

Assembly Bill No. 2069

CHAPTER 578

An act to amend Section 853.7a of the Penal Code, and to amend Section 40508.5 of the Vehicle Code, relating to crime.

[Approved by Governor September 15, 1996. Filed with Secretary of State September 17, 1996.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2069, Tucker. Crime: penalty assessments.

Existing law provides that the county board of supervisors may authorize the county courts to impose a specified assessment against certain criminal defendants who are convicted for violating a promise to appear or for any other offense for which an arrest warrant has been issued, whether or not a fine is imposed.

This bill would revise this provision to provide instead that the county board of supervisors may require the courts to impose a specified assessment against criminal defendants who violate their written promise to appear or a lawfully granted continuance of their promise to appear in court or before a person authorized to receive a deposit of bail, or who otherwise fail to comply with any valid court order.

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

SECTION 1. Section 853.7a of the Penal Code is amended to read:

853.7a. (a) In addition to the fees authorized or required by any other provision of law, a county may, by resolution of the board of supervisors, require the courts of that county to impose an assessment of seven dollars (\$7) upon every person who violates his or her written promise to appear or a lawfully granted continuance of his or her promise to appear in court or before a person authorized to receive a deposit of bail, or who otherwise fails to comply with any valid court order for a violation of any provision of this code or local ordinance adopted pursuant to this code. This assessment shall apply whether or not a violation of Section 853.7 is concurrently charged or a warrant of arrest is issued pursuant to Section 853.8.

(b) The clerk of the court shall deposit the amounts collected under this section in the county treasury. All money so deposited shall be used exclusively for the development and operation of an automated county warrant system.

SEC. 2. Section 40508.5 of the Vehicle Code is amended to read:

40508.5. (a) In addition to the fees authorized or required by any other provision of law, a county may, by resolution of the board of



supervisors, require the courts of that county to impose an assessment of seven dollars (\$7) upon every person who violates his or her written promise to appear or a lawfully granted continuance of his or her promise to appear in court or before a person authorized to receive a deposit of bail, or who otherwise fails to comply with any valid court order for a violation of any provision of this code or local ordinance adopted pursuant to this code. This assessment shall apply whether or not a violation of Section 40508 is concurrently charged or a warrant of arrest is issued pursuant to Section 40515.

(b) The courts subject to subdivision (a) shall increase the bail schedule amounts to reflect the amount of the assessment imposed by this section.

(c) If bail is returned, the amount of the assessment shall also be returned, but only if the person did not violate his or her promise to appear or citation following a lawfully granted continuance.

(d) The clerk of the court shall deposit the amounts collected under this section in the county treasury. All money so deposited shall be used exclusively for the development and operation of an automated county warrant system.

