

ASSEMBLY BILL

No. 3017

Introduced by Assembly Member Mullin

February 24, 2006

An act to amend Section 1037.2 of the Penal Code, relating to changes of venue.

LEGISLATIVE COUNSEL'S DIGEST

AB 3017, as introduced, Mullin. Changes of venue: reimbursement.

Existing law provides that change of venue costs, as defined, shall be considered to be county costs to be paid by the transferring county to the receiving county.

This bill would provide that these county costs include, but are not limited to rental of furniture or equipment, inmate transportation, security and media information services, as specified.

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. Section 1037.2 of the Penal Code is amended to
2 read:
3 1037.2. (a) Change of venue costs, as defined in Section
4 1037, that are incurred by the receiving county and not defined as
5 court operations under Section 77003 of the Government Code or
6 Rule 810 of the California Rules of Court shall be considered to
7 be county costs to be paid by the transferring county to the
8 receiving county. *County costs include, but are not limited to,*
9 *alterations to a courthouse made that only resulted from the*
10 *transfer of the trial, rental of furniture or equipment that only*

1 *resulted from the transfer of the trial, inmate transportation*
2 *provided by the County Sheriff from the jail to the courthouse,*
3 *security of the inmate or other participants in the trial, rental of*
4 *jury parking lot, jury parking lot security, and information*
5 *services for the media.*

6 (b) Transferring counties shall approve a budget and a timeline
7 for the payment of county costs before the beginning of trial.

8 (c) Claims for the costs described in subdivision (a) shall be
9 forwarded to the treasurer and auditor of the transferring county
10 on a monthly basis. The treasurer shall pay the amount of county
11 costs out of the general funds of the transferring county within 30
12 days of receiving the claim for costs from the receiving county.

13 (d) (1) The transferring court may, in its sound discretion,
14 determine the reasonable and necessary costs under this section.

15 (2) The transferring court's approval of costs shall become
16 effective 10 days after the court has given written notice of the
17 costs to the auditor of the transferring county.

18 (3) During the 10-day period specified in paragraph (2), the
19 auditor of the transferring county may contest the costs approved
20 by the transferring court.

21 (4) If the auditor of the transferring county fails to contest the
22 costs within the 10-day period specified in paragraph (2), the
23 transferring county shall be deemed to have waived the right to
24 contest the imposition of these costs.