



## JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue · San Francisco, California 94102-3688

[www.courts.ca.gov](http://www.courts.ca.gov)

---

# REPORT TO THE JUDICIAL COUNCIL

For business meeting on: December 12, 2014

---

Title	Agenda Item Type
Judicial Council–Sponsored Legislation: State Court Facilities Construction Fund Report	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Amend Gov. Code, § 70371.8	December 12, 2014
Recommended by	Date of Report
Policy Coordination and Liaison Committee	October 29, 2014
Hon. Kenneth K. So, Chair	Contact
Laura Speed, Assistant Director, Judicial Council Governmental Affairs	Laura Speed, 916-323-3121 <a href="mailto:laura.speed@jud.ca.gov">laura.speed@jud.ca.gov</a>

---

### Executive Summary

Government Code section 70371.8 requires the Judicial Council to report annually, by March 1, to the Joint Legislative Budget Committee and the chairs of the Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget on the status of each project established by the State Public Works Board under Government Code section 70371.7 to be funded by the Immediate and Critical Needs Account of the State Court Facilities Construction Fund. The report is required to include an accounting of the revenues generated and the expenditures made in the Immediate and Critical Needs Account.

In preparing this report for FY 2013–2014, the need to amend the due date in section 70371.8 for the report from March 1 to November 1 was raised. The actual expenditures per year-end Financial Statements for each fiscal year are not available until August. Judicial Council staff recommends sponsoring legislation that will change the due date from March 1 to November 1 to allow the report to be completed with the expenditure information as reported in year-end financial statements and to go through the Judicial Council review process before submission to the Legislature.

## **Recommendation**

The Judicial Council's Policy Coordination and Liaison Committee and Governmental Affairs office recommend sponsoring legislation to amend Government Code section 70371.8 to allow the annual report on the Immediate and Critical Needs Account of the State Court Facilities Construction Fund to be submitted to the Legislature by November 1 rather than March 1 each year.

## **Previous Council Action**

None.

## **Rationale for Recommendation**

This change is necessary to allow the report to be complete and as accurate as possible for submission to the Legislature. In order to submit the report by the current due date of March 1, the expenditures are merely estimates that are subject to change. Submitting the report to the Legislature each November will allow staff to include expenditures as reported in year-end financial statements and for the report to go through the Judicial Council review process, culminating in Judicial Council approval at the annual October meeting.

## **Comments, Alternatives Considered, and Policy Implications**

No alternatives were considered given the technical nature of this amendment and the need to complete the report after actual expenditures are determined.

## **Implementation Requirements, Costs, and Operational Impacts**

Because the law requires this report be done annually, changing the due date will not increase costs or workload. In fact, allowing the report to be prepared after year-end financial statements are completed will prevent staff from having to update the report for legislative staff to match expenditure information reflected in the annual Governor's Budget released every January.

## **Attachment**

1. Proposed amendments to Government Code section 70371.8, at page 3

Government Code section 70371.8 would be amended, effective January 1, 2016, to read:

1 The Judicial Council shall report to the Joint Legislative Budget Committee and chairs of the  
2 Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget by  
3 ~~March 1~~ November 1 of each year on the status of each project established by the State Public  
4 Works Board under Section 70371.7. The report shall also include an accounting of the revenues  
5 generated and expenditures made in the Immediate and Critical Needs Account.