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Introduced by Senator Lara

February 23, 2015

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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

SB 302, as amended, Lara. Claims against the state: appropriation.

Existing law requires the Attorney General to pay certain judgments against the state.

~~This bill would state that it appropriates an unspecified amount from the General Fund to the Attorney General to pay an undesignated judgment: appropriate \$141,250 from the Athletic Commission Fund and \$24,140,683.50 from the General Fund to pay specified judgments.~~

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 sum of \_\_\_\_\_ (\$\_\_\_\_\_) is hereby appropriated
- 2 ~~from the General Fund to the Attorney General to pay for the~~
- 3 ~~judgment in the case of \_\_\_\_\_.~~
- 4 ~~Any funds appropriated in excess of the amounts actually~~
- 5 ~~required for the payment of this judgment shall revert to the~~

1 ~~General Fund on June 30 of the fiscal year in which the final~~  
2 ~~payment is made.~~

3 *SECTION 1. (a) One hundred forty-one thousand two hundred*  
4 *fifty dollars (\$141,250) is hereby appropriated from the Athletic*  
5 *Commission Fund to be allocated in accordance with the following*  
6 *schedule:*

7 *(1) Seventy-one thousand two hundred and fifty dollars*  
8 *(\$71,250) to the Department of Consumer Affairs to pay the*  
9 *settlement in Sarah Waklee v. California State Athletic*  
10 *Commission, Department of Consumer Affairs (Sacramento County*  
11 *Superior Court, Case No. 2012-00135227). Any funds appropriated*  
12 *in excess of the amounts required for payment of this claim shall*  
13 *revert to the Athletic Commission Fund.*

14 *(2) Seventy thousand dollars (\$70,000) to pay the settlement in*  
15 *Dwayne Woodard v. California State Athletic Commission,*  
16 *Department of Consumer Affairs (Los Angeles County Superior*  
17 *Court, Case No. BC487180). Any funds appropriated in excess of*  
18 *the amounts required for the payment of this claim shall revert to*  
19 *the Athletic Commission Fund.*

20 *(b) Twenty-five million one hundred forty thousand six hundred*  
21 *eighty-three dollars and fifty cents (\$25,140,683.50) is hereby*  
22 *appropriated from the General Fund to be allocated in accordance*  
23 *with the following schedule:*

24 *(1) The sum of twenty-four million dollars (\$24,000,000) to the*  
25 *Department of General Services to pay the settlement in California*  
26 *First, LP v. California Department of General Services, et al. (San*  
27 *Francisco County Superior Court, Case No. CGC10-505436). Any*  
28 *funds appropriated in excess of the amount required for the*  
29 *payment of this claim shall revert to the General Fund.*

30 *(2) The sum of one hundred six thousand one hundred*  
31 *seventy-three dollars and fifty cents (\$106,173.50) to the Fair*  
32 *Political Practices Commission to pay the settlement in Charles*  
33 *R. “Chuck” Reed, et al. v. Fair Political Practices Commission*  
34 *(Sacramento County Superior Court, Case No. 34-2013-80001709).*  
35 *Any funds appropriated in excess of the amounts required for the*  
36 *payment of this claim shall revert to the General Fund.*

37 *(3) The sum of one million thirty-four thousand five hundred*  
38 *ten dollars (\$1,034,510) to the Department of Justice to pay the*  
39 *settlement in Kevin Marilley, et al. v. California Department of*  
40 *Fish and Wildlife (United State District Court, Northern District*

1 *of California, Case No. 11-cv-2418). Any funds appropriated in*  
2 *excess of the amounts required for the payment of this claim shall*  
3 *revert to the General Fund.*

4 SEC. 2. 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 pay judgment and settlement claims against the state  
9 and end hardship to claimants as quickly as possible, it is necessary  
10 for this act to take effect immediately.

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