

AMENDED IN ASSEMBLY AUGUST 5, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 234**

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**Introduced by Assembly Member Gatto**

February 5, 2013

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

LEGISLATIVE COUNSEL'S DIGEST

AB 234, as amended, Gatto. Claims against the state: payment.

Current law authorizes a procedure for the state to pay claims against the state.

This bill would ~~state the intent of the Legislature to appropriate funds in the prescribed amounts for the payment of claims against the state; as presented by the Attorney General, and to have any appropriated funds in excess of the amount required to pay those claims revert to the General Fund.~~

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. The Legislature intends to appropriate funds for~~
- 2 ~~the payment of claims against the state presented by the Attorney~~
- 3 ~~General. Any funds appropriated in excess of the amounts actually~~

1 ~~required for the payment of a claim shall revert to the General~~  
2 ~~Fund on June 30 of the fiscal year in which the payment is made.~~

3 *SECTION 1. The sum of twenty million seven hundred fifty*  
4 *thousand dollars (\$20,750,000) is hereby appropriated from the*  
5 *General Fund to the Department of Justice to be allocated in*  
6 *accordance with the following schedule:*

7 *(a) The sum of five million seven hundred fifty thousand dollars*  
8 *(\$5,750,000) to the Department of Justice to pay the settlement in*  
9 *Thomas v. State of California, Alameda County Superior Court*  
10 *No. RG 12654728. Any funds appropriated in excess of the amount*  
11 *required for the payment of this claim shall revert to the General*  
12 *Fund.*

13 *(b) The sum of fifteen million dollars (\$15,000,000) to the*  
14 *Department of Justice to pay the settlement in Amethyst Kirwin,*  
15 *et al. v. Timothy McClelland, et al, San Bernadino Superior Court*  
16 *No. CIVDS1302436. Any funds appropriated in excess of the*  
17 *amount required for the payment of this claim shall revert to the*  
18 *General Fund.*

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

23 In order to pay claims against the state and end hardship to  
24 claimants as quickly as possible, it is necessary that this bill go  
25 into immediate effect.