

ASSEMBLY BILL

No. 1745

Introduced by Assembly Member Hadley

February 1, 2016

An act to add Chapter 6.8 (commencing with Section 30066) to Division 3 of Title 3 of the Government Code, relating to public safety, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1745, as introduced, Hadley. Public safety: funding.

Existing law establishes in each county treasury a Supplemental Law Enforcement Services Account (SLESA) and requires the county auditor to allocate moneys in the SLESA in a prescribed manner to counties and cities located within the county for the purpose of funding specified public safety programs.

This bill would appropriate \$85,000,000 from the General Fund in the State Treasury to be allocated by the State Controller to each city's and city and county's SLESA. The bill would require the county auditor for a county to allocate moneys received from that appropriation to the county, each city within the county, and certain special districts, as specified. The bill would authorize a local agency that receives funds from that allocation to use the funds for front-line law enforcement activities, including drug interdiction, antigang, community crime prevention, and juvenile justice programs. The bill would make related legislative findings and declarations.

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

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

1 SECTION 1. The Legislature finds and declares each of the
2 following:

3 (a) There is a compelling need for additional resources to be
4 applied at the local level for the purpose of ensuring public safety.

5 (b) The Los Angeles Times stated on November 10, 2015, that
6 “A Times review found that property crime has increased in nine
7 of California’s 10 largest cities so far this year compared with the
8 same period last year. Violent crime was up in all 10.”

9 (c) The state’s criminal justice realignment and Proposition 47
10 of 2014, the “Safe Neighborhoods and Schools Act,” have also
11 placed new burdens on local law enforcement.

12 (d) Rising crime rates, coupled with a growing state population,
13 and rising inflation have placed significant pressure on local law
14 enforcement budgets. Funding for local law enforcement programs
15 has not kept pace with statewide growth in population or inflation.
16 What was once funding of \$489.9 million has increased to \$549.1
17 million. However, based on increases in the State Appropriations
18 Limit since fiscal year 2006–07, funding should be 28.82 percent
19 higher, or \$631.1 million, which is \$85 million above current
20 levels. This funding should be proportionally available to all
21 communities and should be distributed consistent with the current
22 percentage distribution schedule established by the Department of
23 Finance for the Citizens’ Option for Public Safety (COPS) program.

24 (e) Many California communities are plagued by gang violence,
25 drug addiction, and violence associated with drug use and drug
26 trafficking.

27 (f) A letter dated December 21, 2015, from the United States
28 Department of Justice stated that, for the foreseeable future, the
29 department would be halting equitable funding payments to state,
30 local, and tribal law enforcement partners. For California law
31 enforcement agencies this will result in approximately \$85 million
32 in lost revenue.

33 (g) Accordingly, it is the intent of the Legislature to establish
34 a new program to provide additional funding for front-line law
35 enforcement services, particularly those focused on drug
36 interdiction, antigang enforcement, and other local law enforcement
37 and crime prevention-related activities.

1 SEC. 2. Chapter 6.8 (commencing with Section 30066) is added
2 to Division 3 of Title 3 of the Government Code, to read:

3
4 CHAPTER 6.8. BUDGET ALLOCATION FOR DRUG AND GANG
5 ENFORCEMENT
6

7 30066. (a) In addition to any moneys provided pursuant to
8 Chapter 6.7, in any fiscal year in which a county receives moneys
9 to be expended for the implementation of this chapter, the county
10 auditor shall allocate the moneys received pursuant to this chapter
11 and deposited in the county's Supplemental Law Enforcement
12 Services Account (SLESA) within 30 days of the deposit of those
13 moneys into the fund.

