

AMENDED IN ASSEMBLY AUGUST 25, 2000

AMENDED IN ASSEMBLY JUNE 22, 2000

AMENDED IN SENATE JANUARY 27, 2000

AMENDED IN SENATE JANUARY 11, 2000

AMENDED IN SENATE JANUARY 3, 2000

**SENATE BILL**

**No. 815**

**Introduced by Senator Chesbro**  
**(Principal coauthor: Senator Monteith)**  
**(Coauthor: Senator Leslie)**  
*(Coauthor: Assembly Member Cardoza)*

February 25, 1999

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An act to amend Sections 77201 and 77201.1 of, ~~and to add and repeal Section 15202 of,~~ the Government Code, *and to amend Section 1 of Chapter 1045 of the Statutes of 1998,* relating to state and local government, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 815, as amended, Chesbro. Courts: remittance and reimbursement.

~~(1) Prior law, which was repealed on January 1, 2000, authorized counties that are responsible for the cost of a homicide trial or trials or any hearing of a person for the offense of homicide to apply to the Controller for reimbursement by the state for the expenses incurred according to specified percentages based on population. On~~

~~or after January 1, 2000, reimbursement is to be made pursuant to a single formula applicable to all counties.~~

~~This bill would reenact the repealed formula, based on the county population, and repeal the provisions providing for a single reimbursement formula.~~

~~(2) Existing law specifies certain amounts which a county is required to remit to the state for purposes of trial court funding.~~

~~This bill would revise those amounts with respect to Del Norte County.~~

~~(2) Existing law specifies the funds required to be repaid by Merced County pursuant to a loan for deferred fire protection contract costs, and provides that the amount of the local matching funds made to obtain certain juvenile correction funds in a specified year is deemed a payment for deferred fire protection contract costs.~~

~~This bill would extend the period of participation in the juvenile correction program deemed repayment on that loan.~~

~~(3) The bill would declare that it is to take effect immediately as an urgency statute.~~

~~Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.~~

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

1 ~~SECTION 1. Section 15202 is added to the~~  
2 ~~Government Code, to read:~~

3 ~~15202. (a) A county with a population of 300,000 or~~  
4 ~~less, at the time of the 1980 decennial census, that is~~  
5 ~~responsible for the cost of a trial or trials or any hearing~~  
6 ~~of a person for the offense of homicide may apply to the~~  
7 ~~Controller for reimbursement of 90 percent of the costs~~  
8 ~~incurred by the county for each homicide trial or hearing,~~  
9 ~~without regard to fiscal years, in excess of the amount of~~  
10 ~~money derived by the county from a tax of 0.00625 of 1~~  
11 ~~percent of the full value of property assessed for purposes~~  
12 ~~of taxation within the county.~~

13 ~~(b) (1) A county with a population of 200,000 or less,~~  
14 ~~as of January 1, 1990, that is responsible for the cost of two~~  
15 ~~or more trials or hearings within a fiscal year of a person~~



1 ~~or persons for the offense of homicide may apply to the~~  
2 ~~Controller for reimbursement of 90 percent of the costs~~  
3 ~~incurred in a fiscal year by the county for the conduct of~~  
4 ~~the first trial within a fiscal year, and 85 percent of the~~  
5 ~~costs incurred in a fiscal year by the county for the~~  
6 ~~conduct of any and all subsequent trials or hearings in~~  
7 ~~excess of the amount of money derived by the county~~  
8 ~~from a tax of 0.00625 of 1 percent of the full value of~~  
9 ~~property assessed for purposes of taxation within the~~  
10 ~~county.~~

11 ~~(2) A county with a population of 200,000 or less, as of~~  
12 ~~January 1, 1990, that, within a fiscal year, is reimbursed for~~  
13 ~~costs incurred by the county for the conduct of only one~~  
14 ~~trial or hearing pursuant to subdivision (a) shall be~~  
15 ~~reimbursed for that one trial or hearing in subsequent~~  
16 ~~fiscal years for costs incurred in those subsequent fiscal~~  
17 ~~years without again being required to expend county~~  
18 ~~funds equal to 0.00625 of 1 percent of the full value of~~  
19 ~~property assessed for purposes of taxation within the~~  
20 ~~county, so long as all reimbursements to the county under~~  
21 ~~this paragraph are for only that one trial or hearing.~~

22 ~~For purposes of this subdivision, in determining the~~  
23 ~~costs of a homicide trial, trials, hearing, or hearings, the~~  
24 ~~costs shall include, all pretrial, trial, and posttrial costs~~  
25 ~~incurred in connection with the investigation,~~  
26 ~~prosecution, and defense of a homicide case or cases~~  
27 ~~within a fiscal year, including, but not limited to, the costs~~  
28 ~~incurred by the district attorney, sheriff, public defender,~~  
29 ~~and witnesses, that were reasonably required by the court~~  
30 ~~and participants in the case or cases, and other~~  
31 ~~extraordinary costs associated with the investigation in~~  
32 ~~homicide cases.~~

