

City of Sacramento  
State Legislature

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B I L L R E F E R R A L

DATE: MAR 6 1991 COMMITTEE ACTION: \_\_\_\_\_

TO: B. Masuolca DATE: March 27, 1991

FROM: KENNETH EMANUELS, LEGISLATIVE ADVOCATE

REPLY NO LATER THAN: MAR 20 1991

A.B. \_\_\_\_\_, As Amended \_\_\_\_\_ \* Author \_\_\_\_\_

S.B. bl, As Amended 2-27 \* Author A. Green  
\*Date of introduction or latest amendment

Please review the attached measure to determine its effect upon the City of Sacramento and complete the following questions as appropriate. During your analysis of this measure, if questions arise, please feel free to contact Ken Emanuels at 444-6789, FAX 444-0303, (1400 K Street, Suite 306, Sacramento, CA 95814.) This questionnaire should be returned to the City Attorney's Office for presentation to the Council Committee on Law and Legislation. PLEASE LEAVE THE BILL ATTACHED TO THIS FORM.

NO RECOMMENDATION. If you think no Committee action on this bill should be taken, either because the bill is not of sufficient importance to the City or for any other reason, please mark here, do not fill out the rest of the form, and return this form to the City Attorney's Office. \_\_\_\_\_.

PLEASE TYPE YOUR RESPONSE

1. Briefly describe the provisions of the bill (attach additional sheets if necessary).

This bill repeals Counties' authority to charge a booking fee. In its place it authorizes the Board of Supervisors to assess \$2 on every \$10 of fines, penalties, or forfeitures imposed and collected by the courts for criminal offenses. This revenue would be deposited in the Counties' general funds.

2. This measure should be: (Please circle desired position)

<u>Supported</u>	Opposed	Supported if Amended
Placed on Watch List		Other (explain)

3. Please explain your reasons for the above determination, including how this measure effects your Department and the fiscal impact of this measure on the City. Please make your comments in a format that can be used in a letter to state officials. (Continue on next page or attach additional sheets if necessary.)

This bill should be supported because it repeals a fee (the booking fee) which the city is opposed to. It replaces the booking fee with a revenue source which would be spread over both city and county residents and is more directly applied to those persons who

(Continue answer to Question No. 3 here)

impact the criminal justice/jail costs of the county.

4. Specify the City's legislative policy guideline(s) applicable to this measure (if any).

Support of this bill is consistent with the City's support to repeal SB 2557 which initially imposed the booking fee.

5. If this measure could be amended to either improve its favorable aspects or to minimize its adverse aspects, which amendments would you propose?

6. List known support or opposition to this measure by groups with which you are familiar and include addresses and phone numbers, if known. League of California Cities position:

All city entities support this bill. County entities such as the Sheriff's, etc. oppose this bill.

7. Does this bill involve a State-mandated local program? If so, does the bill contain a State-mandated waiver, or an appropriation for allocation and disbursement to local agencies pursuant to Revenue and Taxation Code Section 2231?

No.

8. Using a rating scale of 1 to 10 (with 10 as the most important), how important do you think this bill is to the City of Sacramento? 9

FORM COMPLETED BY:

Betty Masluck

DATE:

3/27/91

Introduced by Senator Cecil Green

December 5, 1990

An act to repeal Article 12 (commencing with Section 29950) of Chapter 2 of Division 3 of Title 3 of the Government Code, *and to add Section 1465.7 to the Penal Code*, relating to local government finance.

LEGISLATIVE COUNSEL'S DIGEST

SB 61, as amended, C. Green. Local government: financing: booking fees.

Existing law authorizes counties to impose fees upon other local agencies or colleges or universities for county costs incurred in processing or booking persons arrested by employees of other local agencies or colleges or universities and brought to county facilities for booking or detention.

This bill would repeal this authorization.

*Existing law authorizes counties to impose assessments on fines, penalties, and forfeitures imposed by the courts for various offenses, to be used for specified purposes.*

*This bill would authorize counties, upon the adoption of a resolution by the board of supervisors, to assess \$2 on every \$10 of fines, penalties, or forfeitures imposed and collected by the courts for criminal offenses, including all offenses involving a violation of a section of the Vehicle Code or local ordinance adopted pursuant to the Vehicle Code, except as specified, to be deposited in the general fund of the county for the purpose of reimbursing the county for expenses incurred with respect to the booking or other processing of persons arrested if the arrested persons are brought to the county jail for booking or detention.*

Vote: majority. Appropriation: no. Fiscal committee: no.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Article 12 (commencing with Section  
2 29550) of Chapter 2 of Division 3 of Title 3 of the  
3 Government Code is repealed.

4 SEC. 2. Section 1465.7 is added to the Penal Code, to  
5 read:

6 1465.7. In addition to the assessments levied by  
7 Section 1464 or 1465, or any other law, an additional  
8 assessment of two dollars (\$2) for every ten dollars (\$10)  
9 or fraction thereof, upon every fine, penalty, or forfeiture  
10 imposed and collected by the courts for criminal offenses,  
11 including all offenses involving a violation of a section of  
12 the Vehicle Code or any local ordinance adopted  
13 pursuant to the Vehicle Code, except offenses relating to  
14 parking or registration, or offenses by pedestrians or  
15 bicyclists, or where an order is made to pay a sum to the  
16 general fund of the county pursuant to clause (C) of  
17 paragraph (3) of subdivision (a) of Section 258 of the  
18 Welfare and Institutions Code, may be imposed by each  
19 county upon the adoption of a resolution of the board of  
20 supervisors. An assessment imposed by this section shall  
21 be deposited in the general fund of the county for the  
22 purpose of reimbursing the county for expenses incurred  
23 with respect to the booking or other processing of  
24 persons arrested if the arrested persons are brought to  
25 the county jail for booking or detention.

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