

AMENDED IN SENATE SEPTEMBER 15, 1995

AMENDED IN SENATE JULY 6, 1995

AMENDED IN ASSEMBLY MAY 22, 1995

AMENDED IN ASSEMBLY APRIL 6, 1995

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

**ASSEMBLY BILL**

**No. 858**

**Introduced by Assembly Member Isenberg Aguiar**

February 22, 1995

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~~An act to amend Sections 27361, 29550, 76000, and 76104.5 of the Government Code, to amend Sections 1463.001 and 1464 of, and to repeal Section 1463.003 of, the Penal Code, and to amend Section 42007 of, and to repeal Section 42007.1 of, the Vehicle Code, relating to courts, and declaring the urgency thereof, to take effect immediately. An act to amend Section 4497.38 of the Penal Code, to amend Section 2105 of, and to repeal Section 2105.1 of, the Streets and Highways Code, to amend Sections 912, 16990, 17000.5, 17000.6, 17001.5, and 17608.05 of, and to add Sections 912.5 and 17001.51 to, the Welfare and Institutions Code, relating to local government assistance, and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 858, as amended, ~~Courts:—fines: juveniles~~ *Isenberg Aguiar. Courts:—fines: juveniles*—*Local government.*

*(1) Existing law provides for the award of moneys to the counties from the General Fund for juvenile facilities, as*

*specified, only if county matching funds are provided, as specified.*

*This bill would specify exceptions to the requirement.*

*(2) Existing law requires each county to pay the state \$25 per month for the time a person from that county is committed to the Department of the Youth Authority, as specified.*

*This bill would revise and recast this provision to require the county to pay the state \$150 per month for the time a person from that county is committed to the Department of the Youth Authority, effective July 1, 1996.*

*The bill would also require each county to pay the state for each person committed to the Department of the Youth Authority pursuant to a scale with regard to the offense on which the commitment is based.*

*(3) Existing law continuously appropriates special fund moneys for apportionments to cities and counties of a portion of the revenues derived from a per gallon tax on motor vehicle fuels in accordance with prescribed formulas. A city's or county's entitlement to the apportioned funds from the tax imposed at a rate of more than 9¢ per gallon is conditional upon its expenditure from its general fund for street and highway purposes of an amount not less than the annual average of its expenditures during the 1987-88, 1988-89, and 1989-90 fiscal years. Under existing law, this condition is not applicable for the 1992-93, 1993-94, 1994-95, 1995-96, and 1996-97 fiscal years.*

*This bill would delete that condition. Thus, this bill would make funds available to cities and counties that would not be eligible otherwise, thereby making an appropriation.*

*(4) Existing law requires any county receiving certain state allocations to maintain specified levels of financial support of county funds for health services.*

*This bill would revise county realignment financial responsibilities.*

*(5) Existing law authorizes the board of supervisors in any county to adopt a general assistance standard of aid, including the value of in-kind aid.*



*This bill would provide that the value of in-kind aid includes, but is not limited to, the value of specified amounts of medical aid and care.*

*(6) Existing law authorizes the board of supervisors of any county to adopt a standard of aid below a specified level if the Commission on State Mandates makes a finding that the prescribed level would result in significant financial distress to the county. The commission may make a finding of financial distress for a period of up to 12 months and is required to act on county applications within specified time periods.*

*This bill would authorize the commission to make a finding of financial distress for a period of up to 36 months and would extend the application periods.*

*(7) Existing law authorizes the board of supervisors of each county to adopt residency requirements for purposes of determining a person's eligibility for general assistance.*

*This bill would authorize counties to establish a standard of general assistance for applicants or recipients who share housing with unrelated persons who are not legally responsible for them, and would prohibit an employable individual from receiving aid for more than 3 months in any 12-month period whether or not the months are consecutive. The bill would also authorize a county to require adult applicants and recipients of benefits under the general assistance program to undergo screening for substance abuse.*

*(8) Existing law permits a reduction for the 1994-95 fiscal year of up to \$15,000,000 in the amount a county or a city is required to deposit into the health account each month.*

*This bill would permit a reduction of up to \$25,000,000 in that amount and would delete that fiscal year restriction.*

*(9) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that no reimbursement is required by this act for a specified reason.*

*(10) The act would not become operative unless AB 1143 is enacted and becomes operative on or before January 1, 1996.*



~~(1) Existing law provides for specified portions of certain court fees to be transmitted to the Controller for deposit in the General Fund.~~

~~This bill would eliminate that transfer and provide, instead, for the deposit of these fees in the county general fund.~~

~~(2) Existing law establishes a penalty assessment of \$7 for every \$10 of each fine, forfeiture, or penalty imposed for a criminal offense other than a parking violation, establishes a penalty assessment of \$2.50 for parking offenses, authorizes a 50¢ penalty assessment for every \$7 of each fine, forfeiture, or penalty for a criminal offense other than a parking violation, to be used by the counties for DNA identification systems, and provides for the distribution of those penalty assessments.~~

~~This bill would increase the penalty assessment for nonparking offenses to \$10 for every \$10 of fine, forfeiture, or penalty, and require 30% thereof to be deposited in the county treasury. The bill would also eliminate provisions requiring \$1 of the parking penalty assessment to be transferred to the Controller for deposit in the General Fund. The bill would also decrease the DNA penalty assessment authorized from 50¢ for each \$7 of fine, forfeiture, or penalty to 50¢ for each \$10 of fine, forfeiture, or penalty.~~

~~(3) Existing law provides for the distribution of fines, forfeitures, and penalties between the counties and the state.~~

~~This bill would revise that distribution.~~

~~(4) Existing law imposes a state penalty assessment of \$10 for every \$10 of each fine, forfeiture, or penalty other than parking offenses.~~

~~This bill would reduce this state penalty assessment from \$10 for every \$10 of each fine, forfeiture, or penalty other than parking offenses to \$7 for every \$10 thereof, and eliminate the deposit of 30% of these penalty assessments to the General Fund.~~

