

AMENDED IN SENATE MAY 3, 2016

SENATE BILL

No. 1186

Introduced by Senator Lara

February 18, 2016

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

LEGISLATIVE COUNSEL'S DIGEST

SB 1186, as amended, Lara. State claims.

Existing law requires the California Victim Compensation and Government Claims Board to ensure that all claims that have been approved by the board and for which there exists no legally available appropriation are submitted for legislative approval at least twice each calendar year.

~~This bill declares the intent of the Legislature to appropriate funds for the payment of claims allowed by the board.~~ *would appropriate \$647,443.32 from various funds for the payment of claims accepted by the board, as specified. This bill would require the Controller, upon the request of the board, in a form prescribed by the Controller, to transfer surcharges and fees from the specified Budget Act item of appropriation identified in the bill to Item 7870-001-0001 of Section 2.00 of the Budget Act of 2016. This bill would require the board to provide a report of the amounts recovered pursuant to this authority to the Department of Finance within 90 days of the enactment of this bill. This bill would also appropriate certain funds from the General Fund to the board for the payment of the claims of specified individuals.*

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 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. It is the intent of the Legislature to appropriate~~
2 ~~funds for the payment of claims against the state approved by the~~
3 ~~California Victim Compensation and Government Claims Board.~~

4 *SECTION 1. (a) The sum of six hundred forty-seven thousand*
5 *four hundred forty-three dollars and thirty-two cents (\$647,443.32)*
6 *is hereby appropriated from the various funds specified in*
7 *subdivision (b) to the Executive Officer of the California Victim*
8 *Compensation and Government Claims Board for the payment of*
9 *claims accepted by the board in accordance with the schedule set*
10 *forth in subdivision (b).*

11 *(b) Pursuant to subdivision (a), claims accepted by the*
12 *California Victim Compensation and Government Claims Board*
13 *shall be paid in accordance with the following schedule:*

| | |
|----|---|
| 14 | |
| 15 | <i>Total for Fund: General Fund (0001).....\$606,296.25</i> |
| 16 | <i>Total for Fund: Item 2660-001-0042</i> |
| 17 | <i>Budget Act of 2016, Program 1835010.....\$47.31</i> |
| 18 | <i>Total for Fund: Item 2740-001-0044</i> |
| 19 | <i>Budget Act of 2016, Program 2130.....\$966.22</i> |
| 20 | <i>Total for Fund: Item 4260-101-0001</i> |
| 21 | <i>Budget Act of 2016, Program 3960022.....\$2,028.06</i> |
| 22 | <i>Total for Fund: Item 5180-111-0001</i> |
| 23 | <i>Budget Act of 2016, Program 4275010.....\$15,567.57</i> |
| 24 | <i>Total for Fund: Item 7100-001-0185</i> |
| 25 | <i>Budget Act of 2016, Program 5930.....\$22,537.91</i> |
| 26 | |

27 *SEC. 2. Upon the request of the California Victim*
28 *Compensation and Government Claims Board, in a form prescribed*
29 *by the Controller, the Controller shall transfer surcharges and*
30 *fees from the Budget Act items of appropriation identified in*
31 *subdivision (b) of Section 1 of this act to Item 7870-001-0001 of*
32 *Section 2.00 of the Budget Act of 2016. For each Budget Act item*
33 *of appropriation, this amount shall not exceed the cumulative total*
34 *of the per claim filing fee authorized by subdivision (c) of Section*
35 *905.2 of the Government Code and the surcharge authorized by*

1 subdivision (f) of Section 905.2 of the Government Code. For those
2 items in subdivision (b) that do not reflect a Budget Act
3 appropriation, the Controller shall transfer an amount not to
4 exceed the cumulative total of the per claim filing fee authorized
5 by subdivision (c) of Section 905.2 of the Government Code and
6 the surcharge authorized by subdivision (f) of Section 905.2 of the
7 Government Code. This amount shall be transferred for the support
8 of the board reimbursements to Item 7870-001-0001 of Section
9 2.00 of the Budget Act of 2016. The board shall provide a report
10 of the amounts recovered pursuant to this authority to the
11 Department of Finance within 90 days of the enactment of this act.

12 SEC. 3. The sum of five hundred eighty-one thousand six
13 hundred dollars (\$581,600) is hereby appropriated from the
14 General Fund to the Executive Officer of the California Victim
15 Compensation and Government Claims Board for the payment of
16 the claim of Obie Steven Anthony III, accepted by the board and
17 reported to the Legislature pursuant to Section 4904 of the Penal
18 Code.

19 SEC. 4. The sum of six hundred fifty-three thousand six hundred
20 dollars (\$653,600) is hereby appropriated from the General Fund
21 to the Executive Officer of the California Victim Compensation
22 and Government Claims Board for the payment of the claim of
23 John Smith, accepted by the board and reported to the Legislature
24 pursuant to Section 4904 of the Penal Code.

25 SEC. 5. The sum of five hundred sixty-four thousand one
26 hundred dollars (\$564,100) is hereby appropriated from the
27 General Fund to the Executive Officer of the California Victim
28 Compensation and Government Claims Board for the payment of
29 the claim of Michael Smith, accepted by the board and reported
30 to the Legislature pursuant to Section 4904 of the Penal Code.

31 SEC. 6. The sum of five hundred twelve thousand six hundred
32 dollars (\$512,600) is hereby appropriated from the General Fund
33 to the Executive Officer of the California Victim Compensation
34 and Government Claims Board for the payment of the claim of
35 Timothy Gantt, accepted by the board and reported to the
36 Legislature pursuant to Section 4904 of the Penal Code.

37 SEC. 7. The sum of six hundred fifty-four thousand five hundred
38 dollars (\$654,500) is hereby appropriated from the General Fund
39 to the Executive Officer of the California Victim Compensation
40 and Government Claims Board for the payment of the claim of

1 *Marco Milla, accepted by the board and reported to the Legislature*
2 *pursuant to Section 4904 of the Penal Code.*

3 *SEC. 8. The sum of seven hundred sixty-two thousand four*
4 *hundred forty dollars (\$762,440) is hereby appropriated from the*
5 *General Fund to the Executive Officer of the California Victim*
6 *Compensation and Government Claims Board for the payment of*
7 *the claim of Larry Pohlschneider, accepted by the board and*
8 *reported to the Legislature pursuant to Section 4904 of the Penal*
9 *Code.*

10 ~~SEC. 2.~~

11 *SEC. 9.* This act is an urgency statute necessary for the
12 immediate preservation of the public peace, health, or safety within
13 the meaning of Article IV of the Constitution and shall go into
14 immediate effect. The facts constituting the necessity are:

15 In order to pay claims against the state and end hardship to
16 claimants as quickly as possible, it is necessary ~~that~~ for this act to
17 take effect immediately.