

ASSEMBLY BILL

No. 1861

Introduced by Assembly Member Harkey

February 19, 2014

An act to amend the Budget Act of 2013 (Chapter 20 of the Statutes of 2013) by amending Item 8885-295-0001 of Section 2.00 of that act, relating to the state budget, and making an appropriation therefor, to take effect immediately, budget bill.

LEGISLATIVE COUNSEL'S DIGEST

AB 1861, as introduced, Harkey. Committee on Budget. Budget Act of 2013

The Budget Act of 2013 suspends reimbursements for local agencies and school districts for certain state-mandated local programs.

This bill would amend the Budget Act of 2013 by removing voter identification procedures from the list of suspended state-mandated local programs. The bill would appropriate \$7,553,000 from the General Fund to pay for mandate claims for Voter Identification Procedures, as specified.

This bill would declare that it is to take effect immediately as a Budget Bill.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

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

- 1 SECTION 1. Item 8885-295-0001 of Section 2.00 of the Budget
- 2 Act of 2013 is amended to read:

1 8885-295-0001—For local assistance for reimbursement, in
 2 accordance with the provisions of Section 6 of Article
 3 XIII B of the California Constitution or Section 17561 of
 4 the Government Code, of the costs of any new program
 5 or increased level of service of an existing program man-
 6 dated by statute or Executive order, for disbursement by
 7 the Controller for claims for costs incurred during the
 8 specified periods..... 48,359,000
 9 55,912,000

10 Schedule:

- 11 (1) For payment of the following mandate
- 12 claims for costs incurred in the 2004–05
- 13 through 2011–12 fiscal years..... 48,359,000
- 14 (a) Allocation of Property
- 15 Tax Revenues (Ch.
- 16 697, Stats. 1992)
- 17 (CSM-4448)..... 520,000
- 18 (b) Crime Victims’ Domes-
- 19 tic Violence Incident
- 20 Reports (Ch. 1022,
- 21 Stats.1999) (99-TC-
- 22 08)..... 175,000
- 23 (c) Custody of Minors-
- 24 Child Abduction and
- 25 Recovery (Ch. 1399,
- 26 Stats. 1976; Ch. 162,
- 27 Stats. 1992; and Ch.
- 28 988, Stats. 1996)
- 29 (CSM-4237)..... 11,977,000
- 30 (d) Domestic Violence
- 31 Arrest Policies (Ch.
- 32 246, Stats. 1995)
- 33 (CSM-96-362-02)..... 7,334,000
- 34 (e) Domestic Violence
- 35 Arrests and Victims
- 36 Assistance (Chs. 698
- 37 and 702, Stats. 1998)
- 38 (98-TC-14)..... 1,438,000

1	(f) Domestic Violence	
2	Treatment Services	
3	(Ch. 183, Stats. 1992)	
4	(CSM-96-281-01).....	2,041,000
5	(g) Health Benefits for	
6	Survivors of Peace Of-	
7	ficers and Firefighters	
8	(Ch. 1120, Stats. 1996)	
9	(97-TC-25).....	1,780,000
10	(h) Medi-Cal Beneficiary	
11	Death Notices (Chs.	
12	102 and 1163, Stats.	
13	1981) (CSM-4032).....	10,000
14	(i) Peace Officer Person-	
15	nel Records: Unfound-	
16	ed Complaints and	
17	Discovery (Ch. 630,	
18	Stats. 1978; Ch. 741,	
19	Stats. 1994) (00-TC-	
20	24).....	690,000
21	(j) Rape Victim Counsel-	
22	ing (Ch. 999, Stats.	
23	1991) (CSM-4426).....	344,000
24	(k) Sexually Violent	
25	Predators (Chs. 762	
26	and 763, Stats. 1995)	
27	(CSM-4509).....	21,792,000
28	(l) Threats Against Peace	
29	Officers (Ch. 1249,	
30	Stats. 1992; Ch. 666,	
31	Stats. 1995) (CSM-96-	
32	365-02).....	3,000
33	(m) Unitary Countywide	
34	Tax Rates (Ch. 921,	
35	Stats. 1987) (CSM-	
36	4317 and CSM-	
37	4355).....	255,000