~~(5) Existing law requires a court to collect a fee from each person ordered or permitted to attend a traffic violator school in the amount of the total bail for the offense involved plus \$24.~~

~~This bill would eliminate the requirement in this provision and in the provisions that will be applicable January 1, 1997, that these fees be deposited in the General Fund and State Courthouse Construction Fund.~~



~~(6) The bill would impose a state-mandated local program by requiring new duties of local officials.~~

~~(7) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

~~(8) The bill would declare that it is to take effect immediately as an urgency statute, to become operative July 1, 1995, according to specified conditions.~~

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

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

1     ~~SECTION 1. Section 27361 of the Government Code~~  
2     ~~SECTION 1. Section 4497.38 of the Penal Code is~~  
3     ~~amended to read:~~  
4     ~~4497.38. (a) Awards shall be made only if county~~  
5     ~~matching funds of 25 percent are provided except as~~  
6     ~~specified in subdivision (b).~~  
7     ~~(b) (1) A county or a consortium of counties may~~  
8     ~~request the Director of the Department of the Youth~~  
9     ~~Authority for a deferral of payment of the required~~  
10    ~~matching funds for the construction of a juvenile~~  
11    ~~detention facility. This request shall be approved if the~~  
12    ~~county or consortium of counties meet all of the following~~  
13    ~~criteria:~~  
14    ~~(A) The county or consortium of counties has plans for~~  
15    ~~the construction of the facility approved by the~~  
16    ~~Department of the Youth Authority.~~  
17    ~~(B) The facility to be built is located in Humboldt~~  
18    ~~County.~~  
19    ~~(C) The county or consortium of counties submits to~~  
20    ~~and receives approval by the Department of the Youth~~  
21    ~~Authority, a plan and schedule for payment of the~~  
22    ~~required match.~~  
23    ~~(2) Contribution of the county or consortium of~~  
24    ~~counties matching requirement shall commence no later~~



1 *than three years from the date of occupation of any*  
 2 *facility financed under this chapter.*

3 (3) *Under no circumstances shall the county match for*  
 4 *any county juvenile project be less than 25 percent.*

5 *SEC. 2. Section 2105 of the Streets and Highways*  
 6 *Code is amended to read:*

7 2105. In addition to the apportionments prescribed by  
 8 Sections 2104, 2106, and 2107, from the revenues derived  
 9 from a per gallon tax imposed pursuant to Section 7351 of  
 10 the Revenue and Taxation Code, and a per gallon tax  
 11 imposed pursuant to Section 8651 of that code, the  
 12 following apportionments shall be made:

13 (a) A sum equal to the net revenue from a tax of 11.5  
 14 percent of any per gallon tax in excess of nine cents  
 15 (\$0.09) per gallon under Section 7351 of the Revenue and  
 16 Taxation Code, and 11.5 percent of any per gallon tax in  
 17 excess of nine cents (\$0.09) per gallon under Section 8651  
 18 of that code, shall be apportioned among the counties,  
 19 including a city and county.

20 The amount of apportionment to each county,  
 21 including a city and county, during a fiscal year shall be  
 22 calculated as follows:

23 (1) One million dollars (\$1,000,000) for  
 24 apportionment to all counties, including a city and  
 25 county, in proportion to each county's receipts during the  
 26 prior fiscal year under Sections 2104 and 2106.

27 (2) One million dollars (\$1,000,000) for  
 28 apportionment to all counties, including a city and  
 29 county, as follows:

30 (A) Seventy-five percent in the proportion that the  
 31 number of fee-paid and exempt vehicles which are  
 32 registered in the county bears to the number of fee-paid  
 33 and exempt vehicles registered in the state.

34 (B) Twenty-five percent in the proportion that the  
 35 number of miles of maintained county roads in the county  
 36 bears to the miles of maintained county roads in the state.

37 (3) For each county, determine its factor which is the  
 38 higher amount calculated pursuant to paragraph (1) or  
 39 (2) divided by the sum of the higher amounts for all of the  
 40 counties.



1 (4) The amount to be apportioned to each county is  
2 equal to its factor multiplied by the amount available for  
3 apportionment.

4 (b) A sum equal to the net revenue from a tax of 11.5  
5 percent of any per gallon tax in excess of nine cents  
6 (\$0.09) per gallon under Section 7351 of the Revenue and  
7 Taxation Code, and 11.5 percent of any per gallon tax in  
8 excess of nine cents (\$0.09) per gallon under Section 8651  
9 of that code, shall be apportioned to cities, including a city  
10 and county, in the proportion that the total population of  
11 the city bears to the total population of all the cities in the  
12 state.

13 ~~(c) In order to receive any allocation pursuant to this~~  
14 ~~section, the city or county, as the case may be, shall~~  
15 ~~annually expend from its general fund for street and~~  
16 ~~highway purposes an amount not less than the annual~~  
17 ~~average of its expenditures from its general fund during~~  
18 ~~the 1987-88, 1988-89, and 1989-90 fiscal years, as reported~~  
19 ~~to the Controller pursuant to Section 2151. For purposes~~  
20 ~~of this subdivision, in calculating a city's or county's~~  
21 ~~annual general fund expenditures and its average general~~  
22 ~~fund expenditures for the 1987-88, 1988-89, and 1989-90~~  
23 ~~fiscal years, any unrestricted funds which the city or~~  
24 ~~county may expend at its discretion, including vehicle~~  
25 ~~in-lieu tax revenues and revenues from fines and~~  
26 ~~forfeitures, expended for street and highway purposes are~~  
27 ~~expenditures from the general fund. This subdivision~~  
28 ~~shall not be applicable for the 1992-93, 1993-94, 1994-95,~~  
29 ~~1995-96, and 1996-97 fiscal years.~~

