



RESOLUTION No. 192-2007
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

**RESOLUTION REGARDING ADDITIONAL ASSESSMENT FOR EMS FUND (MADDY FUND)
ON COURT IMPOSED AND COLLECTED FINES, PENALTIES, AND FORFEITURES**

WHEREAS, the El Dorado County Board of Supervisors established the Emergency Medical Services (EMS) Fund for the deposit of assessments on penalties, fines and forfeitures collected pursuant to Section 1465 of the Penal Code; and

WHEREAS, effective January 1, 2007, Government Code Section 76000.5 [added by Chapter 841 of the Statutes of 2006] provides that the County may impose an additional penalty of two dollars (\$2.00) for every ten dollars (\$10.00) or fraction thereof, upon various fines, penalties and forfeitures collected by the courts for criminal offenses to be used to provide additional funds to the EMS Fund; and

WHEREAS, Health and Safety Code Section 1797.98a [amended by Chapter 841 of the Statutes of 2006] provides that of the money deposited into the Fund pursuant to Section 76000.5 of the Government Code, fifteen percent (15%) shall utilized to improve access to, and coordination of, pediatric trauma and emergency services in the County, with preference given for funding to be given to hospitals that specialize in services to children, and physicians and surgeons who provide emergency care for children; and

WHEREAS, Health and Safety Code Section 1797.98a as amended by Chapter 841 of the Statutes of 2006 also provides that of the money deposited into the EMS Fund pursuant to Section 76000.5 of the Government Code, costs of administering money deposited into the Fund pursuant to Section 76000.5 of the Government Code shall be reimbursed from the money collected, not to exceed ten percent (10%);

NOW, THEREFORE, BE IT RESOLVED that pursuant to Government Code 76000.5, effective August 1, 2007 and thereafter, there shall be levied, in addition to the penalties prescribed by Government Code 76000, an additional penalty assessment of two dollars (\$2.00) for every ten dollars (\$10.00) or fraction thereof, which shall be collected, together with and in the same manner as the amounts established by Section 1464 of the Penal Code, upon every fine, penalty, or forfeiture imposed and collected by the courts for criminal offenses, including violations of Division 9 (commencing with Section 23000) of the Business and Professions Code relating to the control of alcoholic beverages, and all offenses involving a violation of the Vehicle Code or any local ordinance adopted pursuant to the Vehicle Code, except parking offenses subject to Article 3 (commencing with Section 40200) of Chapter 1 of Division 17 of the Vehicle Code.

BE IT FURTHER RESOLVED that all such additional assessments collected pursuant to Section 76000.5 of the Government Code shall be transferred to the County Auditor-Controller for deposit and account into the interest-bearing Emergency Medical Services Fund, and payments from the Emergency Medical Services Fund shall, in accordance with the requirements of Health and Safety Code Section 1797.98a, et seq., after reimbursement of costs of administering the Fund, which amount shall not exceed ten percent (10%) of the money collected, be distributed as follows:

- A. Of the total amount collected, reduced by the amount for administration, fifteen percent (15%) shall be to improve access to, and coordination of, pediatric trauma and emergency services in the County, with preference given for funding to be given to hospitals that specialize in services to children, and physicians and surgeons who provide emergency care for children
- B. The balance of the remaining eighty-five percent (85%) of the funds collected shall be distributed as follows:
1. Fifty-eight percent (58%) to physicians and surgeons for emergency medical services provided by all physicians and surgeons in general acute care hospitals that provide basic or comprehensive emergency services up to the time the patient is stabilized.
 2. Twenty-five percent (25%) to hospitals providing disproportionate trauma and emergency medical care services.
 3. Seventeen percent (17%) for other emergency medical services purposes through the local emergency medical services agency.

BE IT FURTHER RESOLVED that the Clerk of the Board is hereby directed to transmit to the Treasurer, Auditor-Controller and to the El Dorado County Superior Court, a copy of this Resolution.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 17th day of July, 2007, by the following vote of said Board:

Ayes: Sweeney, Santiago, Dupray, Briggs


Noes: None

Absent: Baumann

ATTEST

Cindy Keck
Clerk of the Board of Supervisors

By Marcie MacIsland
Deputy Clerk


Rusty Dupray
Board of Supervisors
First Vice-Chairman