

AMENDED IN ASSEMBLY MAY 17, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 139**

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**Introduced by Assembly Member Fuentes**

January 13, 2011

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An act relating to state claims, *making an appropriation therefor*, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 139, as amended, Fuentes. State claims.

Existing law requires the California Victim Compensation and Government Claims Board to ensure that all claims that have been approved by the board and for which there exists no legally available appropriation, are submitted for legislative approval at least twice each calendar year.

~~This bill declares the intent of the Legislature to appropriate funds for the payment of claims allowed by the board.~~

*This bill would appropriate \$83,996.50 from various funds to the Executive Officer of the California Victim Compensation and Government Claims Board to pay claims accepted by the board. The bill would require the Controller, upon the request of the board, in a form prescribed by the Controller, to transfer surcharges and fees from specified Budget Act items of appropriation identified in the bill to Item 1870-001-0001 of Section 2.00 of the Budget Act of 2011.*

*This bill also would appropriate to the board \$162,700 to pay a specified claim accepted by the board.*

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

Vote:  $\frac{2}{3}$ . Appropriation: ~~no~~-yes. Fiscal committee: ~~no~~-yes.  
State-mandated local program: no.

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

1 SECTION 1. (a) *The sum of eighty-three thousand nine*  
2 *hundred ninety-six dollars and fifty cents (\$83,996.50) is hereby*  
3 *appropriated from the various funds, as specified in subdivision*  
4 *(b), to the Executive Officer of the California Victim Compensation*  
5 *and Government Claims Board for the payment of claims accepted*  
6 *by the board in accordance with the schedule set forth in*  
7 *subdivision (b).*

8 (b) *Pursuant to subdivision (a), claims accepted by the*  
9 *California Victim Compensation and Government Claims Board*  
10 *shall be paid in accordance with the following schedule:*

11 *Total for Fund: General Fund (0001) ..... \$83,996.50*

12 SEC. 2. *Upon the request of the California Victim*  
13 *Compensation and Government Claims Board in a form prescribed*  
14 *by the Controller, the Controller shall transfer surcharges and*  
15 *fees from the Budget Act items of appropriation identified in*  
16 *subdivision (b) of Section 1 to Item 1870-001-0001 of Section 2.00*  
17 *of the Budget Act of 2011. For each Budget Act item of*  
18 *appropriation, this amount shall not exceed the cumulative total*  
19 *of the per claim filing fees authorized by subdivision (b) of Section*  
20 *905.2 of the Government Code and the surcharge authorized by*  
21 *subdivision (f) of Section 905.2 of the Government Code. For those*  
22 *items in subdivision (b) of Section 1 that do not reflect a Budget*  
23 *Act appropriation, the Controller shall transfer an amount not to*  
24 *exceed the cumulative total of the per claim filing fees authorized*  
25 *by subdivision (b) of Section 905.2 of the Government Code and*  
26 *the surcharge authorized by subdivision (f) of Section 905.2 of the*  
27 *Government Code. This amount shall be transferred for support*  
28 *of the board as reimbursements to Item 1870-001-0001 of Section*  
29 *2.00 of the Budget Act of 2011. The board shall provide a report*  
30 *of the amounts recovered pursuant to this authority to the*  
31 *Department of Finance within 90 days of the enactment of this act.*

32 SEC. 3. *The sum of one hundred sixty-two thousand seven*  
33 *hundred dollars (\$162,700) is hereby appropriated from the*  
34 *General Fund to the Executive Officer of the California Victim*  
35 *Compensation and Government Claims Board for the payment of*

1 *Claim No. G581280 (In the Matter of the Claim of Robert Cuevas)*  
2 *accepted by the board and reported to the Legislature pursuant*  
3 *to Section 4904 of the Penal Code.*

4 *SEC. 4. This act is an urgency statute necessary for the*  
5 *immediate preservation of the public peace, health, or safety within*  
6 *the meaning of Article IV of the Constitution and shall go into*  
7 *immediate effect. The facts constituting the necessity are:*

8 *In order to settle claims against the state and to end hardship*  
9 *to claimants as quickly as possible, it is necessary for this act to*  
10 *take effect immediately.*

11 ~~SECTION 1. It is the intent of the Legislature to appropriate~~  
12 ~~funds for the payment of claims against the state approved by the~~  
13 ~~California Victim Compensation and Government Claims Board.~~

14 ~~SEC. 2. This act is an urgency statute necessary for the~~  
15 ~~immediate preservation of the public peace, health, or safety within~~  
16 ~~the meaning of Article IV of the Constitution and shall go into~~  
17 ~~immediate effect. The facts constituting the necessity are:~~

18 ~~In order to pay claims against the state and end hardship to~~  
19 ~~claimants as quickly as possible, it is necessary that this bill go~~  
20 ~~into immediate effect.~~