Waste Tires, was added to the schedule.



2018 UBPS Changes cont'd

Addition of a misdemeanor offense for violation of Vehicle Code section:

- 34690, Violation of Private Carriers of Passengers Act, was added to the schedule.

Addition or modification of Business and Professions Code sections:

- 19277, Violation of Household Goods Carriers Act, was added to this schedule;
- 19277.1, Improper Identifying Symbol on Vehicle of Household Goods Carrier, was added to this schedule;
- 26038(c), Unlicensed Commercial Cannabis Activity, was added to this schedule;
- 26140(a)(1), Sale of Cannabis or Cannabis Products to a Person Under 21 Years of Age; and, 26140(c), Sale of Cannabis or Cannabis Products to a Person Under 21 Years of Age Without Identification Card, was added to this schedule.

Addition of Harbors and Navigation Code sections:

- 678.11, Operation of Vessel on Water Without Certification Card (First Offense);
- 678.15(b)(2), Operation of Vessel on Water Without Certification Card (Second Offense);
- 678.15(b)(3), Operation of Vessel on Water Without Certification Card (Three or More Offenses); and,
- 759.14, For-Hire Vessel Company Failure to Procure Insurance.

2018 UBPS Changes cont'd

Addition of California Code of Regulations, title 14 sections to the Fish and Game schedule:

- 505(d), Failure to Obtain Special Use Permit for Department Lands, Infraction;
- 505(d), Failure to Obtain Special Use Permit for Department Lands, Misdemeanor;
- 505(g), Destruction of Natural Resources on Department Lands, Infraction;
- 505(g), Destruction of Natural Resources on Department Lands, Misdemeanor;
- 505(h), Unlawful Fishing on Department Lands, Infraction;
- 505(h), Unlawful Fishing on Department Lands, Misdemeanor;
- 505(k), Unlawful Introduction of Species on Department Lands, Infraction;
- 505(k), Unlawful Introduction of Species on Department Lands, Misdemeanor;
- 505(l), Unlawful Feeding of Wildlife on Department Lands, Infraction;
- 505(l), Unlawful Feeding of Wildlife on Department Lands, Misdemeanor;
- 505(m), Unlawful Bringing of Pets onto Department Lands, Infraction;
- 505(m), Unlawful Bringing of Pets onto Department Lands, Misdemeanor;
- 505(n), Unlawful Use of Dogs on Department Lands, Infraction;
- 505(n), Unlawful Use of Dogs on Department Lands, Misdemeanor;
- 505(o), Unlawful Use of Horses on Department Lands, Infraction;
- 505(o), Unlawful Use of Horses on Department Lands, Misdemeanor;
- 505(p), Unlawful Camping on Department Lands, Infraction;
- 505(p), Unlawful Camping on Department Lands, Misdemeanor;
- 505(q), Unlawful Use of Fires on Department Lands, Infraction;
- 505(q), Unlawful Use of Fires on Department Lands, Misdemeanor;



2018 UBPS Changes cont'd

- 505(r), Hazardous Substance Deposit on Department Lands, Infraction;
- 505(r), Hazardous Substance Deposit on Department Lands, Misdemeanor;
- 505(s), Unauthorized Farming or Grazing on Department Lands, Infraction;
- 505(s), Unauthorized Farming or Grazing on Department Lands, Misdemeanor;
- 505(t), Vandalism on Department Lands, Infraction;;
- 505(t), Vandalism on Department Lands, Misdemeanor;
- 505(u), Tampering with Signs or Markers on Department Lands, Infraction;
- 505(u), Tampering with Signs or Markers on Department Lands, Misdemeanor;
- 505(v), Littering on Department Lands, Infraction;
- 505(v), Littering on Department Lands, Misdemeanor;
- 505(w), Possession and Use of Fireworks on Department Lands, Infraction;
- 505(w), Possession and Use of Fireworks on Department Lands, Misdemeanor;
- 505(x), Possession and Use of Alcohol, Marijuana and Controlled Substances on Department Lands, Infraction;
- 505(x), Possession and Use of Alcohol, Marijuana and Controlled Substances on Department Lands, Misdemeanor;
- 505(y), Unlawful Operation of Motor Vehicles on Department Lands, Infraction;
- 505(y), Unlawful Operation of Motor Vehicles on Department Lands, Misdemeanor;
- 505(z), Unlawful Use of Boats and Swimming on Department Lands, Infraction;
- 505(z), Unlawful Use of Boats and Swimming on Department Lands, Misdemeanor;
- 505(aa), Unauthorized Use of Aircraft on Department Lands, Infraction;
- 505(aa), Unauthorized Use of Aircraft on Department Lands, Misdemeanor;
- 505(bb), Unauthorized Bike Riding on Department Lands, Infraction;
- 505(bb), Unauthorized Bike Riding on Department Lands, Misdemeanor;
- 505(cc), Unlawful Possession and Use of Firearms or Archery Equipment on Department Lands, Infraction; and
- 505(cc), Unlawful Possession and Use of Firearms or Archery Equipment on Department Lands, Misdemeanor.



