

## Senate Bill No. 98

### CHAPTER 12

An act relating to the payment of judgments and settlement claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor January 28, 2004. Filed with Secretary of State January 28, 2004.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 98, Alpert. Claims against the state: appropriation.

Existing law requires the Attorney General to report to the Legislature when there is no sufficient appropriation available for the payment of a claim against the state.

This bill would appropriate \$8,609,276 from the General Fund, \$9,256,500 from the Motor Vehicle Account in the State Transportation Fund, \$263,000 from the State Highway Account in the State Transportation Fund, and \$1,730,500 from the Motor Vehicle License Fee Account in the Transportation Tax Fund to the Attorney General to pay judgments, settlements, and interest claims in accordance with specified schedules. It would appropriate \$7,926,000 from the Motor Vehicle Account in the State Transportation Fund to the Department of Motor Vehicles to pay a specified settlement claim. It would also reappropriate \$600,000 from an item in the Budget Act of 1999 to the Department of Housing and Community Development to pay a specified settlement claim.

The bill would declare that it is to take effect immediately as an urgency statute.

Appropriation: yes.

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

SECTION 1. The sum of seven million five hundred thousand dollars (\$7,500,000) is hereby appropriated from the General Fund to the Attorney General to pay for the judgment and interest in the case of Mark Bravo v. State of California, et al. (L.A. County Superior Court, Case No. BC 105876).

Any funds appropriated in excess of the amounts actually required for the payment of this judgment and interest claim shall revert to the General Fund on June 30 of the fiscal year in which the final payment is made.



SEC. 2. The sum of one million one hundred nine thousand two hundred seventy-six dollars (\$1,109,276) is hereby appropriated from the General Fund to the Attorney General to pay for the judgment in the case of Common Cause, et al. v. Bill Jones (D.C., C.D. Cal. No. 01-3470 SVW (RZX)).

SEC. 3. The sum of seven million dollars (\$7,000,000) is hereby appropriated from the Motor Vehicle Account in the State Transportation Fund to the Attorney General to pay for the settlement in the case of Lugtu v. California Highway Patrol (San Diego County Superior Court, Case No. N76651 Court of Appeal No. N040976).

SEC. 4. (a) The sum of two million two hundred fifty-six thousand five hundred dollars (\$2,256,500) is hereby appropriated from the Motor Vehicle Account in the State Transportation Fund to the Attorney General to pay for the settlement and interest costs in the case of Keep v. State of California, et al. (Los Angeles County Superior Court, Case No. BC 244537).

(b) The sum of two hundred sixty-three thousand dollars (\$263,000) is hereby appropriated from the State Highway Account in the State Transportation Fund to the Attorney General to pay the settlement and interest costs in the case of Keep v. State of California, et al. (Los Angeles County Superior Court, Case No. BC 244537).

(c) The sum of one million seven hundred thirty thousand five hundred dollars (\$1,730,500) is hereby appropriated from the Motor Vehicle License Fee Account in the Transportation Tax Fund to the Attorney General to pay the settlement and interest costs in the case of Keep v. State of California, et al. (Los Angeles County Superior Court, Case No. BC 244537).

(d) Any funds appropriated pursuant to this section in excess of the amounts actually required for the payment of the settlement and interest claims specified in this section shall revert to the fund from which it is appropriated on June 30 of the fiscal year in which the final payment is made.

SEC. 5. The sum of seven million nine hundred twenty-six thousand dollars (\$7,926,000) is hereby appropriated from the Motor Vehicle Account in the State Transportation Fund to the Department of Motor Vehicles for the settlement in the case of William Dare, et al. v. Department of Motor Vehicles (United States District Court, Central District, Case No. CV96-5569 JSL (ANX)).

SEC. 6. The sum of six hundred thousand dollars (\$600,000) is hereby reappropriated from Item 2240-102-0001 of Section 2.00 of the Budget Act of 1999 (Chapter 50 of the Statutes of 1999) to the Department of Housing and Community Development for the settlement of Vega, et al. v. Richard Mallory, the California Department



of Housing and Community Development, et al. (Sacramento County Superior Court, Case No. 97AS06548).

SEC. 7. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to pay judgments and settlement claims against the state and end hardship to claimants as quickly as possible, it is necessary for this act to take effect immediately.