33 ~~(c) A county with a population exceeding 300,000 at~~  
34 ~~the time of the 1980 decennial census that is responsible~~  
35 ~~for the cost of a trial or trials or any hearing of a person~~  
36 ~~for the offense of homicide may apply to the Controller~~  
37 ~~for reimbursement of 80 percent of the costs incurred by~~  
38 ~~the county in excess of the amount of money derived by~~  
39 ~~the county from a tax of 0.00625 of 1 percent, and not in~~  
40 ~~excess of the amount of money derived from a tax of~~



1 0.0125 of 1 percent, and for reimbursement of 100 percent  
2 of the costs incurred in excess of the amount of money  
3 derived from a tax of 0.0125 percent, of the full value of  
4 property assessed for purposes of taxation within the  
5 county.

6 (d) The Controller shall not reimburse any county for  
7 costs that exceed the standards for travel and per diem  
8 expenses set forth in Sections 700 to 715, inclusive, and  
9 Section 718 of Title 2 of the California Code of  
10 Regulations. The Controller may reimburse  
11 extraordinary costs in unusual cases if the county provides  
12 sufficient justification of the need for these expenditures.  
13 Nothing in this section shall permit the reimbursement of  
14 costs for travel in excess of 1,000 miles on any single round  
15 trip, without the prior approval of the Attorney General.

16 (e) The Legislature recognizes that the conduct of  
17 trials for persons accused of homicide should not be  
18 hampered or delayed because of a lack of funds available  
19 to the counties for that purpose. While this section is  
20 intended to provide an equitable basis for determining  
21 the allocation to the state of the costs of homicide trials in  
22 any particular county, the rising costs of those trials  
23 necessitate an objective study to assure reasonable  
24 financial restraints and incentives for cost effectiveness  
25 that do not place an unreasonable burden on the treasury  
26 of the smaller counties.

27 SEC. 2. Section 15202 of the Government Code, as  
28 amended by Section 3 of Chapter 437 of the Statutes of  
29 1994, is repealed.

30 SEC. 3.

31 SECTION 1. Section 77201 of the Government Code  
32 is amended to read:

33 77201. (a) Commencing on July 1, 1997, no county  
34 shall be responsible for funding court operations, as  
35 defined in Section 77003 and Rule 810 of the California  
36 Rules of Court as it read on July 1, 1996.

37 (b) In the 1997-98 fiscal year, each county shall remit  
38 to the state in installments due on January 1, April 1, and  
39 June 30, the amounts specified in paragraphs (1) and (2),  
40 as follows:



1 (1) Except as otherwise specifically provided in this  
2 section, each county shall remit to the state the amount  
3 listed below which is based on an amount expended by  
4 the respective county for court operations during the  
5 1994–95 fiscal year:

6		
7	Jurisdiction	Amount
8	Alameda .....	\$ 42,045,093
9	Alpine .....	46,044
10	Amador .....	900,196
11	Butte .....	2,604,611
12	Calaveras .....	420,893
13	Colusa .....	309,009
14	Contra Costa .....	21,634,450
15	Del Norte .....	780,786
16	El Dorado .....	3,888,927
17	Fresno .....	13,355,025
18	Glenn .....	371,607
19	Humboldt .....	2,437,196
20	Imperial .....	2,055,173
21	Inyo .....	546,508
22	Kern .....	16,669,917
23	Kings .....	2,594,901
24	Lake .....	975,311
25	Lassen .....	517,921
26	Los Angeles .....	291,872,379
27	Madera .....	1,242,968
28	Marin .....	6,837,518
29	Mariposa .....	177,880
30	Mendocino .....	1,739,605
31	Merced .....	1,363,409
32	Modoc .....	114,249
33	Mono .....	271,021
34	Monterey .....	5,739,655
35	Napa .....	2,866,986
36	Nevada .....	815,130
37	Orange .....	76,567,372
38	Placer .....	6,450,175
39	Plumas .....	413,368
40	Riverside .....	32,524,412