2018 UBPS Changes cont'd

Addition of Public Utilities Code sections:

- 99170(1), Operation of or Interference with a Transit District's Vehicles;
- 99170(2), Interference with Transit Operator;
- 99170(3), Extending Body from Transit District's Vehicles;
- 99170(4), Throwing Objects from Transit District's Vehicle;
- 99170(5), Behavior Causing Injury to Person or Property;
- 99170(6), Violating Safety or Security Instruction;
- 99170(7), Providing False Information to Transit District Employee or Obstructing Issuance of Citation; and
- 99170(8), Violating Rules Regarding Boarding Transit Vehicles with Bicycles.



Case Management System Update

- To implement the revised schedules, courts may need to prepare updated county bail schedules and provide training for court staff and judicial officers.
- Local case management systems should be updated to reflect the revised schedules.



Additional Resources

Judicial Council Reports:

<http://www.courts.ca.gov/jcmeetings.htm>

Judicial Council Bail Schedules:

<http://www.courts.ca.gov/7532.htm>

Contacts

Any questions about bail schedules may be directed to:

- Kimberly DaSilva
 - Phone: (415) 865-4534
 - Email: Kimberly.dasilva@jud.ca.gov

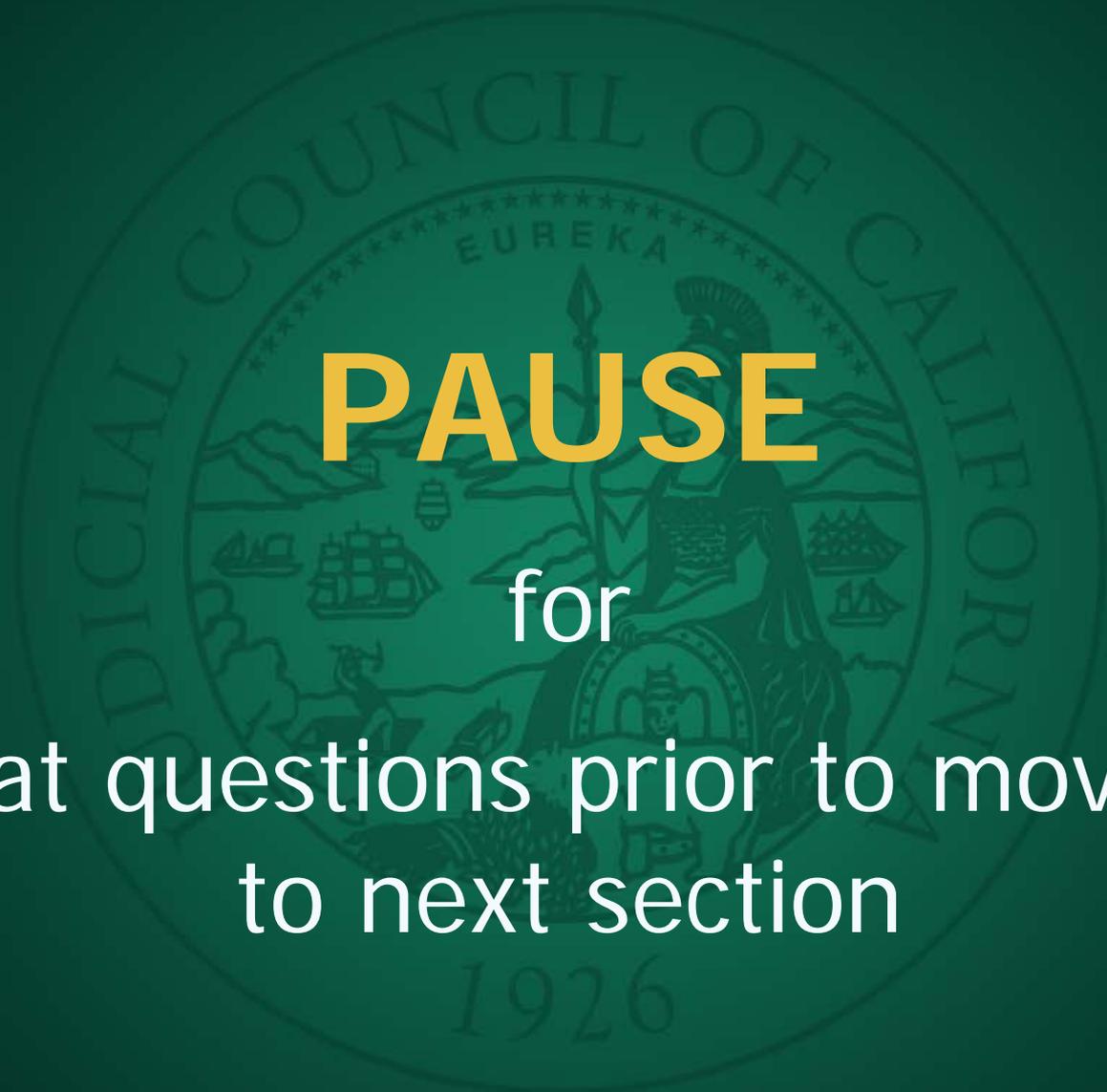


JUDICIAL COUNCIL
OF CALIFORNIA

Recap

- What are the Uniform Bail and Penalty Schedules? (UBPS)
- Judicial Council responsibilities
- Traffic Infraction Schedule
- “Total Bail” explained
- Countywide bail schedules
- UBPS as a guide
- Penalties and fees
- Specific changes to the 2018 edition
- Additional resources