1	(1.5) For payment of mandate claims for the	
2	2002-03 through 2011-12 fiscal years	
3	For Voter Identification Procedures	
4	(Ch. 260, Stats. 2000) (03-TC-23).....	7,553,000
5	(2) For payment of mandate claims for the	
6	2005-06 through 2011-12 fiscal years	
7	for the Peace Officers' Procedural Bill	
8	of Rights Act (Ch. 675, Stats. 1990)	
9	(CSM-4499).....	0
10	(2.5) For payment of mandate claims for the	
11	2001-02 through 2011-12 fiscal years	
12	for the Local Government Employment	
13	Relations Mandate (Ch. 901, Stats.	
14	2000) (01-TC-30).....	0
15	(3) Pursuant to the provisions of Section	
16	17581 of the Government Code, the	
17	mandates identified in the following	
18	schedule are specifically identified by	
19	the Legislature for suspension during	
20	the 2013-14 fiscal year.....	0
21	(a) Absentee Ballots (Ch. 77, Stats. 1978 and Ch.	
22	1032, Stats. 2002) (CSM-3713)	
23	(b) Absentee Ballots-Tabulation by Precinct (Ch. 697,	
24	Stats. 1999) (00-TC-08)	
25	(c) Adult Felony Restitution (Ch. 1123, Stats. 1977)	
26	(04-LM-08)	
27	(d) AIDS/Search Warrant (Ch. 1088, Stats. 1988)	
28	(CSM-4392)	
29	(e) Airport Land Use Commission/Plans (Ch. 644,	
30	Stats. 1994) (CSM-4507)	
31	(f) Animal Adoption (Ch. 752, Stats. 1998 and Ch.	
32	313, Stats. 2004) (04-PGA-01, 98-TC-11)	
33	(g) Brendon Maguire Act (Ch. 391, Stats. 1988)	
34	(CSM-4357)	
35	(i) Conservatorship: Developmentally Disabled	
36	Adults (Ch. 1304, Stats. 1980) (04-LM-13)	
37	(j) Coroners' Costs (Ch. 498, Stats. 1977) (04-LM-	
38	07)	
39	(k) Crime Statistics Reports for the Department of	
40	Justice (Ch. 1172, Stats. 1989; Ch. 1338, Stats.	

- 1 1992; Ch. 1230, Stats. 1993; Ch. 933, Stats. 1998;
- 2 Ch. 571, Stats. 1999; and Ch. 626, Stats. 2000)
- 3 (02-TC-04 and 02-TC-11) and Crime Statistics
- 4 Reports for the Department of Justice Amended
- 5 (Ch. 700, Stats. 2004) (07-TC-10)
- 6 (l) Crime Victims' Domestic Violence Incident Re-
- 7 ports II (Ch. 483, Stats. 2001; Ch. 833, Stats.
- 8 2002) (02-TC-18)
- 9 (m) Deaf Teletype Equipment (Ch. 1032, Stats. 1980)
- 10 (04-LM-11)
- 11 (n) Developmentally Disabled Attorneys' Services
- 12 (Ch. 694, Stats. 1975) (04-LM-03)
- 13 (o) DNA Database & Amendments to Postmortem
- 14 Examinations: Unidentified Bodies (Ch. 822,
- 15 Stats. 2000; Ch. 467, Stats. 2001) (00-TC-27 and
- 16 02-TC-39)
- 17 (p) Domestic Violence Background Checks (Ch. 713,
- 18 Stats. 2001) (01-TC-29)
- 19 (q) Domestic Violence Information (Ch. 1609, Stats.
- 20 1984 and Ch. 668, Stats. 1985) (CSM-4222)
- 21 (r) Elder Abuse, Law Enforcement Training (Ch.
- 22 444, Stats. 1997) (98-TC-12)
- 23 (s) Extended Commitment, Youth Authority (Ch.
- 24 267, Stats. 1998 and Ch. 546, Stats. 1984) (98-
- 25 TC-13)
- 26 (t) False Reports of Police Misconduct (Ch. 590,
- 27 Stats. 1995 and Ch. 289, Stats. 2000) (00-TC-26)
- 28 (u) Fifteen-Day Close of Voter Registration (Ch. 899,
- 29 Stats. 2000) (01-TC-15)
- 30 (v) Firearm Hearings for Discharged Inpatients (Ch.
- 31 578, Stats. 1999) (99-TC-11)
- 32 (w) Grand Jury Proceedings (Ch. 1170, Stats. 1996;
- 33 Ch. 443, Stats. 1997; and Ch. 230, Stats. 1998)
- 34 (98-TC-27)
- 35 (x) Handicapped Voter Access Information (Ch. 494,
- 36 Stats. 1979) (CSM-4363)
- 37 (y) Identity Theft (Ch. 956, Stats. 2000) (03-TC-08)
- 38 (z) In-Home Supportive Services II (Ch. 445, Stats.
- 39 2000 and Ch. 90, Stats. 1999) (00-TC-23)