30 ~~(d) The Controller may request fiscal data from cities~~  
31 ~~and counties, in addition to data provided pursuant to~~  
32 ~~Section 2151, for the 1987-88, 1988-89, and 1989-90 fiscal~~  
33 ~~years. Each city and county shall furnish the data to the~~  
34 ~~Controller not later than 120 days after receiving the~~  
35 ~~request. The Controller may withhold payment to cities~~  
36 ~~and counties that do not comply with the request for~~  
37 ~~information or provide incomplete data.~~

38 ~~(e) At the conclusion of each fiscal year during which~~  
39 ~~a city or county receives funds under this section, the~~  
40 ~~Controller shall verify the city's or county's compliance~~



1 ~~with subdivision (e). Any city or county which has not~~  
2 ~~complied with this requirement shall reimburse the state~~  
3 ~~for the funds it received during that fiscal year. The~~  
4 ~~Controller shall offset payments pursuant to Sections~~  
5 ~~2104, 2105, 2106, and 2107 to any city or county which has~~  
6 ~~not complied with subdivision (e) until the state is~~  
7 ~~reimbursed for the subventions under this section during~~  
8 ~~the fiscal year when the city or county did not comply.~~

9 (f) ~~For any city incorporated after July 1, 1987, the~~  
10 ~~Controller shall calculate the annual average of~~  
11 ~~expenditures pursuant to subdivision (e) for the period~~  
12 ~~between July 1, 1987, and June 30, 1990, that the city was~~  
13 ~~incorporated.~~

14 (g) ~~Any funds that are returned to the state as a result~~  
15 ~~of noncompliance with subdivision (e) shall be added to~~  
16 ~~the base and redistributed among cities and counties for~~  
17 ~~the fiscal year during which it is returned.~~

18 (h) ~~The Controller shall determine the average~~  
19 ~~amount of unrestricted revenues, which a city or county~~  
20 ~~may expend at its discretion, received from fines and~~  
21 ~~forfeitures, federal general revenue sharing, and the~~  
22 ~~proceeds from the sale of real property or bonds during~~  
23 ~~the 1987-88, 1988-89, and 1989-90 fiscal years, and the~~  
24 ~~amount of each of those sources expended for street and~~  
25 ~~highway purposes for those fiscal years, which latter~~  
26 ~~amount shall be included in the calculation of general~~  
27 ~~fund expenditures pursuant to subdivision (e). If the~~  
28 ~~amount of revenues received by a city or county from any~~  
29 ~~of those sources during a subsequent fiscal year is less than~~  
30 ~~the average revenues from the same source as~~  
31 ~~determined by the Controller in accordance with this~~  
32 ~~subdivision, the city's or county's expenditure~~  
33 ~~requirements pursuant to subdivision (e) from that~~  
34 ~~source shall be reduced in the same proportion as the~~  
35 ~~reduced revenue bears to the average revenue from the~~  
36 ~~same source. The reduction in the city's or county's~~  
37 ~~expenditure requirements may only be granted upon~~  
38 ~~submittal to and review by the Controller of financial~~  
39 ~~information.~~



1 ~~(i) If a city or county fails to comply with the~~  
2 ~~requirements of subdivision (c) in a particular fiscal year,~~  
3 ~~the city or county may expend during that fiscal year and~~  
4 ~~the following fiscal year, a total amount which is not less~~  
5 ~~than the total amount required to be expended for those~~  
6 ~~years for purposes of complying with subdivision (c), as~~  
7 ~~adjusted pursuant to subdivision (h). For cities and~~  
8 ~~counties that fail to comply with subdivision (c) using the~~  
9 ~~two-year period, the Controller shall begin withholding~~  
10 ~~funds pursuant to subdivision (c) at the end of the~~  
11 ~~two-year period.~~

12 ~~(j) Revenues from any fee imposed by a city or county~~  
13 ~~on or after January 1, 1990, which are used on or after July~~  
14 ~~1, 1990, by that city or county for maintenance purposes~~  
15 ~~on its streets or highways shall be considered as general~~  
16 ~~fund expenditures for the purpose of subdivision (c).~~

17 ~~(k) A city or county shall provide all necessary~~  
18 ~~information requested by the Controller if the city or~~  
19 ~~county requests an adjustment to its average base year or~~  
20 ~~annual expenditures that are the result of any~~  
21 ~~amendment of this section after January 1, 1991. The~~  
22 ~~Controller shall not make any change to the average base~~  
23 ~~year or annual expenditure until the Controller has~~  
24 ~~received and verified the accuracy of the necessary data.~~

25 *SEC. 3. Section 2105.1 of the Streets and Highways*  
26 *Code is repealed.*

27 ~~2105.1. (a) The Legislature find and declares all of~~  
28 ~~the following:~~

29 ~~(1) That the Kopp-Katz-Baker Transportation~~  
30 ~~Blueprint for the Twenty-First Century (Chapter 105 of~~  
31 ~~the Statutes of 1989), provided an additional \$3 billion to~~  
32 ~~cities and counties for transportation purposes to~~  
33 ~~supplement existing local expenditures for~~  
34 ~~transportation.~~

35 ~~(2) In order to provide assurance to the public that the~~  
36 ~~new gas tax revenues would be used for increased~~  
37 ~~transportation expenditures and not be used to relieve~~  
38 ~~local government general fund contributions for~~  
39 ~~transportation, a maintenance of effort provision was~~  
40 ~~included in Section 2105.~~



1 ~~(3) Due to the complexity of local financing practices,~~  
2 ~~it is not practicable to enact a statewide statute that~~  
3 ~~accurately identifies local funding sources and practices~~  
4 ~~for all occasions.~~

5 ~~(4) It is the intent of the Legislature that an impartial~~  
6 ~~committee be formed to evaluate and remedy unusual~~  
7 ~~local funding practices and make adjustments to the~~  
8 ~~maintenance of effort requirements of Section 2105,~~  
9 ~~without violating objectives of that section.~~

10 ~~(b) There is hereby created a maintenance of effort~~  
11 ~~committee comprised of the following seven members:~~