The background of the slide features a large, faint, circular seal of the Judicial Council of California. The seal contains the text "JUDICIAL COUNCIL OF CALIFORNIA" around the top edge and "1926" at the bottom. In the center of the seal is a figure holding a scale and a sword, with the word "EUREKA" written above it. The seal is rendered in a light green color that blends with the dark green background.

PAUSE

for

chat questions prior to moving
to next section

Updates on Recent Legislation

http://www.courts.ca.gov/documents/2016_LegSummary.pdf?1511805631070



JUDICIAL COUNCIL
OF CALIFORNIA

Court-Related Legislation 2016



JUDICIAL COUNCIL OF CALIFORNIA

Summary of Court-Related Legislation

JUDICIAL COUNCIL OF CALIFORNIA – GOVERNMENTAL AFFAIRS

NOVEMBER 2016

During the first year of the 2015–2016 Legislative Session, the Legislature and Governor enacted numerous bills that affect the courts or are of general interest to the legal community. Brief descriptions of the measures of greatest interest follow, arranged according to subject matter. The document also includes a table summarizing new laws that create or expand crimes, as well as an index listing all the bills and the page numbers on which their descriptions can be found. Legislation that requires more detail is available as an appendix in the back of the document.

The effective date of legislation is stated with each measure. Urgency measures normally take effect upon enactment, and some other measures have delayed operative dates.

This *Summary* is intended to serve only as a guide to identify bills of interest; the bill descriptions are not a complete statement of statutory changes. Code section references are to the sections most directly affected by the bill; not all sections are necessarily cited.

