



## Legislation Details (With Text)

**File #:** 15-1425      **Version:** 2

**Type:** Agenda Item      **Status:** Approved

**File created:** 12/1/2015      **In control:** Board of Supervisors

**On agenda:** 12/12/2017      **Final action:** 12/12/2017

**Title:** Probation Department recommending the Board adopt and authorize the Chair to sign Resolution 186-2017 to:  
1) Rescind Resolution 016-2016 upon the implementation of Senate Bill 190 and update the consolidated fee schedule to become effective January 1, 2018; and  
2) To supersede all previous Probation Department fee schedule Resolutions, excluding Resolution 251-2006, which shall remain unaffected.

**FUNDING:** Revenue reduction.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2A - 1.1.18 Fee Schedule Reso, Blue 12/12/17, 2. 2B - 1.1.18 Fee Schedule Reso 12/12/17, 3. 2C - Senate Bill 190 12/12/17, 4. Executed Resolution 186-2017, 5. A - Blue, Fee Schedule Reso 2-9-16, 6. B - Fee Schedule Reso 2-9-16, 7. C - Fee Summary 2-9-16, 8. Executed Resolution 016-2016 (2-9-16)

Date	Ver.	Action By	Action	Result
12/12/2017	2	Board of Supervisors	Approved	Pass
2/9/2016	1	Board of Supervisors	Approved	Pass

Probation Department recommending the Board adopt and authorize the Chair to sign Resolution **186-2017** to:

- 1) Rescind Resolution 016-2016 upon the implementation of Senate Bill 190 and update the consolidated fee schedule to become effective January 1, 2018; and
- 2) To supersede all previous Probation Department fee schedule Resolutions, excluding Resolution 251-2006, which shall remain unaffected.

**FUNDING:** Revenue reduction.

### DEPARTMENT RECOMMENDATION

Probation Department recommending the Board rescind Resolution 016-2016 and adopt a revised resolution to establish an updated consolidated fee schedule, effective January 1, 2018 due to the implementation of Senate Bill 190, which eliminated the ability of counties to charge user fees for juvenile probation services.

### DISCUSSION / BACKGROUND

Government Code Section 54985 authorizes the Board of Supervisors to adopt fees and charges. The Board adopted Resolution 016-2016 on February 9, 2016, item 24. The resolution includes references to the statutory fee authority from either the Penal Code (PC) or Welfare and Institutions Code (WIC) which, in some cases, caps the amount charged. The majority of the fees identified are ordered by the Court based on the responsible party's ability to pay. The Court has the authority to assess the maximum fee as identified in the resolution, reduce the fee or waive it completely.

With the upcoming implementation of Senate Bill 190 effective January 1, 2018, the Government, Penal, and Welfare and Institution Codes will be amended, removing Counties' authority to assess Juvenile Detention, Electronic Monitoring, Supervision, and Drug Testing fees within the juvenile delinquency system. As a result, the Probation Department's fee schedule must be revised to remove these fees. This resolution does not increase any fee previously adopted. The Probation Department will continue to assess the above juvenile fees as ordered by the Superior Court through December 31, 2017. In the interim, the Probation Department will be working with the Treasurer-Tax Collector's Revenue Recovery Division to analyze delinquent accounts to determine practicality of future collection efforts and bring back a recommendation to the Board.

## **ALTERNATIVES**

N/A

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

State of California, El Dorado County Superior Court

## **CAO RECOMMENDATION**

Approve as recommended.

## **FINANCIAL IMPACT**

Probation Department's current FY 2017/2018 budget included an estimated \$60,000 in revenue from the collection of Juvenile Fees. To date we have received \$22,204 in Care & Support fees and \$225 in juvenile supervision fees. Annual fee based revenue includes both current and past due amounts. An immediate but unknown negative impact to revenue is expected for FY 17/18. The collection of past due amounts in future years will continue to decline and eventually end.

## **CLERK OF THE BOARD FOLLOW UP ACTIONS**

1) Resolution to be signed by the Chair; One (1) certified copy to be returned to the Probation Department.

## **STRATEGIC PLAN COMPONENT**

## **CONTACT**

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