- 1 (aa) Inmate AIDS Testing (Ch. 1579, Stats. 1988 and
2 Ch. 768, Stats. 1991) (CSM-4369 and CSM-
3 4429)
- 4 (cc) Judiciary Proceedings (Ch. 644, Stats. 1980)
5 (CSM-4366)
- 6 (dd) Law Enforcement Sexual Harassment Training
7 (Ch. 126, Stats. 1993) (97-TC-07)
- 8 (ff) Local Coastal Plans (Ch. 1330, Stats. 1976)
9 (CSM-4431)
- 10 (gg) Mandate Reimbursement Process (Ch. 486, Stats.
11 1975 and Ch. 1459, Stats. 1984) (CSM-4204 and
12 CSM-4485)
- 13 (hh) Mandate Reimbursement Process II (Ch. 890,
14 Stats. 2004) (05-TC-05) (Suspension of Mandate
15 Reimbursement Process and Mandate Reimburse-
16 ment Process II includes suspension of the Con-
17 solidation of Mandate Reimbursement Process I
18 and II)
- 19 (ii) Mentally Disordered Offenders: Treatment as a
20 Condition of Parole (Ch. 228, Stats. 1989 and Ch.
21 706, Stats. 1994) (00-TC-28, 05-TC-06)
- 22 (jj) Mentally Disordered Offenders' Extended Com-
23 mitments Proceedings (Ch. 435, Stats. 1991; Ch.
24 1418, Stats. 1985; Ch. 858, Stats. 1986; Ch. 687,
25 Stats. 1987; Chs. 657 and 658, Stats. 1988; Ch.
26 228, Stats. 1989; and Ch. 324, Stats. 2000) (98-
27 TC-09)
- 28 (kk) Mentally Disordered Sex Offenders' Recommit-
29 ments (Ch. 1036, Stats. 1978) (04-LM-09)
- 30 (ll) Mentally Retarded Defendants Representation
31 (Ch. 1253, Stats. 1980) (04-LM-12)
- 32 (mm) Missing Persons Report (Ch. 1456, Stats. 1988
33 and Ch. 59, Stats. 1993) (CSM-4255, CSM-
34 4368, and CSM-4484)
- 35 (nn) Modified Primary Election (Ch. 898, Stats. 2000)
36 (01-TC-13)
- 37 (oo) Not Guilty by Reason of Insanity (Ch. 1114,
38 Stats. 1979 and Ch. 650, Stats. 1982) (CSM-
39 2753) (05-PGA-35)