1	Sacramento .....	40,692,954
2	San Benito .....	460,552
3	San Bernardino .....	31,516,134
4	San Diego .....	77,637,904
5	San Francisco .....	31,142,353
6	San Joaquin .....	9,102,834
7	San Luis Obispo .....	6,840,067
8	San Mateo .....	20,383,643
9	Santa Barbara .....	10,604,431
10	Santa Clara .....	49,876,177
11	Santa Cruz .....	6,449,104
12	Shasta .....	3,369,017
13	Sierra .....	40,477
14	Siskiyou .....	478,144
15	Solano .....	10,780,179
16	Sonoma .....	9,273,174
17	Stanislaus .....	8,320,727
18	Sutter .....	1,718,287
19	Tehama .....	1,352,370
20	Trinity .....	620,990
21	Tulare .....	6,981,681
22	Tuolumne .....	1,080,723
23	Ventura .....	16,721,157
24	Yolo .....	2,564,985
25	Yuba .....	842,240

26  
27 (2) Except as otherwise specifically provided in this  
28 section, each county shall also remit to the state the  
29 amount listed below which is based on an amount of fine  
30 and forfeiture revenue remitted to the state pursuant to  
31 Sections 27361 and 76000 of this code, Sections 1463.001  
32 and 1464 of the Penal Code, and Sections 42007, 42007.1,  
33 and 42008 of the Vehicle Code during the 1994–95 fiscal  
34 year:

35		
36	Jurisdiction	Amount
37	Alameda .....	\$12,769,882
38	Alpine .....	58,757
39	Amador .....	377,005
40	Butte .....	1,437,671



1	Calaveras .....	418,558
2	Colusa .....	485,040
3	Contra Costa .....	<del>5,646,329</del>
4		6,138,742
5	Del Norte .....	<del>429,645</del>
6		235,438
7	El Dorado .....	1,217,093
8	Fresno .....	4,505,786
9	Glenn .....	455,389
10	Humboldt .....	1,161,745
11	Imperial .....	1,350,760
12	Inyo .....	878,321
13	Kern .....	6,688,247
14	Kings .....	1,115,601
15	Lake .....	424,070
16	Lassen .....	513,445
17	Los Angeles .....	89,771,310
18	Madera .....	1,207,998
19	Marin .....	2,700,045
20	Mariposa .....	135,457
21	Mendocino .....	948,837
22	Merced .....	2,093,355
23	Modoc .....	122,156
24	Mono .....	415,136
25	Monterey .....	3,855,457
26	Napa .....	874,219
27	Nevada .....	1,378,796
28	Orange .....	24,830,542
29	Placer .....	2,182,230
30	Plumas .....	225,080
31	Riverside .....	13,328,445
32	Sacramento .....	7,548,829
33	San Benito .....	346,451
34	San Bernardino .....	11,694,120
35	San Diego .....	21,410,586
36	San Francisco .....	5,925,950
37	San Joaquin .....	4,753,688
38	San Luis Obispo .....	2,573,968
39	San Mateo .....	7,124,638



1	Santa Barbara .....	4,094,288
2	Santa Clara .....	15,561,983
3	Santa Cruz .....	2,267,327
4	Shasta .....	1,198,773
5	Sierra .....	46,778
6	Siskiyou .....	801,329
7	Solano .....	3,757,059
8	Sonoma .....	2,851,883
9	Stanislaus .....	2,669,045
10	Sutter .....	802,574
11	Tehama .....	761,188
12	Trinity .....	137,087
13	Tulare .....	2,299,167
14	Tuolumne .....	440,496
15	Ventura .....	6,129,411
16	Yolo .....	1,516,065
17	Yuba .....	402,077

18

19 (3) The installment due on January 1 shall be for 25  
20 percent of the amounts specified in paragraphs (1) and  
21 (2). The installments due on April 1 and June 30 shall be  
22 prorated uniformly to reflect any adjustments made by  
23 the Department of Finance, as provided in this section.  
24 If no adjustment is made by April 1, 1998, the April 1, 1998,  
25 installment shall be for 15 percent of the amounts  
26 specified in paragraphs (1) and (2). If no adjustment is  
27 made by June 30, 1998, the June 30, 1998, installment shall  
28 be for the balance of the amounts specified in paragraphs  
29 (1) and (2).

30 (4) Except as otherwise specifically provided in this  
31 section, county remittances specified in paragraphs (1)  
32 and (2) shall not be increased in subsequent years.

33 (5) Any change in statute or rule of court that either  
34 reduces the bail schedule or redirects or reduces a  
35 county's portion of fee, fine, and forfeiture revenue to an  
36 amount that is less than (A) the fees, fines, and forfeitures  
37 retained by that county and (B) the county's portion of  
38 fines and forfeitures transmitted to the state in the  
39 1994-95 fiscal year, shall reduce that county's remittance  
40 specified in paragraph (2) of this subdivision by an equal



1 amount. Nothing in this paragraph is intended to limit  
2 judicial sentencing discretion.

