

AMENDED IN SENATE JUNE 26, 2000
AMENDED IN ASSEMBLY MAY 2, 2000
AMENDED IN ASSEMBLY APRIL 6, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 2685

Introduced by Assembly Member Bock

February 25, 2000

An act to add Section 1191.21 to the Penal Code, relating to victims.

LEGISLATIVE COUNSEL'S DIGEST

AB 2685, as amended, Bock. Victims: Restitution Fund.

Under existing law, the probation officer is required to notify victims of any crime of their right to be compensated from the Restitution Fund.

This bill would require the Office of Criminal Justice Planning to develop *and make available* a “notification of eligibility” card for victims and derivative victims of ~~violent~~ crimes, as defined, *that includes, but is not limited to, specified information*. The bill would ~~require~~ *authorize* the district attorney and the law enforcement officer with primary responsibility for investigating the crime against the victim to provide this card to the victims and derivative victims ~~as soon as reasonably possible~~. ~~Because the bill would impose increased duties upon local officials, it would create a state-mandated local program.~~

~~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, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

The bill would express the intent of the Legislature that any costs or expenses incurred as a result of providing a ‘notification of eligibility’ card pursuant to these provisions shall be reimbursed from the state budget.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: ~~yes~~-no.

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

1 SECTION 1. Section 1191.21 is added to the Penal
2 Code, to read:

3 1191.21. (a) The Office of Criminal Justice Planning
4 shall develop *and make available* a “notification of
5 eligibility” card for victims and derivative victims of
6 ~~violent crimes as defined in Section 667.5 that states as~~
7 ~~follows:~~ *crimes as defined in subdivision (c) of Section*
8 *13960 of the Government Code that includes, but is not*
9 *limited to, the following information:*

10
11 “If you have been the victim of a ~~violent crime~~ *crime that*
12 *meets the required definition*, you or others may be
13 eligible to receive payment from the California State
14 Restitution Fund for losses directly resulting from the
15 crime. To learn about eligibility and receive an
16 application to receive payments, call the Victims of
17 Crime Program at (800) 777-9229 or call your local county
18 Victim Witness Assistance Center.”

19



1 (b) In a case involving a ~~violent~~ crime as defined in
2 ~~Section 667.5 subdivision (c) of Section 13960 of the~~
3 ~~Government Code~~, the law enforcement officer with
4 primary responsibility for investigating the crime
5 committed against the victim and the district attorney
6 ~~shall, as soon as reasonably possible, may~~ provide the
7 “notification of eligibility” card to the victim and
8 derivative victim of a ~~violent~~ crime.

9 (c) The terms “victim” and “derivative victim” shall
10 be given the same meaning given those terms in Section
11 13960 of the Government Code.

12 ~~SEC. 2. Notwithstanding Section 17610 of the~~
13 ~~Government Code, if the Commission on State Mandates~~
14 ~~determines that this act contains costs mandated by the~~
15 ~~state, reimbursement to local agencies and school~~
16 ~~districts for those costs shall be made pursuant to Part 7~~
17 ~~(commencing with Section 17500) of Division 4 of Title~~
18 ~~2 of the Government Code. If the statewide cost of the~~
19 ~~claim for reimbursement does not exceed one million~~
20 ~~dollars (\$1,000,000), reimbursement shall be made from~~
21 ~~the State Mandates Claims Fund.~~

22 *SEC. 2. It is the intent of the Legislature that any costs*
23 *or expenses incurred as a result of providing a*
24 *‘notification of eligibility’ card pursuant to this act shall be*
25 *reimbursed from the state budget.*

