



Legislation Text

File #: 23-0868, **Version:** 1

Probation Department; Sheriff's Office and Superior Court of California, County of El Dorado recommending the Board:

- 1) Accept the recommended distribution of funds in the amount of \$111,814.53 for Fiscal Year (FY) 2021-22, and \$223,629.06 for FY 2022-23, to El Dorado County for criminal fees backfill pursuant to California Assembly Bill 199 (2022) (AB 199) and California Assembly Bill 177 (2021) (AB 177);
- 2) Deposit funding into an established Special Revenue Fund; and
- 3) Ratify submittal of a report to the State of California on the revenue loss from the inability to charge fees from AB 199 and AB 177, a report detailing how the backfill funds will be spent, and submittal of an annual status report to the State.

FUNDING: California AB 199 (2022). (100%)

DISCUSSION / BACKGROUND

AB 199 was signed by Governor Newsom on June 30, 2022 and decreased maximum civil assessment fees effective July 1, 2022; requires that revenue collected be transmitted to the State Treasurer for deposit into the State General Fund, rather than the Trial Court Trust Fund; requires courts to vacate any civil assessments imposed prior to July 1, 2022; and makes any amounts owed prior to July 1, 2022, uncollectable.

On December 7, 2021, with Legistar Item 21-0954, the Board discontinued collection of fees for all Probation accounts pursuant to AB 177 and discharged the debts for all Probation accounts with charges outlined in AB 177.

Additionally, AB 199 establishes backfill funding to counties for revenues lost due to the repealed and discharged fees outlined in AB 199 and AB 177. El Dorado County's backfill allocation for FY 2021-22 is \$111,814.53; and \$223,629.06 for FY 2022-23. Monies received will be assigned to the Probation Department (Probation), Sheriff's Office (EDSO), and Superior Court of California, County of El Dorado (Courts). Probation, EDSO, and Courts will each receive \$111,814.53. Future years' funding will be adjusted among the departments as necessary. Allocations are based on County adult population (50%), arrests (25%), and court filings (25%). Existing law appropriates funding through FY 2022-23 and each year thereafter, according to schedules which will be provided by the California Department of Finance.

The Narrative and Fiscal Loss of Revenue Report attached were submitted to the State on May 5, 2023 and needs to be ratified by the Board. The submittal of the report was delayed by 5 days after the due date due to delays in getting all of the required information from the agencies involved.

Further discontinuance and discharge of other criminal administrative fees was heard by the Board on May 17, 2022, with Legistar Item 22-0653. This item addressed Assembly Bill 143 (2021) (AB 143) and a recommended distribution of \$290,686.72 for FY 2021-22 for Probation, EDSO, and the Public Defender, and future year allocations. AB 143 backfill will continue through FY 2025-26.

ALTERNATIVES

The Board could choose not to approve this item and be out of compliance with State statute.

PRIOR BOARD ACTION

12/07/2021 Legistar Item 21-0954

05/17/2022 Legistar Item 22-0653

OTHER DEPARTMENT / AGENCY INVOLVEMENT

Sheriff's Office and Superior Court of California, County of El Dorado

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

Various criminal administrative fees pursuant to AB 199 and AB 177 were discontinued and discharged. AB 199 will provide \$111,814.53 to offset a portion of those fees for FY 2021-22 and \$223,629.06 for FY 2022-23.

CLERK OF THE BOARD FOLLOW UP ACTIONS

N/A

STRATEGIC PLAN COMPONENT

Good Governance, Public Safety

CONTACT

Jackie S. Cook, Administrative Analyst, 530-621-5588