3 (c) The Department of Finance shall adjust the  
4 amount specified in paragraph (1) of subdivision (b) that  
5 a county is required to submit to the state, pursuant to the  
6 following:

7 (1) A county shall submit a declaration to the  
8 Department of Finance, no later than February 15, 1998,  
9 that the amount it is required to submit to the state  
10 pursuant to paragraph (1) of subdivision (b) either  
11 includes or does not include the costs for local judicial  
12 benefits which are court operation costs as defined in  
13 Section 77003 and Rule 810 of the California Rules of  
14 Court. The trial courts in a county that submits such a  
15 declaration shall be given a copy of the declaration and  
16 the opportunity to comment on the validity of the  
17 statements in the declaration. The Department of  
18 Finance shall verify the facts in the county's declaration  
19 and comments, if any. Upon verification that the amount  
20 the county is required to submit to the state includes the  
21 costs of local judicial benefits, the department shall  
22 reduce on or before June 30, 1998, the amount the county  
23 is required to submit to the state pursuant to paragraph  
24 (1) of subdivision (b) by an amount equal to the cost of  
25 those judicial benefits, in which case the county shall  
26 continue to be responsible for the cost of those benefits.  
27 If a county disagrees with the Department of Finance's  
28 failure to verify the facts in the county's declaration and  
29 reduce the amount the county is required to submit to the  
30 state pursuant to paragraph (1) of subdivision (b), the  
31 county may request that the Controller conduct an audit  
32 to verify the facts in the county's declaration. The  
33 Controller shall conduct the requested audit which shall  
34 be at the requesting county's expense. If the Controller's  
35 audit verifies the facts in the county's declaration, the  
36 department shall reduce the amount the county is  
37 required to submit to the state pursuant to paragraph (1)  
38 of subdivision (b) by an amount equal to the amount  
39 verified by the Controller's audit and the state shall  
40 reimburse the requesting county for the cost of the audit.

1 (d) The Department of Finance shall adjust the  
2 amount specified in paragraph (1) of subdivision (b) of  
3 Section 77201.1 that a county is required to submit to the  
4 state, pursuant to the following procedures:

5 (1) A county may submit a declaration to the  
6 Department of Finance, no later than February 15, 1998,  
7 that declares that (A) the county incorrectly reported  
8 county costs as court operations costs as defined in Section  
9 77003 in the 1994–95 fiscal year, and that incorrect report  
10 resulted in the amount the county is required to submit  
11 to the state pursuant to paragraph (1) of subdivision (b)  
12 being too high, (B) the amount the county is required to  
13 submit to the state pursuant to paragraph (1) of  
14 subdivision (b) includes amounts that were specifically  
15 appropriated, funded, and expended by a county or city  
16 and county during the 1994–95 fiscal year to fund  
17 extraordinary one-time expenditures for court operation  
18 costs, or (C) the amount the county is required to submit  
19 to the state pursuant to paragraph (1) of subdivision (b)  
20 includes expenses that were funded from grants or  
21 subventions from any source, for court operation costs  
22 that could not have been funded without those grants or  
23 subventions being available. A county submitting that  
24 declaration shall concurrently transmit a copy of the  
25 declaration to the trial courts of that county. The trial  
26 courts in a county that submits that declaration shall have  
27 the opportunity to comment to the Department of  
28 Finance on the validity of the statements in the  
29 declaration. Upon receipt of the declaration and  
30 comments, if any, the Department of Finance shall  
31 determine and certify which costs identified in the  
32 county's declaration were incorrectly reported as court  
33 operation costs or were expended for extraordinary  
34 one-time expenditures or funded from grants or  
35 subventions in the 1994–95 fiscal year. The Department  
36 of Finance shall reduce the amount a county must submit  
37 to the state pursuant to paragraph (1) of subdivision (b)  
38 of Section 77201.1 by an amount equal to the amount the  
39 department certifies was incorrectly reported as court  
40 operations costs or were expended for extraordinary



1 one-time expense or funded from grants or subventions  
2 in the 1994–95 fiscal year. If a county disagrees with the  
3 Department of Finance’s failure to verify the facts in the  
4 county’s declaration and reduce the amount the county  
5 is required to submit to the state pursuant to paragraph  
6 (1) of subdivision (b) of Section 77201.1, the county may  
7 request that the Controller conduct an audit to verify the  
8 facts in the county’s declaration. The Controller shall  
9 conduct the requested audit, which shall be at the  
10 requesting county’s expense. If the Controller’s audit  
11 verifies the facts in the county’s declaration, the  
12 department shall reduce the amount the county is  
13 required to submit to the state pursuant to paragraph (1)  
14 of subdivision (b) of Section 77201.1 by an amount equal  
15 to the amount verified by the Controller’s audit and the  
16 state shall reimburse the requesting county for the cost of  
17 the audit. A county shall provide, at no charge to the  
18 court, any service for which the amount in paragraph (1)  
19 of subdivision (b) of Section 77201.1 was adjusted  
20 downward, if the county is required to provide that  
21 service at no cost to the court by any other provision of  
22 law.