Until the annual pocket parts are issued, bill texts can be examined in their chaptered form in *West's California Legislative Service* or *California Deering's Advance Legislative Service*, where they are published by chapter number. In addition, chaptered bills and legislative committee analyses can be accessed on the Internet at <http://leginfo.ca.gov>. Individual chapters may be ordered directly from the Legislative Bill Room, State Capitol, 10th Street, Room B32, Sacramento, California 95814, 916-445-2323.

- 2 Appellate
- 2 Budget
- 4 Civil
- 7 Court Facilities
- 8 Court Operations
- 8 Criminal Law and Procedure
- 14 Employer/Employee Issues
- 14 Family Law
- 15 Juvenile Delinquency
- 15 Juvenile Dependency
- 16 Probate and Mental Health
- 17 Redistricting
- 17 Traffic
- 19 Appendix A: 2016 New And Expanded Crimes
- 31 Index



JUDICIAL COUNCIL
OF CALIFORNIA

Court-Related Legislation 2016

APPENDIX A

2016 NEW AND EXPANDED CRIMES

BILL NUMBER AND CHAPTER, EFFECTIVE DATE, AND TITLE	CODE SECTION(S)	SUMMARY DESCRIPTION OF NEW LAW
AB 287 (Gordon), CH. 682 <i>Effective/Operative Date:</i> <i>January 1, 2017</i> Vehicle safety: recalls	VEH 3065, 11705, 11750-11762	Enacts the Consumer Automotive Recall Safety Act, which would prohibit a dealer or rental car company with a motor vehicle fleet of 34 or fewer loaner or rental vehicles from loaning, renting, or offering for loan or rent a vehicle subject to a manufacturer's recall after receiving a notice of the recall until the vehicle has been repaired, except as specified. Requires the Department of Motor Vehicles (DMV) to obtain a recall database report before mailing a notice of registration renewal to the registered owner of a vehicle and, if the recall database report indicates that the vehicle is subject to a manufacturer's recall, to include a specified recall disclosure statement with the notice of registration renewal. Expands the definition of a crime by creating new prohibitions, the violation of which would be a crime under existing law.
AB 516 (Mullin), CH. 90 <i>Effective/Operative Date:</i> <i>January 1, 2019</i> Vehicles: temporary license plates	VEH 1685, 4456, 4456.2, 4456.5, 4462, 4463, 5201, 5202, 5901, 6100, 11714, 38080	Commencing January 1, 2019, prohibits a person from displaying on a vehicle or presenting to a peace officer a temporary license plate that was not issued for that vehicle, as specified; makes counterfeiting a temporary license plate a felony; requires temporary license plates to be securely fastened to the vehicle for which they are issued; and requires a person, upon receipt of permanent license plates, to replace and destroy the temporary license plates.
AB 701 (Garcia, Cristina), CH. 848 <i>Effective/Operative Date:</i> <i>January 1, 2017</i> Sex crimes: rape	PEN 263.1	States the findings of the Legislature that all forms of nonconsensual sexual assault may be considered rape for purposes of the gravity of the offense and the support of survivors, and states that this is declarative of existing law.
AB 796 (Nazarian), CH. 493 <i>Effective/Operative Date:</i> <i>January 1, 2017</i> Health care coverage: autism and pervasive developmental disorders	H&S 1374.73; INS 10144.51	Deletes the January 1, 2017, sunset date on the requirement that every health care service plan contract and health insurance policy provide coverage for behavioral health treatment for pervasive developmental disorder or autism, thereby extending the operation of these provisions indefinitely. By extending the operation of these provisions, the violation of which is a crime by a health care service plan, creates a new crime.



2017 Legislation of Interest

- AB 390 (Santiago) – Changes when a pedestrian may be cited for crossing against a signal
- AB 503 (Lackey) – Requires ability to pay determination for unpaid parking violations and places other restrictions on how parking violation amounts may be enforced
- AB 1410 (Wood) – Extends the EMAT fee to 2020 and expands the use of the fee to include children's health care coverage
- AB 1625 (Rubio) – Allows parking at non-functioning meters
- SB 65 (Hill) – Makes both drinking alcohol and smoking marijuana while driving infractions



The background features a large, faint seal of the Council of California Judges. The seal is circular and contains a central figure holding a scale and a sword, surrounded by various symbols of justice and law. The text "COUNCIL OF CALIFORNIA JUDGES" is visible around the perimeter, and the year "1926" is at the bottom.