12 ~~(1) The Controller, or an employee of the Controller,~~  
13 ~~designated by the Controller.~~

14 ~~(2) The Director of Transportation or an employee of~~  
15 ~~the department, designated by the director.~~

16 ~~(3) One member appointed by the Speaker of the~~  
17 ~~Assembly, who shall not be a representative or employee~~  
18 ~~of local government.~~

19 ~~(4) One member appointed by the Senate Committee~~  
20 ~~on Rules, who shall not be a representative or employee~~  
21 ~~of local government.~~

22 ~~(5) One member appointed by the Governor from~~  
23 ~~persons nominated by the California State Association of~~  
24 ~~Counties.~~

25 ~~(6) One member appointed by the Governor from~~  
26 ~~persons nominated by the League of California Cities.~~

27 ~~(7) One person appointed by the Governor.~~

28 ~~(e) The committee chair shall be selected by the~~  
29 ~~Governor from among the members.~~

30 ~~(d) The maintenance of effort committee may adjust~~  
31 ~~the annual average of expenditures for the 1987-88,~~  
32 ~~1988-89, and 1989-90 fiscal years reported to the~~  
33 ~~Controller by an individual city or county pursuant to~~  
34 ~~Section 2151. The city or county shall submit to the~~  
35 ~~Controller a request for adjustment and the necessary~~  
36 ~~documentation to justify the adjustment. An adjustment~~  
37 ~~may be made by the committee if one or more of the~~  
38 ~~following conditions exist:~~

39 ~~(1) The city or county had undertaken one or more~~  
40 ~~major capital projects during those fiscal years that~~



1 ~~required accumulating unrestricted revenues to support~~  
2 ~~the project during one or more fiscal years.~~

3 ~~(2) A source of unrestricted revenue used to support~~  
4 ~~the major capital project or projects is no longer available~~  
5 ~~to the city or county and the city or county lacks authority~~  
6 ~~to continue the unrestricted funding source.~~

7 ~~(3) One or more sources of unrestricted revenues that~~  
8 ~~were available to the city or county is producing less than~~  
9 ~~95 percent of the annual average produced during those~~  
10 ~~fiscal years, and the reduction is not caused by any~~  
11 ~~discretionary action of the city or county.~~

12 ~~The amount of the adjustment is limited to the~~  
13 ~~proportionate impact of extraordinary expenditures in~~  
14 ~~paragraph (2) or the reduced revenues in paragraphs (2)~~  
15 ~~and (3).~~

16 ~~(e) The maintenance of effort committee may also~~  
17 ~~grant a reduction in expenditure requirements for a~~  
18 ~~single fiscal year under extraordinary circumstances, if~~  
19 ~~both of the following conditions are met:~~

20 ~~(1) The city or county submits a request for~~  
21 ~~adjustment and the necessary documentation to justify~~  
22 ~~the adjustment.~~

23 ~~(2) The entity has suffered an extraordinary loss of~~  
24 ~~revenues or incurred an extraordinary expenditure due~~  
25 ~~to circumstances beyond its control.~~

26 ~~(f) Members of the maintenance of effort committee~~  
27 ~~shall serve without compensation, but may be~~  
28 ~~reimbursed for travel expenses incurred as a result of~~  
29 ~~attending meetings of the committee. The Controller~~  
30 ~~shall administer the provisions of this section and shall be~~  
31 ~~reimbursed for his or her expenses from funds subject to~~  
32 ~~allocation pursuant to Section 2105.~~

33 ~~(g) This section shall remain in effect only until~~  
34 ~~January 1, 1996, and as of that date is repealed, unless a~~  
35 ~~later enacted statute, which is enacted before January 1,~~  
36 ~~1996, deletes or extends that date.~~

37 *SEC. 4. Section 912 of the Welfare and Institutions*  
38 *Code is amended to read:*

39 912. ~~For each person hitherto committed to the Youth~~  
40 ~~Authority, the county from which he is committed shall~~



1 ~~pay the state at the rate of twenty-five dollars (\$25) per~~  
2 ~~month for the time such person so committed remains in~~  
3 ~~such state school or in any camp or farm colony, custodial~~  
4 ~~institution, or other institution under the direct~~  
5 ~~supervision of the Youth Authority to which such person~~  
6 ~~may be transferred, in the Deuel Vocational Institution,~~  
7 ~~or in any boarding home, foster home, or other private or~~  
8 ~~public institution in which he is placed by the Youth~~  
9 ~~Authority, on parole or otherwise, and cared for and~~  
10 ~~supported at the expense of the Youth Authority.~~  
11 *Effective January 1, 1996, for each person committed to*  
12 *the Department of the Youth Authority, the county from*  
13 *which he or she is committed shall pay the state one*  
14 *hundred fifty dollars (\$150) per month for the time that*  
15 *person remains in any institution under the direct*  
16 *supervision of the Department of the Youth Authority, or*  
17 *in any institution, boarding home, foster home, or other*  
18 *private or public institution in which he or she is placed*  
19 *by the Department of the Youth Authority, on parole or*  
20 *otherwise, and cared for and supported at the expense of*  
21 *the Department of the Youth Authority. This section*  
22 *applies to any person committed to the Department of*  
23 *the Youth Authority by a juvenile court, including*  
24 *persons committed to the Department of the Youth*  
25 *Authority prior to January 1, 1996, who on or after January*  
26 *1, 1996, remain in or return to the facilities described in*  
27 *this section.*

28 The *Department of the Youth Authority* shall present  
29 to the county, not more frequently than monthly, a claim  
30 for the amount due the state under this section, which the  
31 county shall process and pay pursuant to the provisions of  
32 Chapter 4 (commencing with Section 29700) of Division  
33 3 of Title 3 of the Government Code.