23 (2) A court may submit a declaration to the  
24 Department of Finance, no later than February 15, 1998,  
25 that the county failed to report county costs as court  
26 operations costs as defined in Section 77003 in the 1994–95  
27 fiscal year, and that this failure resulted in the amount the  
28 county is required to submit to the state pursuant to  
29 paragraph (1) of subdivision (b) being too low. A court  
30 submitting that declaration shall concurrently transmit a  
31 copy of the declaration to the county. A county shall have  
32 the opportunity to comment to the Department of  
33 Finance on the validity of statements in the declaration  
34 and comments, if any. Upon receipt of the declaration,  
35 the Department of Finance shall determine and certify  
36 which costs identified in the court’s declaration should  
37 have been reported by the county as court operation costs  
38 in the 1994–95 fiscal year and whether this failure resulted  
39 in the amount the county is required to submit to the state  
40 pursuant to paragraph (1) of subdivision (b) being too



1 low. The Department of Finance shall notify the county,  
2 the trial courts in the county, and the Judicial Council of  
3 its certification and decision. Within 30 days, the county  
4 shall either notify the Department of Finance, trial courts  
5 in the county, and the Judicial Council that the county  
6 shall assume responsibility for the costs the county has  
7 failed to report, or that the department shall increase the  
8 amount the county is required to submit to the state  
9 pursuant to paragraph (1) of subdivision (b) of Section  
10 77201.1 by an amount equal to the amount certified by the  
11 department. A county shall not be required to continue  
12 to provide services for which the amount in paragraph  
13 (1) of subdivision (b) of Section 77201.1 was adjusted  
14 upward.

15 (e) The Legislature hereby finds and declares that to  
16 ensure an orderly transition to state trial court funding,  
17 it is necessary to delay the adjustments to county  
18 obligation payments provided for by Article 3  
19 (commencing with Section 77200) of Chapter 13 of Title  
20 8, as added by Chapter 850 of the Statutes of 1997, until  
21 the 1998–99 fiscal year. The Legislature also finds and  
22 declares that since increase adjustments to the county  
23 obligation amounts will not take effect in the 1997–98  
24 fiscal year, county charges for those services related to the  
25 increase adjustments shall not occur in the 1997–98 fiscal  
26 year. It is recognized that the counties have an obligation  
27 to provide, and the trial courts have an obligation to pay,  
28 for services provided by the county pursuant to Section  
29 77212. In the 1997–98 fiscal year, the counties shall charge  
30 for, and the courts shall pay, these obligations consistent  
31 with paragraphs (1) and (2) of this subdivision.

32 (1) For the 1997–98 fiscal year, a county shall reduce  
33 the charges to a court for those services for which the  
34 amount in paragraph (1) of subdivision (b) of Section  
35 77201.1 is adjusted upward, by an amount equal to the  
36 lesser of the following:

37 (A) The amount of the increase adjustment certified  
38 by the department pursuant to paragraph (2) of  
39 subdivision (d).



1 (B) The difference between the actual amount  
2 charged and paid for from the trial court operations fund,  
3 and the amount charged in the 1994–95 fiscal year.

4 (2) For the 1997–98 fiscal year, any funds paid out of  
5 the trial court operations fund established pursuant to  
6 Section 77009 during the 1997–98 fiscal year to pay for  
7 those services for which there was an upward adjustment,  
8 shall be returned to the trial court operations fund in the  
9 amount equal to the lesser of the following:

10 (A) The amount of the increase adjustment certified  
11 by the department pursuant to paragraph (2) of  
12 subdivision (d).

13 (B) The difference between the actual amount  
14 charged and paid for from the trial court operations fund,  
15 and the amount charged in the 1994–95 fiscal year.

16 (3) The Judicial Council shall reduce the allocation to  
17 the courts by an amount equal to the amount of any  
18 increase adjustment certified by the Department of  
19 Finance, if the cost of those services was used in  
20 determining the Judicial Council’s allocation of funding  
21 for the 1997–98 fiscal year.

22 (4) In the event the charges are not reduced as  
23 provided in paragraph (1) or the funds are not returned  
24 to the trial court operations fund as provided in  
25 paragraph (2), the trial court operations fund shall be  
26 refunded for the 1998–99 fiscal year. Funds provided to  
27 the trial court operations fund pursuant to this paragraph  
28 shall be available to the trial courts to meet financial  
29 obligations incurred during the 1997–98 fiscal year. To the  
30 extent that a trial court receives total resources for trial  
31 court funding from the county and the state for the  
32 1997–98 fiscal year that exceeded the amount of the  
33 allocation approved by the Judicial Council by November  
34 30, 1997, these amounts shall be available for expenditure  
35 in the 1998–99 fiscal year and the Judicial Council shall  
36 reduce the 1998–99 fiscal year allocation of the court by  
37 an equal amount.