Futures Commission

Commission on the Future of
California's Court System

Futures Commission cont'd

1. Civil
2. Criminal/Traffic
3. Family/Juvenile
4. Fiscal/Court Administration
5. Technology



Futures Commission cont'd

- 2.2 Reduce certain misdemeanors to infractions
- 2.3 Refine adjudication/settlement of fines, fees & assessments
- **2.4 Implement a civil model for adjudication of minor traffic infractions**
- 4.2 Restructure fines and fees for infractions and unify the collection and distribution of revenue



Futures Commission cont'd

Visit the Commission online at:

<http://www.courts.ca.gov/futurescommission.htm>

Find the full report here:

<http://www.courts.ca.gov/documents/futures-commission-final-report.pdf>



JUDICIAL COUNCIL
OF CALIFORNIA

Other Activities

- Assembly Bill 103
- Statewide Traffic Amnesty Program
- Collections update



Assembly Bill 103

- Eliminated the hold/suspension of drivers license for failure to pay, effective June 27, 2017
- Added GC section 68514, requiring the reporting of additional information on criminal fines and fees related to infractions and misdemeanors, beginning October 1, 2018



GC 68514

Reporting Requirements:

- (1) Total non-delinquent revenue collected and the number of cases associated with those collections.
- (2) Total delinquent revenue collected and the number of cases associated with those collections, as reported by each superior court and county pursuant to section 1463.010 of the Penal Code.
- (3) Total amount of fines and fees dismissed, discharged, or satisfied by means other than payment.
- (4) A description of the collection activities used pursuant to section 1463.007 of the Penal Code.
- (5) The total amount collected per collection activity.
- (6) The total number of cases by collection activity and the total number of individuals associated with those cases.
- (7) Total administrative costs per collection activity.
- (8) The percentage of fines or fees that are defaulted on.



Statewide Traffic Amnesty Program

The FINAL numbers:

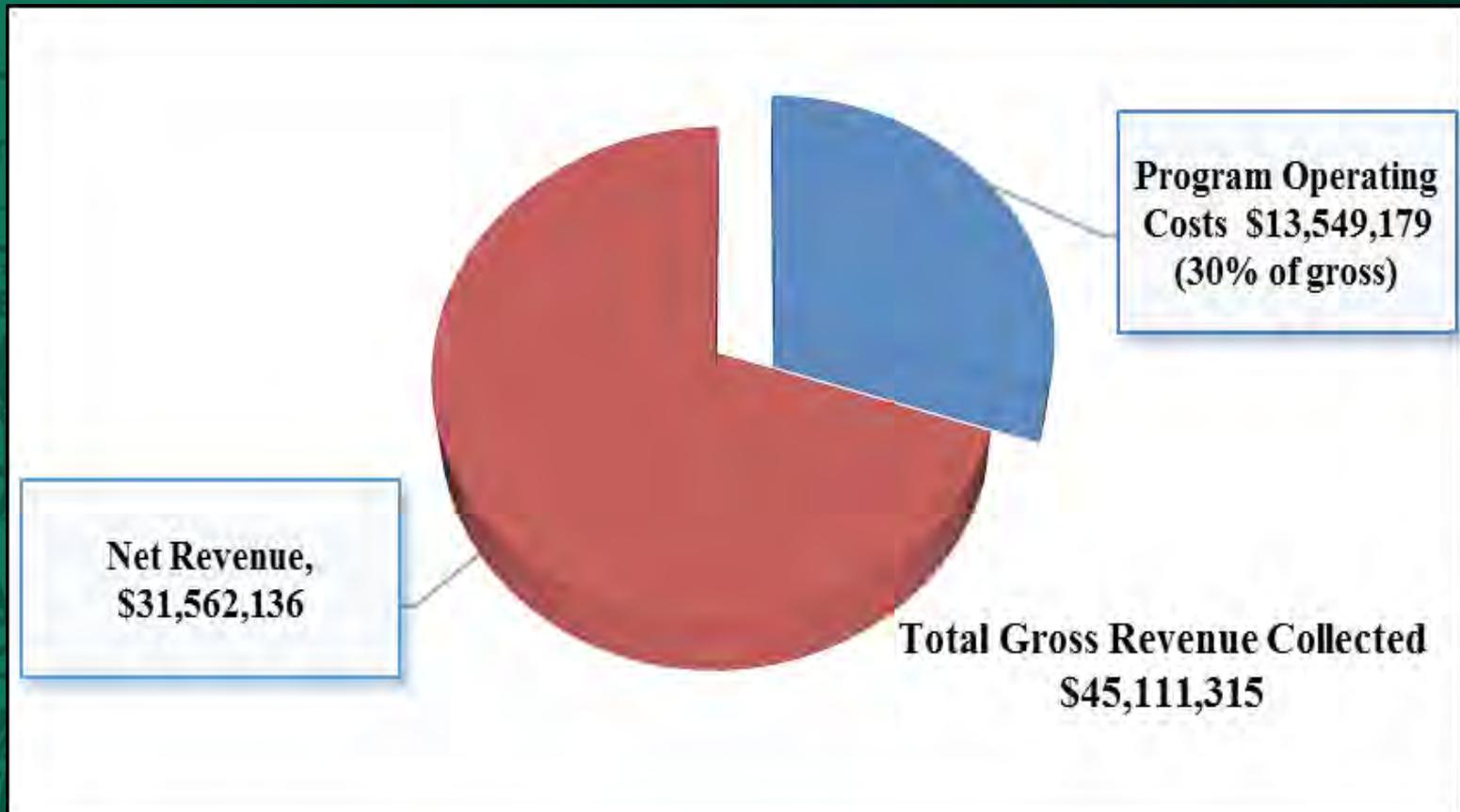
- 255,306 amnesty cases resolved
- \$45,111,315 gross revenue collected
- \$13,549,179 in program operating costs
- \$31,562,136 net revenue distributed
- Notifications for 246,000 driver's license hold/suspension submitted to the DMV