34 *SEC. 5. Section 912.5 is added to the Welfare and*  
35 *Institutions Code, to read:*

36 *912.5. (a) For each person committed to the*  
37 *Department of the Youth Authority by a juvenile court on*  
38 *or after January 1, 1996, the county from which he or she*  
39 *is committed shall pay the state the following rate:*



1 (1) If the offense on which the commitment is based  
2 is listed in Section 4955 of Title 15 of the California Code  
3 of Regulations, the rate is 50 percent of the per capita  
4 institutional cost of the Department of the Youth  
5 Authority.

6 (2) If the offense on which the commitment is based  
7 is listed in Section 4956 of Title 15 of the California Code  
8 of Regulations, the rate is 75 percent of the per capita  
9 institutional cost of the Department of the Youth  
10 Authority.

11 (3) If the offense on which the commitment is based  
12 is listed in Section 4957 of Title 15 of the California Code  
13 of Regulations, the rate is 100 percent of the per capita  
14 institutional cost of the Department of the Youth  
15 Authority.

16 (b) For purposes of this section, “the offense on which  
17 the commitment is based” means any offense that has  
18 been sustained by the juvenile court and that is included  
19 in the determination of the maximum term of  
20 imprisonment by the juvenile court pursuant to Section  
21 731.

22 (c) For purposes of this section, the charge against the  
23 county shall not apply to periods of confinement that are  
24 solely pursuant to a revocation of parole by the Youthful  
25 Offender Parole Board.

26 (d) The charge against the county prescribed by this  
27 section shall be in lieu of the charge prescribed by Section  
28 912 and not in addition to that charge.

29 (e) The Department of the Youth Authority shall  
30 present to the county, not more frequently than monthly,  
31 a claim for the amount due the state under this section,  
32 which the county shall process and pay pursuant to the  
33 provisions of Chapter 4 (commencing with Section  
34 29700) of Division 3 of Title 3 of the Government Code.

35 (f) The Department of the Youth Authority shall  
36 adopt emergency regulations for implementation of this  
37 section.

38 SEC. 6. Section 16990 of the Welfare and Institutions  
39 Code is amended to read:



1 16990. (a) (1) Any county receiving an allocation  
 2 pursuant to this chapter and Chapter 4 (commencing  
 3 with Section 16930) shall, at a minimum, maintain a level  
 4 of financial support of county funds for health services at  
 5 least equal to the total of the amounts specified in  
 6 ~~subparagraphs (A) and (B)~~ *this subdivision*. The amounts  
 7 specified in paragraph (1) shall be adjusted on July 1 of  
 8 each year equal to the growth in the sales tax and vehicle  
 9 license fees allocated to the trust fund accounts and the  
 10 county general fund pursuant to Chapter 6 (commencing  
 11 with Section 17600) of Part 5.

12 Each of the following counties shall maintain a  
 13 realignment financial maintenance of effort according to  
 14 the following schedule:

15	Jurisdiction	Amount
16	Alameda .....	\$ 62,950,138
17	Alameda .....	\$ 62,950,138
18	Alpine .....	150,781
19	Amador .....	1,702,152
20	Butte .....	8,378,036
21	Calaveras .....	1,286,374
22	Colusa .....	1,362,787
23	Contra Costa .....	31,188,063
24	Del Norte .....	1,305,412
25	El Dorado .....	5,626,036
26	Fresno .....	32,555,212
27	Glenn .....	1,368,045
28	Humboldt .....	8,995,114
29	Imperial .....	8,526,220
30	Inyo .....	2,320,718
31	Kern .....	23,025,845
32	Kings .....	4,310,952
33	Lake .....	1,767,837
34	Lassen .....	1,555,628
35	Los Angeles .....	510,082,064
36	Madera .....	3,523,697
37	Marin .....	11,349,537
38	Mariposa .....	766,751
39	Mendocino .....	2,782,024
40	Merced .....	4,711,969



1	Modoc .....	939,453
2	Mono .....	1,673,165
3	Monterey .....	11,816,218
4	Napa .....	4,751,422
5	Nevada .....	2,669,976
6	Orange .....	66,846,735
7	Placer .....	3,009,967
8	Plumas .....	1,143,704
9	Riverside .....	33,598,282
10	Sacramento .....	33,012,993
11	San Benito .....	1,601,614
12	San Bernardino .....	27,576,793
13	San Diego .....	49,373,333
14	San Francisco .....	106,622,954
15	San Joaquin .....	12,646,288
16	San Luis Obispo .....	5,888,487
17	San Mateo .....	21,788,027
18	Santa Barbara .....	12,659,559
19	Santa Clara .....	47,316,403
20	Santa Cruz .....	8,373,710
21	Shasta .....	6,521,122
22	Sierra .....	327,339
23	Siskiyou .....	2,401,825
24	Solano .....	8,942,768
25	Sonoma .....	16,146,306
26	Stanislaus .....	13,403,954
27	Sutter .....	4,872,252
28	Tehama .....	3,257,915
29	Trinity .....	1,599,409
30	Tulare .....	8,593,714
31	Tuolumne .....	2,525,076
32	Ventura .....	17,042,243
33	Yolo .....	4,396,875
34	Yuba .....	3,083,423
35		
36	Total .....	\$1,278,014,696

37  
38 ~~(B) Each of the following counties shall maintain an~~  
39 ~~additional maintenance of effort according to the~~  
40 ~~following schedule:~~



	Jurisdiction	Amount
2	Alameda .....	\$ 18,792,665
3	Alpine .....	18,339
4	Amador .....	56,569
5	Butte .....	0
6	Calaveras .....	12,583
7	Colusa .....	0
8	Contra-Costa .....	8,354,119
9	Del Norte .....	33,668
10	El Dorado .....	522,999
11	Fresno .....	476,243
12	Glenn .....	337,822
13	Humboldt .....	0
14	Imperial .....	299,028
15	Inyo .....	0
16	Kern .....	3,428,161
17	Kings .....	127,484
18	Lake .....	112,539
19	Lassen .....	0
20	Los Angeles .....	36,077,598
21	Madera .....	285,161
22	Marin .....	2,434,309
23	Mariposa .....	38,160
24	Mendocino .....	740,217
25	Merced .....	619,666
26	Modoc .....	0
27	Mono .....	366,371
28	Monterey .....	3,092,450
29	Napa .....	359,593
30	Nevada .....	343,187
31	Orange .....	4,573,945
32	Placer .....	568,920
33	Plumas .....	118,953
34	Riverside .....	197,812
35	Sacramento .....	2,765,180
36	San Benito .....	162,812
37	San Bernardino .....	4,187,700
38	San Diego .....	16,925,600
39	San Francisco .....	28,995,054