38 (f) Nothing in this section is intended to relieve a  
39 county of the responsibility to provide necessary and  
40 suitable court facilities pursuant to Section 68073.



1 (g) Nothing in this section is intended to relieve a  
2 county of the responsibility for justice-related expenses  
3 not included in Section 77003 which are otherwise  
4 required of the county by law, including, but not limited  
5 to, indigent defense representation and investigation,  
6 and payment of youth authority charges.

7 (h) The Department of Finance shall notify the  
8 county, trial courts in the county, and Judicial Council of  
9 the final decision and resulting adjustment.

10 (i) On or before February 15, 1998, each county shall  
11 submit to the Department of Finance a report of the  
12 amount it expended for trial court operations as defined  
13 in Section 77003 and Rule 810 of the California Rules of  
14 Court as it read on July 1, 1996, between the start of the  
15 1997–98 fiscal year and the effective date of this section.  
16 The department shall reduce the amount a county is  
17 required to remit to the state pursuant to paragraph (1)  
18 of subdivision (b) in the 1997–98 fiscal year by an amount  
19 equal to the amount a county expended for court  
20 operation costs between the start of the 1997–98 fiscal  
21 year and the effective date of this section. The  
22 department shall also reduce the amount a county is  
23 required to remit to the state pursuant to paragraph (2)  
24 of subdivision (b) in the 1997–98 fiscal year by an amount  
25 equal to the amount of fine and forfeiture revenue that  
26 a county remitted to the state between the start of the  
27 1997–98 fiscal year and the effective date of this section.  
28 The department shall notify the county, the trial courts  
29 of the county, and the Judicial Council of the amount it  
30 has reduced a county’s obligation to remit to the state  
31 pursuant to this subdivision.

32 ~~SEC. 4.~~

33 *SEC. 2.* Section 77201.1 of the Government Code is  
34 amended to read:

35 77201.1. (a) Commencing on July 1, 1997, no county  
36 shall be responsible for funding court operations, as  
37 defined in Section 77003 and Rule 810 of the California  
38 Rules of Court as it read on July 1, 1996.

39 (b) Commencing in the 1999–2000 fiscal year, and  
40 each fiscal year thereafter, each county shall remit to the



1 state in four equal installments due on October 1, January  
2 1, April 1, and May 1, the amounts specified in paragraphs  
3 (1) and (2), as follows:

4 (1) Except as otherwise specifically provided in this  
5 section, each county shall remit to the state the amount  
6 listed below which is based on an amount expended by  
7 the respective county for court operations during the  
8 1994–95 fiscal year:

Jurisdiction	Amount
10 Alameda .....	\$ 22,509,905
11 Alpine .....	-
12 Amador .....	-
13 Butte .....	-
14 Calaveras .....	-
15 Colusa .....	-
16 Contra Costa .....	11,974,535
17 Del Norte .....	-
18 El Dorado .....	-
19 Fresno .....	11,222,780
20 Glenn .....	-
21 Humboldt .....	-
22 Imperial .....	-
23 Inyo .....	-
24 Kern .....	9,234,511
25 Kings .....	-
26 Lake .....	-
27 Lassen .....	-
28 Los Angeles .....	175,330,647
29 Madera .....	-
30 Marin .....	-
31 Mariposa .....	-
32 Mendocino .....	-
33 Merced .....	-
34 Modoc .....	-
35 Mono .....	-
36 Monterey .....	4,520,911
37 Napa .....	-
38 Nevada .....	-
39 Orange .....	38,846,003



1	Placer .....	-
2	Plumas .....	-
3	Riverside .....	17,857,241
4	Sacramento .....	20,733,264
5	San Benito .....	-
6	San Bernardino .....	20,227,102
7	San Diego .....	43,495,932
8	San Francisco .....	19,295,303
9	San Joaquin .....	6,543,068
10	San Luis Obispo .....	-
11	San Mateo .....	12,181,079
12	Santa Barbara .....	6,764,792
13	Santa Clara .....	28,689,450
14	Santa Cruz .....	-
15	Shasta .....	-
16	Sierra .....	-
17	Siskiyou .....	-
18	Solano .....	6,242,661
19	Sonoma .....	6,162,466
20	Stanislaus .....	3,506,297
21	Sutter .....	-
22	Tehama .....	-
23	Trinity .....	-
24	Tulare .....	-
25	Tuolumne .....	-
26	Ventura .....	9,734,190
27	Yolo .....	-
28	Yuba .....	-

