

**ASSEMBLY BILL**

**No. 2348**

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**Introduced by Assembly Member Yamada**

February 19, 2010

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An act to add and repeal Section 26840.14 of the Government Code, to add and repeal Section 103628.3 of the Health and Safety Code, and to add and repeal Section 18309.8 of the Welfare and Institutions Code, relating to domestic violence.

LEGISLATIVE COUNSEL'S DIGEST

AB 2348, as introduced, Yamada. Marriage licenses: vital records: fees: domestic violence.

Existing law requires the collection of fees for issuing marriage licenses and for providing certified copies of vital records, including marriage certificates, birth certificates, fetal death records, and death records. Existing law provides for the establishment of county domestic violence program special funds for the purpose of funding local domestic violence programs. Certain fees payable at the time a marriage license or a certified copy of any of the above vital records is issued may be collected by the county clerks for deposit into these funds. Existing law authorizes the Board of Supervisors of the County of Alameda, and the Board of Supervisors of the County of Solano, until January 1, 2011, and the Board of Supervisors of the County of Sonoma, until January 1, 2015, upon making certain findings and declarations, to authorize an increase in the fees for marriage licenses and confidential marriage licenses, up to a maximum increase of \$2. Existing law authorizes those boards of supervisors, and the City Council of the City of Berkeley, upon making certain findings and declarations, to authorize an increase in the fees for certified copies of certain vital records, up to a maximum

increase of \$2. Existing law authorizes those governmental entities to make further increases in those fees each year, as specified. Existing law requires these fees to be allocated for purposes relating to domestic violence prevention, intervention, and prosecution.

This bill, until January 1, 2016, would provide the same authorization to increase fees for certain vital records to the Board of Supervisors of the County of Yolo.

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 26840.14 is added to the Government  
2 Code, to read:

3 26840.14. (a) The Board of Supervisors of the County of Yolo,  
4 upon making findings and declarations on the need for  
5 governmental oversight and coordination of the multiple agencies  
6 dealing with domestic violence, may authorize an increase in the  
7 fees for marriage licenses and confidential marriage licenses, up  
8 to a maximum increase of two dollars (\$2).

9 (b) Effective July 1 of each year, the board of supervisors may  
10 authorize an increase in these fees by an amount equal to the  
11 increase in the Consumer Price Index for the San Francisco  
12 metropolitan area for the preceding calendar year, rounded to the  
13 nearest one-half dollar (\$0.50). The fees shall be allocated pursuant  
14 to Section 18309.6 of the Welfare and Institutions Code.

15 (c) In addition to the fee prescribed by Section 26840.1, in Yolo  
16 County, the person issuing authorization for the performance of a  
17 marriage or confidential marriage, or the county clerk upon  
18 providing a blank authorization form pursuant to Part 4  
19 (commencing with Section 500) of Division 3 of the Family Code,  
20 shall collect the fees specified in subdivisions (a) and (b), at the  
21 time of providing the authorization.

22 (d) If the board of supervisors exercises its authority pursuant  
23 to this section, it shall submit to the Assembly Committee on  
24 Judiciary and Senate Committee on Judiciary a preliminary report  
25 no later than July 1, 2014, and a final report no later than July 1,  
26 2015. Both reports shall contain the following information:

27 (1) The annual amounts of funds received and expended from  
28 fee increases for the purpose of governmental oversight and

1 coordination of domestic violence prevention, intervention, and  
2 prosecution efforts in the county.

3 (2) Outcomes achieved as a result of the activities associated  
4 with the implementation of this section.

5 (e) This section shall remain in effect only until January 1, 2016,  
6 and as of that date is repealed, unless a later enacted statute, that  
7 is enacted before January 1, 2016, deletes or extends that date.

8 SEC. 2. Section 103628.3 is added to the Health and Safety  
9 Code, to read:

10 103628.3. (a) The Board of Supervisors of the County of Yolo,  
11 upon making findings and declarations on the need for  
12 governmental oversight and coordination of the multiple agencies  
13 dealing with domestic violence, may authorize an increase in the  
14 fees for certified copies of marriage certificates, fetal death records,  
15 and death records, up to a maximum increase of two dollars (\$2).

16 (b) Effective July 1 of each year, the board of supervisors may  
17 authorize an increase in these fees by an amount equal to the  
18 increase in the Consumer Price Index for the San Francisco  
19 metropolitan area for the preceding calendar year, rounded to the  
20 nearest one-half dollar (\$0.50). The fees shall be allocated pursuant  
21 to Section 18309.6 of the Welfare and Institutions Code.

22 (c) In addition to the fees prescribed by subdivisions (a) and  
23 (b), any applicant for a certified copy of a fetal death record or  
24 death record in Yolo County shall pay an additional fee to the local  
25 registrar, county recorder, or county clerk as established by the  
26 board of supervisors.

27 (d) This section shall remain in effect only until January 1, 2015,  
28 and as of that date is repealed, unless a later enacted statute, that  
29 is enacted before January 1, 2015, deletes or extends that date.

30 SEC. 3. Section 18309.8 is added to the Welfare and  
31 Institutions Code, to read:

32 18309.8. (a) The Board of Supervisors of the County of Yolo  
33 shall direct the local registrar, county recorder, and county clerk  
34 to deposit fees collected pursuant to Section 26840.12 of the  
35 Government Code and Section 103628.2 of the Health and Safety  
36 Code into a special fund.

37 The county may retain up to 4 percent of the fund for  
38 administrative costs associated with the collection and segregation  
39 of the additional fees and the deposit of these fees into the special  
40 fund. Proceeds from the fund shall be used for governmental

1 oversight and coordination of domestic violence and family  
2 violence prevention, intervention, and prosecution efforts among  
3 the court system, the district attorney’s office, the public defender’s  
4 office, law enforcement, the probation department, mental health,  
5 substance abuse, child welfare services, adult protective services,  
6 and community-based organizations and other agencies working  
7 in Yolo County in order to increase the effectiveness of prevention,  
8 early intervention, and prosecution of domestic and family  
9 violence.

10 (b) This section shall remain in effect only until January 1, 2016,  
11 and as of that date is repealed, unless a later enacted statute, that  
12 is enacted before January 1, 2016, deletes or extends that date.

13 SEC. 4. Due to the unique circumstances of Yolo County with  
14 respect to domestic violence, the Legislature hereby finds and  
15 declares that a general statute cannot be made applicable within  
16 the meaning of Section 16 of Article IV of the California  
17 Constitution. Therefore, the special legislation contained in this  
18 bill is necessarily applicable only to Yolo County.