1	San Joaquin .....	4,433,684
2	San Luis Obispo .....	3,514,586
3	San Mateo .....	6,709,496
4	Santa Barbara .....	2,418,096
5	Santa Clara .....	16,249,506
6	Santa Cruz .....	983,061
7	Shasta .....	17,053
8	Sierra .....	25,567
9	Siskiyou .....	0
10	Solano .....	607,622
11	Sonoma .....	453,354
12	Stanislaus .....	147,660
13	Sutter .....	0
14	Tehama .....	12,902
15	Trinity .....	90,066
16	Tulare .....	2,338,470
17	Tuolumne .....	373,830
18	Ventura .....	3,236,260
19	Yolo .....	134,858
20	Yuba .....	152,681
21		
22	— Total .....	\$177,718,885

23

24 (2) A county may, upon notifying the department of  
25 the transfers authorized by this paragraph, reduce the  
26 level of financial maintenance of effort required of the  
27 county by ~~subparagraph (A)~~ of paragraph (1) by the  
28 amount of the funds transferred from the Health Account  
29 pursuant to Section 17600.20.

30 (b) For purposes of this section, if a county desires to  
31 use any of its allocation pursuant to this chapter or  
32 Chapter 4 (commencing with Section 16930) for  
33 programs and costs not reported as part of the plan and  
34 budget required by Section 16800, the county, as a  
35 condition of using its allocation for these purposes, must  
36 maintain an amount of county funding for those programs  
37 and costs at least equal to the 1988–89 fiscal year levels.

38 (c) Moneys received by a county under this chapter  
39 shall be accounted for as revenue in the plan and budget  
40 which is required pursuant to Section 16800 and shall not



1 be used as county matching funds for any other program  
2 requiring a county match.

3 (d) If a county fails to maintain financial maintenance  
4 of effort at least equal to the total of the amounts specified  
5 in ~~subparagraphs (A) and (B) of~~ paragraph (1) of  
6 subdivision (a), the department shall recover funds  
7 allocated to the county under this part sufficient to bring  
8 the county into compliance with the financial  
9 maintenance of effort provisions. Funds shall be  
10 recovered proportionately from the Hospital Services  
11 Account, the Physician Services Account, and the  
12 Unallocated Account.

13 (e) The participation fee specified in Section 16809.3  
14 shall not be included in determining a county's  
15 compliance with the maintenance of effort provisions of  
16 this section.

17 (f) For the purposes of determining the level of  
18 financial support required for the 1991–92 fiscal year, the  
19 amounts specified in ~~subparagraph (A) of~~ paragraph (1)  
20 of subdivision (a) shall be reduced to reflect shortfalls in  
21 revenue to local health and welfare trust fund health  
22 accounts due to shortfalls in receipts of sales tax revenue  
23 and county deposits required pursuant to subdivision (b)  
24 of Section 17608.10, compared to the amounts of these  
25 funds originally anticipated, as determined by the  
26 Director of Health Services.

27 (g) For the purposes of determining the level of  
28 financial support required in the 1992–93 fiscal year, the  
29 amounts specified in ~~subparagraph (A) of~~ paragraph (1)  
30 of subdivision (a) shall be reduced by 7 percent.

31 (h) For the purposes of determining the level of  
32 financial support required in the 1993–94 fiscal year and  
33 subsequent fiscal years, the amounts specified in  
34 ~~subparagraph (A) of~~ paragraph (1) of subdivision (a)  
35 shall be reduced to reflect shortfalls in revenue to local  
36 health and welfare trust fund health accounts due to  
37 shortfalls in receipts of sales tax revenue and county  
38 deposits required pursuant to subdivision (b) of Section  
39 17608.10, compared to the amounts of these funds



1 originally anticipated for the 1991–92 fiscal year, as  
2 determined by the Director of Health Services.

3 *SEC. 7. Section 17000.5 of the Welfare and Institutions*  
4 *Code is amended to read:*

5 17000.5. (a) The board of supervisors in any county  
6 may adopt a general assistance standard of aid, including  
7 the value of in-kind aid *which includes, but is not limited*  
8 *to, the monthly actuarial value of up to forty dollars (\$40)*  
9 *per month of medical care, that is 62 percent of a*  
10 *guideline that is equal to the 1991 federal official poverty*  
11 *line and may annually adjust that guideline in an amount*  
12 *equal to any adjustment provided under Chapter 2*  
13 *(commencing with Section 11200) of Part 3 for*  
14 *establishing a maximum aid level in the county. This*  
15 *subdivision is not intended to either limit or expand the*  
16 *extent of the duty of counties to provide health care.*

17 (b) The adoption of a standard of aid pursuant to this  
18 section shall constitute a sufficient standard of aid.

19 (c) For purposes of this section, “federal official  
20 poverty line” means the same as it is defined in subsection  
21 (2) of Section 9902 of Title 42 of the United States Code.

22 (d) For purposes of this section, “any adjustment”  
23 includes, and, prior to the addition of this subdivision,  
24 included statutory increases, decreases, or reductions in  
25 the maximum aid level in the county under the Aid to  
26 Families with Dependent Children program contained in  
27 Chapter 2 (commencing with Section 11200) of Part 3.

