

AMENDED IN ASSEMBLY JULY 15, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 164

Introduced by Assembly Member Gomez

January 21, 2015

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 164, as amended, Gomez. Claims against the state: payment.

Existing law establishes a procedure for the state to pay claims against the state.

This bill would ~~state the intent of the Legislature to appropriate funds for the payment of claims against the state, as presented by the Attorney General, and to have~~ *require* any appropriated funds in excess of the amount required to pay those claims *to* 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~~
- 4 ~~required for the payment of a claim shall revert to the General~~
- 5 ~~Fund on June 30 of the fiscal year in which the payment is made.~~

1 SECTION 1. (a) *The sum of two million two hundred seventeen*
 2 *thousand two hundred fifty-five dollars (\$2,217,255) is hereby*
 3 *appropriated from the General Fund to be allocated in accordance*
 4 *with the following schedule:*

5 (1) *The sum of one million seven hundred thousand dollars*
 6 *(\$1,700,000) to the Department of Justice to pay the settlement in*
 7 *Humphries v. County of Los Angeles, et al., (United States District*
 8 *Court, Case No. SACV 03-0697 JVS MANx). Any funds*
 9 *appropriated in excess of the amounts required for the payment*
 10 *of this claim shall revert to the General Fund.*

11 (2) *The sum of five hundred seventeen thousand two hundred*
 12 *fifty-five dollars (\$517,255) to the Department of Justice to pay*
 13 *the settlement in Marilley v. McCamman (United States District*
 14 *Court, Northern District of California, Case No.*
 15 *11-cv-2418-DMR). Any funds appropriated in excess of the*
 16 *amounts required for the payment of this claim shall revert to the*
 17 *General Fund.*

18 (b) *Five hundred seventeen thousand two hundred fifty-five*
 19 *dollars (\$517,255) is hereby appropriated from the Dungeness*
 20 *Crab Account within the Fish and Game Preservation Fund to the*
 21 *Department of Justice to pay the settlement in Marilley v.*
 22 *McCamman (United States District Court, Northern District of*
 23 *California, Case No. 11-cv-2418-DMR). Any funds appropriated*
 24 *in excess of the amounts required for the payment of this claim*
 25 *shall revert to the Dungeness Crab Account.*

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

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