29  
30 (2) Except as otherwise specifically provided in this  
31 section, each county shall also remit to the state the  
32 amount listed below which is based on an amount of fine  
33 and forfeiture revenue remitted to the state pursuant to  
34 Sections 27361 and 76000 of this code, Sections 1463.001,  
35 1463.07, and 1464 of the Penal Code, and Sections 42007,  
36 42007.1, and 42008 of the Vehicle Code during the 1994–95  
37 fiscal year:

38



	Amount
1 Jurisdiction	
2 Alameda .....	\$ 9,912,156
3 Alpine .....	58,757
4 Amador .....	265,707
5 Butte .....	1,217,052
6 Calaveras .....	310,331
7 Colusa .....	397,468
8 Contra Costa .....	<del>4,168,194</del>
9	4,486,486
10 Del Norte .....	124,085
11 El Dorado .....	1,028,349
12 Fresno .....	3,695,633
13 Glenn .....	360,974
14 Humboldt .....	1,025,583
15 Imperial .....	1,144,661
16 Inyo .....	614,920
17 Kern .....	5,530,972
18 Kings .....	982,208
19 Lake .....	375,570
20 Lassen .....	430,163
21 Los Angeles .....	71,002,129
22 Madera .....	1,042,797
23 Marin .....	2,111,712
24 Mariposa .....	135,457
25 Mendocino .....	717,075
26 Merced .....	1,733,156
27 Modoc .....	104,729
28 Mono .....	415,136
29 Monterey .....	3,330,125
30 Napa .....	719,168
31 Nevada .....	1,220,686
32 Orange .....	19,572,810
33 Placer .....	1,243,754
34 Plumas .....	193,772
35 Riverside .....	7,681,744
36 Sacramento .....	5,937,204
37 San Benito .....	302,324
38 San Bernardino .....	8,511,193
39 San Diego .....	16,166,735



1	San Francisco .....	4,046,107
2	San Joaquin .....	3,562,835
3	San Luis Obispo .....	2,036,515
4	San Mateo .....	4,831,497
5	Santa Barbara .....	3,277,610
6	Santa Clara .....	11,597,583
7	Santa Cruz .....	1,902,096
8	Shasta .....	1,044,700
9	Sierra .....	42,533
10	Siskiyou .....	615,581
11	Solano .....	2,708,758
12	Sonoma .....	2,316,999
13	Stanislaus .....	1,855,169
14	Sutter .....	678,681
15	Tehama .....	640,303
16	Trinity .....	137,087
17	Tulare .....	1,840,422
18	Tuolumne .....	361,665
19	Ventura .....	4,575,349
20	Yolo .....	880,798
21	Yuba .....	289,325

22

23 (3) Except as otherwise specifically provided in this  
24 section, county remittances specified in paragraphs (1)  
25 and (2) shall not be increased in subsequent years.

26 (4) Except for those counties with a population of  
27 70,000, or less, on January 1, 1996, the amount a county is  
28 required to remit pursuant to paragraph (1) shall be  
29 adjusted by the amount equal to any adjustment resulting  
30 from the procedures in subdivisions (c) and (d) of  
31 Section 77201 as that section read on June 30, 1998, to the  
32 extent a county filed an appeal with the Controller with  
33 respect to the findings made by the Department of  
34 Finance. This paragraph shall not be construed to  
35 establish a new appeal process beyond what was provided  
36 by Section 77201, as that section read on June 30, 1998.

37 (5) Any change in statute or rule of court that either  
38 reduces the bail schedule or redirects or reduces a  
39 county's portion of fee, fine, and forfeiture revenue to an  
40 amount that is less than (A) the fees, fines, and forfeitures



1 retained by that county, and (B) the county's portion of  
2 fines and forfeitures transmitted to the state in the  
3 1994-95 fiscal year, shall reduce that county's remittance  
4 specified in paragraph (2) of this subdivision by an equal  
5 amount. Nothing in this paragraph is intended to limit  
6 judicial sentencing discretion.

7 (c) Nothing in this section is intended to relieve a  
8 county of the responsibility to provide necessary and  
9 suitable court facilities pursuant to Section 68073.

10 (d) Nothing in this section is intended to relieve a  
11 county of the responsibility for justice-related expenses  
12 not included in Section 77003 which are otherwise  
13 required of the county by law, including, but not limited  
14 to, indigent defense representation and investigation,  
15 and payment of youth authority charges.