18-Month Statewide Infraction Amnesty Program report: www.courts.ca.gov/7466.htm

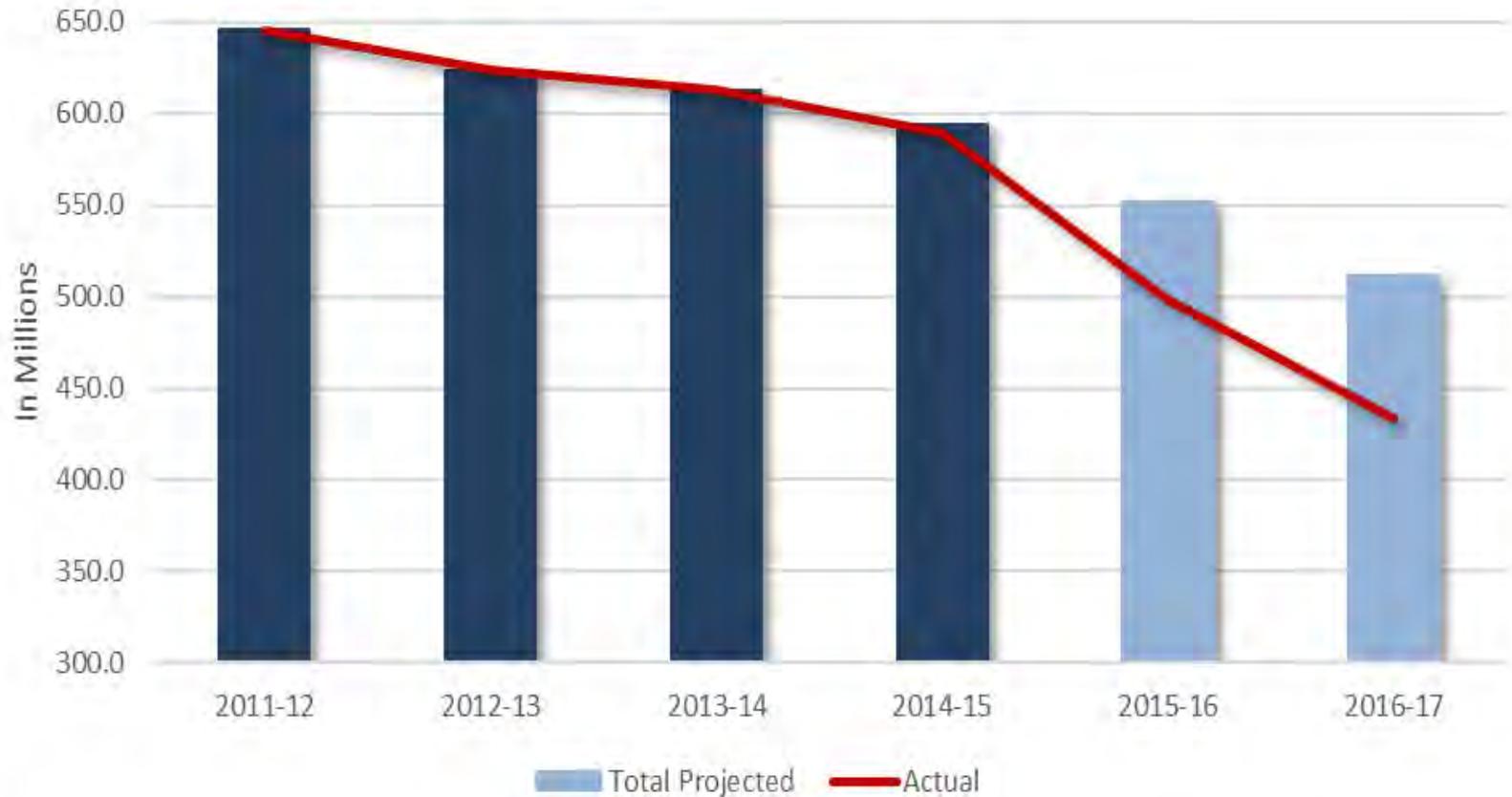


JUDICIAL COUNCIL
OF CALIFORNIA

Net Revenue and Operating Costs



Total Criminal, Fine, Fee, and Penalty Revenue Collections FY 2011-12 to 2016-17



Statewide Collections

FY 2016-17 totals:

- \$592.7 million in delinquent revenue collected
- \$104.5 million in operating costs recovered
- \$10.0 billion in outstanding delinquent debt

Report on Statewide Collection of Delinquent Court-Ordered Debt for 2016–17:
www.courts.ca.gov/7466.htm