28 (e) In the event that adjustments pursuant to Section  
29 11450.02 are not made, the amounts established pursuant  
30 to subdivision (a) may be adjusted to reflect the relative  
31 cost of housing in various counties as follows:

32 (1) Reduced by 1.5 percent in the Counties of  
33 Alameda, Contra Costa, Los Angeles, San Diego, Santa  
34 Barbara, Sonoma, and Ventura.

35 (2) Reduced by 3 percent in the Counties of San Luis  
36 Obispo, Nevada, Sierra, Monterey, Napa, Solano,  
37 Riverside, San Bernardino, Alpine, Amador, Calaveras,  
38 Inyo, Kern, Mariposa, Mono, and Tuolumne.

39 (3) Reduced by 4.5 percent in the Counties of  
40 Stanislaus, Imperial, El Dorado, Placer, Sacramento, Yolo,



1 ~~Humboldt~~ *Humboldt*, San Benito, Del Norte, Fresno,  
2 Lake, Mendocino, Shasta, Trinity, Butte, Merced, Tulare,  
3 San Joaquin, Lassen, Modoc, Plumas, Siskiyou, Tehama,  
4 Kings, Madera, Colusa, Glenn, Sutter, and Yuba.

5 *SEC. 8. Section 17000.6 of the Welfare and Institutions*  
6 *Code is amended to read:*

7 17000.6. (a) The board of supervisors of any county  
8 may adopt a standard of aid below the level established  
9 in Section 17000.5 if the Commission on State Mandates  
10 makes a finding that meeting the standards in Section  
11 17000.5 would result in a significant financial distress to  
12 the county. When the commission makes a finding of  
13 significant financial distress concerning a county, the  
14 board of supervisors may establish a level of aid which is  
15 not less than 40 percent of the 1991 federal official poverty  
16 level, which may be further reduced pursuant to Section  
17 17001.5 for shared housing. The commission shall not  
18 make a finding of significant financial distress unless the  
19 county has made a compelling case that, absent the  
20 finding, basic county services, including public safety,  
21 cannot be maintained.

22 (b) Upon receipt of a written application from a  
23 county board of supervisors, the commission may make a  
24 finding of financial distress for a period of up to ~~12~~ 36  
25 months pursuant to regulations that the commission shall  
26 adopt, that are necessary to implement this section. The  
27 period of reduction may be renewed annually by the  
28 commission upon reapplication by the county. *Any*  
29 *county that filed an application prior to July 1, 1995, that*  
30 *was approved by the commission on or before August 31,*  
31 *1995, shall be deemed to have had that application*  
32 *approved for a period of 36 months.*

33 (c) As part of the decision making process, the  
34 commission shall notice and hold a public hearing on the  
35 county's application or reapplication in the county of  
36 application. The commission shall provide a 30-day notice  
37 of the hearing in the county of application or  
38 reapplication. The commission shall notify the applicant  
39 county of its preliminary decision within 60 days after  
40 receiving the application and final decision within 90 days



1 after receiving the application. *If a county files an*  
2 *application while another county's application is*  
3 *pending, the commission may extend both the*  
4 *preliminary decision period up to 120 days and the final*  
5 *decision period up to 150 days from the date of the*  
6 *application.*

7 (d) This section shall not be construed to eliminate the  
8 requirement that a county provide aid pursuant to  
9 Section 17000.

10 (e) Any standard of aid adopted pursuant to this  
11 section shall constitute a sufficient standard of aid.

12 (f) The commission may adopt emergency regulations  
13 for the implementation of this section.

14 *SEC. 9. Section 17001.5 of the Welfare and Institutions*  
15 *Code is amended to read:*

16 17001.5. (a) Notwithstanding any other provision of  
17 law, including, but not limited to, Section 17000.5, the  
18 board of supervisors of each county, or the agency  
19 authorized by the county charter, may do any of the  
20 following:

21 (1) (A) Adopt residency requirements for purposes  
22 of determining a persons' eligibility for general  
23 assistance. Any residence requirement under this  
24 paragraph shall not exceed 15 days.

25 (B) Nothing in this paragraph shall be construed to  
26 authorize the adoption of a requirement that an applicant  
27 or recipient have an address or to require a homeless  
28 person to acquire an address.

29 (2) (A) *Establish a standard of general assistance for*  
30 *applicants and recipients who share housing with one or*  
31 *more unrelated persons or with one or more persons who*  
32 *are not legally responsible for the applicant or recipient.*  
33 *The standard of general assistance aid established*  
34 *pursuant to Section 17000.5 for a single adult applicant or*  
35 *recipient may be reduced pursuant to this paragraph by*  
36 *not more than the following percentages, as appropriate:*

37 (i) *Fifteen percent if the applicant or recipient shares*  
38 *housing with one other person described in this*  
39 *subparagraph.*



1 (ii) *Twenty percent if the applicant or recipient shares*  
2 *housing with two other persons described in this*  
3 *subparagraph.*

4 (iii) *Twenty-five percent if the applicant or recipient*  
5 *shares housing with three or more other persons*  
6 *described in this paragraph.*

7 (B) *Any standard of aid adopted pursuant to this*  
8 *paragraph shall constitute a sufficient standard of aid for*  
9 *any recipient who shares housing.*

10 (C) *Counties with shared housing reductions larger*  
11 *than the amounts specified in subparagraph (A) as of*  
12 *August 19, 1992, may continue to apply those adjustments.*

13 (3) Discontinue aid under this part for a period of not  
14 more than 180 days with respect to any recipient who is  
15 ~~able-bodied and mentally competent~~ *employable* and has  
16 received aid under this part for three months if the  
17 recipient engages in any of the following conduct:

18 (A) Fails, or refuses, without good cause, to participate  
19 in a qualified job training program, participation of which  
20 is a condition of receipt of assistance.

21 (B) After completion of a job training program, fails,  
22 or refuses, without good cause, to accept an offer of  
23 appropriate employment.

24 (C) Persistently fails, or refuses, without good cause, to  
25 cooperate with the county in its efforts to do any of the  
26 following:

27 (i) Enroll the recipient in a job training program.