16 (e) County base year remittance requirements  
17 specified in paragraph (2) of subdivision (b) incorporate  
18 specific reductions to reflect those instances where the  
19 Department of Finance has determined that a county's  
20 remittance to both the General Fund and the Trial Court  
21 Trust Fund during the 1994-95 fiscal year exceeded the  
22 aggregate amount of state funding from the General  
23 Fund and the Trial Court Trust Fund. The amount of the  
24 reduction was determined by calculating the difference  
25 between the amount the county remitted to the General  
26 Fund and the Trial Court Trust Fund and the aggregate  
27 amount of state support from the General Fund and the  
28 Trial Court Trust Fund allocated to the county's trial  
29 courts. In making its determination of whether a county  
30 is entitled to a reduction pursuant to that paragraph, the  
31 Department of Finance subtracted from county revenues  
32 remitted to the state, all moneys derived from the fee  
33 required by Section 42007.1 of the Vehicle Code and the  
34 parking surcharge required by subdivision (c) of Section  
35 76000.

36 (f) Notwithstanding subdivision (e), the Department  
37 of Finance shall not reduce a county's base year  
38 remittance requirement, as specified in paragraph (2) of  
39 subdivision (b), if the county's trial court funding  
40 allocation was modified pursuant to the amendments to



1 the allocation formula set forth in paragraph (4) of  
2 subdivision (d) of Section 77200, as amended by Chapter  
3 2 of the Statutes of 1993, to provide a stable level of  
4 funding for small county courts in response to reductions  
5 in the General Fund support for the trial courts.

6 (g) In any fiscal year in which a county of the first class  
7 pays the employer-paid retirement contribution for court  
8 employees, or any other employees of the county who  
9 provide a service to the court, and the amounts of those  
10 payments are charged to the budget of the courts, the  
11 sum the county is required to pay to the state pursuant to  
12 paragraph (1) of subdivision (b) shall be increased by the  
13 actual amount charged to the trial court up to  
14 twenty-three million five hundred twenty-seven  
15 thousand nine hundred forty-nine dollars (\$23,527,949) in  
16 that fiscal year. The county and the trial court shall report  
17 to the Controller and the Department of Finance the  
18 actual amount charged in that fiscal year.

19 (h) This section shall become operative on July 1, 1999.

20 ~~SEC. 5.~~

21 *SEC. 3. Section 1 of Chapter 1045 of the Statutes of*  
22 *1998 is amended to read:*

23 Section 1. (a) For a county that received a loan  
24 pursuant to Article 1.5 (commencing with Section 55620)  
25 of Chapter 4 of Part 2 of Division 2 of Title 2 of the  
26 Government Code, the amount of the local match  
27 required *and those other funds necessary to complete the*  
28 *project as described in the grant award made* pursuant to  
29 subdivision (b) of Section 4 of Chapter 339 of the Statutes  
30 of 1998 that is paid by the county during its ~~initial year of~~  
31 participation in the program specified in that subdivision  
32 in ~~either the 1998-99 fiscal year or the 1999-2000,~~  
33 ~~2000-2001, 2001-2002, and 2002-2003 fiscal year~~ years,  
34 shall be deemed a payment on the loan provided  
35 pursuant to that article.

36 (b) The principal balance of the loan made pursuant  
37 to that Article 1.5, following the application of any  
38 payments made by a county and the application of the  
39 payment deemed to have been made pursuant to  
40 subdivision (a), shall be paid by a county in annual



1 installments of no less than 10 percent of the principal  
2 balance of the loan. These payments shall be made by  
3 December 31 of each year commencing in the fiscal year  
4 following the initial participation in the program  
5 authorized by Section 4 of Chapter 339 of the Statutes of  
6 1998. No further interest shall accrue on the loan after the  
7 operative date of this act and any interest accrued to date  
8 is hereby waived.

9 (c) This act shall become operative only if the county  
10 participates during the 1998–99 fiscal year or the  
11 1999–2000 fiscal year in the program or programs  
12 implemented pursuant to Sections 2 to 4, inclusive, of  
13 Chapter 339 of the Statutes of 1998.

14 *SEC. 4.* This act is an urgency statute necessary for  
15 the immediate preservation of the public peace, health,  
16 or safety within the meaning of Article IV of the  
17 Constitution and shall go into immediate effect. The facts  
18 constituting the necessity are:

19 ~~In order to ensure that funding for homicide trials and~~  
20 ~~hearings is preserved and an unreasonable burden is not~~  
21 ~~placed on the treasuries of the smaller counties, and in~~

22 *In order to correct the statutory amount that amounts*  
23 *that Contra Costa County and Del Norte County should*  
24 *be required to remit to the state for purposes of trial court*  
25 *funding, and in order that Merced County may proceed*  
26 *with the construction of a new juvenile hall as*  
27 *contemplated in Chapter 1045 of the Statutes of 1998 it is*  
28 *necessary that this act take effect immediately.*