14 (b) The moneys described in subdivision (a) shall be allocated
15 to the county and the cities within the county, and, in the case of
16 San Mateo, Kern, Siskiyou, and Contra Costa Counties, also to
17 the Broadmoor Police Protection District, the Bear Valley
18 Community Services District, the Stallion Springs Community
19 Services District, the Lake Shastina Community Services District,
20 and the Kensington Police Protection and Community Services
21 District, in accordance with the relative population of the cities
22 within the county and the unincorporated area of the county, and
23 the Broadmoor Police Protection District in the County of San
24 Mateo, the Bear Valley Community Services District and the
25 Stallion Springs Community Services District in the County of
26 Kern, the Lake Shastina Community Services District in the County
27 of Siskiyou, and the Kensington Police Protection and Community
28 Services District in County of Contra Costa, consistent with the
29 percentage table developed by the Department of Finance pursuant
30 to paragraph (3) of subdivision (b) of Section 30061. For a newly
31 incorporated city whose population estimate is not published by
32 the Department of Finance, but that was incorporated prior to July
33 1 of the fiscal year in which an allocation from the SLESA is to
34 be made, the city manager, or an appointee of the legislative body
35 if a city manager is not available, and the county administrative
36 or executive officer shall prepare a joint notification to the
37 Department of Finance and the county auditor with a population
38 estimate reduction of the unincorporated area of the county equal
39 to the population of the newly incorporated city by July 15, or
40 within 15 days after the Budget Act is enacted, of the fiscal year

1 in which an allocation from the SLESA is to be made. No person
2 residing within the Broadmoor Police Protection District, the Bear
3 Valley Community Services District, the Stallion Springs
4 Community Services District, the Lake Shastina Community
5 Services District, or the Kensington Police Protection and
6 Community Services District shall also be counted as residing
7 within the unincorporated area of the County of San Mateo, Kern,
8 Siskiyou, or Contra Costa, or within any city located within those
9 counties. Moneys allocated to the county pursuant to this
10 subdivision shall be retained in the county SLESA, and moneys
11 allocated to a city pursuant to this subdivision shall be deposited
12 in an SLESA established in the city treasury.

13 (c) Funds received pursuant to subdivision (a) shall be expended
14 or encumbered in accordance with this chapter no later than June
15 30 of the following fiscal year.

16 30067. (a) Moneys allocated from a Supplemental Law
17 Enforcement Services Account (SLESA) to a recipient entity
18 pursuant to this chapter shall be expended exclusively to provide
19 front-line law enforcement services. Those moneys shall not be
20 used by a local agency to supplant other funding for Public Safety
21 Services, as defined in Section 36 of Article XIII of the California
22 Constitution.

23 (b) Funding received pursuant to this chapter may be used for
24 any of the following:

25 (1) Drug interdiction programs.

26 (2) Acquisition, maintenance, and training related to the use of
27 body-worn cameras.

28 (3) Costs, including personnel costs, related to peace officer
29 training, including training relating to the instruction in the
30 handling of persons with developmental disabilities or mental
31 illness, or both.

32 (4) Other front-line law enforcement services.

33 (c) In no event shall any moneys allocated from the county's
34 SLESA pursuant to this chapter be expended by a recipient agency
35 to fund administrative overhead costs in excess of 0.5 percent of
36 a recipient entity's SLESA allocation pursuant to this chapter for
37 that year.

38 (d) For the purposes of this chapter, "front-line law enforcement
39 services" includes antigang, community crime prevention, and
40 juvenile justice programs.

1 SEC. 3. The sum of eighty-five million dollars (\$85,000,000)
2 is hereby appropriated from the General Fund in the State Treasury
3 for allocation by the State Controller to the counties for the
4 purposes specified in Chapter 6.8 (commencing with Section
5 30066) of Division 3 of Title 3 of the Government Code. The
6 Controller shall allocate those moneys among each Supplemental
7 Law Enforcement Services Account (SLESA) established by each
8 county and city and county pursuant to Section 30063 of the
9 Government Code, consistent with the percentage schedule
10 developed by the Department of Finance pursuant to paragraph
11 (3) of subdivision (b) of Section 30061.

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