28 (ii) After completion of a job training program, locate  
29 and secure appropriate employment for the recipient.

30 (D) For purposes of this paragraph, lack of good cause  
31 may be demonstrated by a showing of any of the  
32 following:

33 (i) The willful failure, or refusal, of the recipient to  
34 participate in a job training program, accept appropriate  
35 employment, or cooperate in enrolling in a training  
36 program or locating employment.

37 (ii) Not less than three separate acts of negligent  
38 failure of the recipient to engage in any of the activities  
39 described in clause (i).



1 (4) *Prohibit an employable individual from receiving*  
2 *aid under this part for more than three months in any*  
3 *12-month period, whether or not the months are*  
4 *consecutive. This paragraph shall apply to aid received on*  
5 *or after the effective date of this paragraph. This*  
6 *paragraph shall apply only to those individuals who have*  
7 *been offered an opportunity to attend job skills or job*  
8 *training sessions.*

9 (5) Notwithstanding paragraph (3), discontinue aid  
10 to, or sanction, recipients for failure or refusal without  
11 good cause to follow program requirements. For  
12 purposes of this subdivision, lack of good cause may be  
13 demonstrated by a showing of either (A) willful failure or  
14 refusal of the recipient to follow program requirements,  
15 or (B) not less than three separate acts of negligent  
16 failure of the recipient to follow program requirements.

17 (b) (1) The Legislative Analyst shall conduct an  
18 evaluation of the impact of this section on general  
19 assistance recipients and applicants.

20 (2) The evaluation required by paragraph (1) shall  
21 include, but need not be limited to, all of the following:

22 (A) The impact on the extent of homelessness among  
23 applicants and recipients of general assistance.

24 (B) The rate at which recipients of general assistance  
25 are sanctioned by county welfare departments.

26 (C) The impact of the 15-day residency requirement  
27 on applicants or recipients of general assistance,  
28 including how often the requirement is invoked.

29 (3) The Legislative Analyst shall, in the conduct of the  
30 study required by this section, consult with the State  
31 Department of Social Services, the County Welfare  
32 Directors Association, and organizations that advocate on  
33 behalf of recipients of general assistance.

34 (c) ~~This~~ *A county may provide aid pursuant to Section*  
35 *17000.5 either by cash assistance, in-kind aid, a two-party*  
36 *payment, voucher payment, or check drawn to the order*  
37 *of a third-party provider of services to the recipient.*  
38 *Nothing shall restrict a county from providing more than*  
39 *one method of aid to an individual recipient.*



1 (d) Paragraphs (1), (3), and (5) of subdivision (a) and  
2 all of subdivision (b) of this section shall remain in effect  
3 until January 1, 1997, and as of that date is repealed, unless  
4 a later enacted statute, which is enacted on or before  
5 January 1, 1997, deletes or extends that date.

6 SEC. 10. Section 17001.51 is added to the Welfare and  
7 Institutions Code, to read:

8 17001.51. (a) A county may require adult applicants  
9 and recipients of benefits under the general assistance  
10 program to undergo screening for substance abuse when  
11 it is determined by the county that there is reasonable  
12 suspicion to believe that an individual is dependent upon  
13 illegal drugs or alcohol. The county shall maintain  
14 documentation of this finding.

15 (b) A county may require as a condition of aid  
16 reasonable participation in substance abuse or alcohol  
17 treatment programs for persons screened pursuant to  
18 subdivision (a) and professionally evaluated to be in need  
19 of treatment, if the services are actually available at no  
20 charge to the applicant or recipient.

21 SEC. 11. Section 17608.05 of the Welfare and  
22 Institutions Code is amended to read:

23 17608.05. (a) As a condition of deposit of funds from  
24 the Sales Tax Account of the Local Revenue Fund into a  
25 county's local health and welfare trust fund mental health  
26 account, the county or city shall deposit each month local  
27 matching funds in accordance with a schedule developed  
28 by the State Department of Mental Health based on  
29 county or city standard matching obligations for the  
30 1990-91 fiscal year for mental health programs.

31 ~~(b) For the 1993-94 and the 1994-95 fiscal years only,~~  
32 ~~a~~ A county, city or city and county may limit its deposit  
33 of matching funds to the amount necessary to meet  
34 minimum federal maintenance of effort requirements, as  
35 calculated by the State Department of Mental Health,  
36 subject to the approval of the Department of Finance.  
37 However, the amount of the reduction permitted by the  
38 limitation provided for by this subdivision shall not  
39 exceed ~~fifteen million dollars (\$15,000,000)~~ twenty-five



1 million dollars (\$25,000,000) per fiscal year on a statewide  
2 basis.

3 (c) Any county, city, or city and county that elects not  
4 to apply maintenance of effort funds for community  
5 mental health programs shall not use the loss of these  
6 expenditures from local mental health programs for  
7 realignment purposes, including any calculation for  
8 poverty-population shortfall for clause (iv) of  
9 subparagraph (B) of paragraph (2) of subdivision (c) of  
10 Section 17606.05.

11 SEC. 12. Sections 1 to 11, inclusive, of this act shall not  
12 become operative unless Assembly Bill 1143 is enacted  
13 and becomes operative on or before January 1, 1996.

14 SEC. 13. No reimbursement is required by this act  
15 pursuant to Section 6 of Article XIII B of the California  
16 Constitution because the only costs that may be incurred  
17 by a local agency or school district are the result of a  
18 program for which legislative authority was requested by  
19 that local agency or school district, within the meaning of  
20 Section 17556 of the Government Code and Section 6 of  
21 Article XIII B of the California Constitution.

22 Notwithstanding Section 17580 of the Government  
23 Code, unless otherwise specified, the provisions of this act  
24 shall become operative on the same date that the act  
25 takes effect pursuant to the California Constitution.

26  
27  
28  
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32

**All matter omitted in this version of the  
bill appears in the bill as amended in the  
Senate, July 6, 1995 (JR 11)**