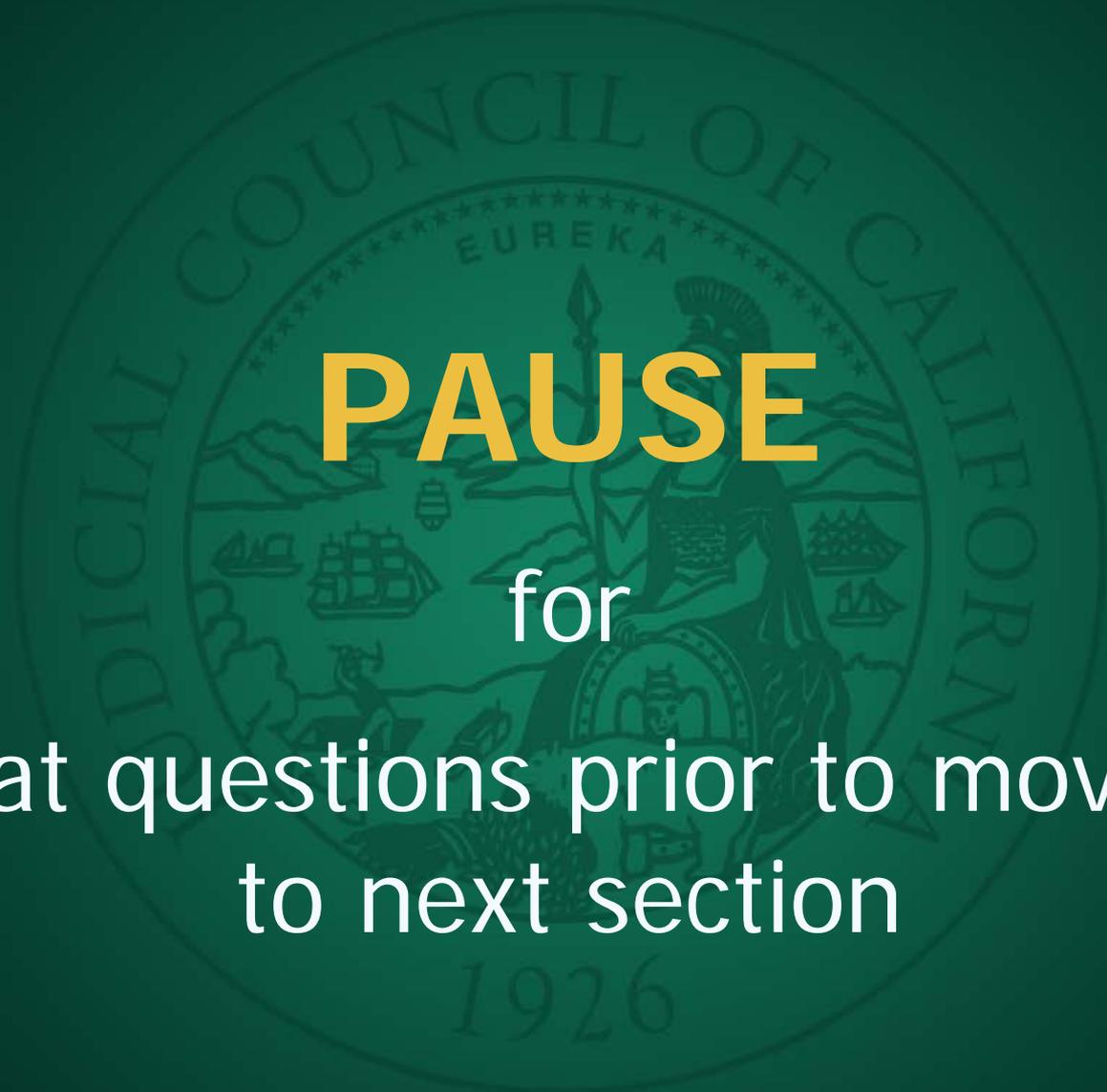


JUDICIAL COUNCIL
OF CALIFORNIA

Delinquent Revenue Collected FY 2008-09 to 2016-17



JUDICIAL COUNCIL
OF CALIFORNIA

The background of the slide features a large, faint, circular seal of the Judicial Council of California. The seal contains the text "JUDICIAL COUNCIL OF CALIFORNIA" around the top edge and "1926" at the bottom. In the center, there is a figure holding a scale and a sword, with the word "EUREKA" above it. The seal is rendered in a light green color that blends with the dark green background.

PAUSE

for

chat questions prior to moving
to next section

SAVE THE DATES!

6th Annual Revenue Distribution Training

- Dates and locations:
 - May 3, San Diego
 - May 15 and 16, Sacramento
- In-person trainings
- Plenary session and breakout groups
- What do you want to see/learn?
Send suggestions to revenueDistribution@jud.ca.gov



Resources and Links

State Controllers Office:

Revenue Distribution home page

http://www.sco.ca.gov/ard_trialcourt_manual_guidelines.html

California Courts:

Collections and Revenue Distribution home page

<http://www.courts.ca.gov/partners/collections.htm>

<http://www.courts.ca.gov/revenue-distribution.htm>

2018 Uniform Bail & Penalty Schedules

<http://www.courts.ca.gov/7532.htm>

Court-related legislation

<http://www.courts.ca.gov/4121.htm>



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Public Mailboxes

Franchise Tax Board, COD and IIC Programs

CODClientServices@ftb.ca.gov
iicgroup@ftb.ca.gov

Judicial Council, Funds and Revenues Unit

revenuedistribution@jud.ca.gov

State Controller's Office, Local Government Programs and Services Division

LocalGovPolicy@sco.ca.gov



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“CHAT” QUESTIONS RECEIVED



CLOSING

The End

Thank you!



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