- 1 (pp) Open Meetings Act/Brown Act Reform (Ch. 641,
2 Stats. 1986 and Chs. 1136, 1137, and 1138, Stats.
3 1993) (CSM-4257 and CSM-4469)
- 4 (qq) Pacific Beach Safety: Water Quality and Closures
5 (Ch. 961, Stats. 1992) (CSM-4432)
- 6 (rr) Perinatal Services (Ch. 1603, Stats. 1990) (CSM-
7 4397) (05-PGA-38)
- 8 (ss) Permanent Absent Voters II (Ch. 922, Stats. 2001,
9 Ch. 664, Stats. 2002, and Ch. 347, Stats. 2003)
10 (03-TC-11)
- 11 (tt) Personal Safety Alarm Devices (8 Cal. Code Regs.
12 3401 (c)) (CSM-4087)
- 13 (uu) Photographic Record of Evidence (Ch. 875, Stats.
14 1985; Ch. 734, Stats. 1986; and Ch. 382, Stats.
15 1990) (98-TC-07)
- 16 (vv) Pocket Masks (Ch. 1334, Stats. 1987) (CSM-
17 4291)
- 18 (ww) Post Conviction: DNA Court Proceedings (Ch.
19 943, Stats. 2001 and Ch. 821, Stats. 2000) (00-
20 TC-21 and 01-TC-08)
- 21 (xx) Postmortem Examinations: Unidentified Bodies,
22 Human Remains (Ch. 284, Stats. 2000) (00-TC-
23 18)
- 24 (yy) Prisoner Parental Rights (Ch. 820, Stats. 1991)
25 (CSM-4427)
- 26 (zz) Senior Citizens Property Tax Postponement (Ch.
27 1242, Stats. 1977 and Ch. 43, Stats. 1978) (CSM-
28 4359)
- 29 (aaa) Sex Crime Confidentiality (Ch. 502, Stats. 1992;
30 Ch. 36, 1993–94 1st Ex. Sess.; and Ch. 555,
31 Stats. 1993) (98-TC-21)
- 32 (bbb) Sex Offenders: Disclosure by Law Enforcement
33 Officers (Chs. 908 and 909, Stats. 1996; Chs.
34 17, 80, 817, 818, 819, 820, and 822, Stats. 1997;
35 and Chs. 485, 550, 927, 928, 929, and 930,
36 Stats. 1998) (97-TC-15)
- 37 (ccc) SIDS Autopsies (Ch. 955, Stats. 1989) (CSM-
38 4393)
- 39 (ddd) SIDS Contacts by Local Health Officers (Ch.
40 268, Stats. 1991) (CSM-4424)

- 1 (eee) SIDS Training for Firefighters (Ch. 1111, Stats.
- 2 1989) (CSM-4412)
- 3 (fff) Stolen Vehicle Notification (Ch. 337, Stats. 1990)
- 4 (CSM-4403)
- 5 (hhh) Very High Fire Hazard Severity Zones (Ch.
- 6 1188, Stats. 1992; Ch. 843, Stats. 1994; and Ch.
- 7 333, Stats. 1995) (97-TC-13)
- 8 (iii) Victims' Statements-Minors (Ch. 332, Stats.
- 9 1981) (04-LM-14)
- 10 ~~(jjj) Voter Identification Procedures (Ch. 260, Stats.~~
- 11 ~~2000) (03-TC-23)~~
- 12 (kkk) Voter Registration Procedures (Ch. 704, Stats.
- 13 1975) (04-LM-04)
- 14 (lll) Structural and Wildland Firefighter Safety
- 15 Clothing and Equipment (8 Cal. Code Regs., 3401
- 16 to 3410, incl.) (CSM-4261-4281)

17 Provisions:

- 18 1. Allocations of funds provided in this item to the appro-
- 19 priate local entities shall be made by the Controller in
- 20 accordance with the provisions of each statute or exec-
- 21 utive order that mandates the reimbursement of the
- 22 costs, and shall be audited to verify the actual amount
- 23 of the mandated costs in accordance with subdivision
- 24 (d) of Section 17561 of the Government Code. Audit
- 25 adjustments to prior-year claims may be paid from
- 26 this item. The funds appropriated in this item shall be
- 27 allocated only for the payment of claims as required
- 28 by Chapter 4 (commencing with Section 17550) of
- 29 Part 7 of Division 4 of Title 2 of the Government
- 30 Code, and that payment shall be made pursuant to
- 31 Article 5 (commencing with Section 17615) of that
- 32 chapter. Notwithstanding any other provision of law,
- 33 interest shall be paid from funds appropriated in this
- 34 item only to the extent, and in the amount, authorized
- 35 by Section 17561.5 of the Government Code.
- 36 2. The Controller shall offset payments made from the
- 37 appropriation in this item to recoup the amount of any
- 38 unallowable mandate claim costs determined by desk
- 39 or field audits.

1 3. Notwithstanding any other provision of law, accounts
2 receivable for recoveries that result in savings as de-
3 scribed in this item shall have no effect upon the posi-
4 tive balance of the General Fund. The savings may be
5 used to pay claims for costs incurred to carry out the
6 cited state mandates in this item.

7
8 SEC. 2. This act is a Budget Bill within the meaning of Section
9 12 of Article IV of the California Constitution and shall take effect
10 immediately.

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