

AMENDED IN ASSEMBLY MARCH 27, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1055

Introduced by Assembly Member Spitzer

February 20, 2003

An act to amend Section 29404 of the Government Code, relating to the district attorney.

LEGISLATIVE COUNSEL'S DIGEST

AB 1055, as amended, Spitzer. District attorney: special appropriation.

Existing law requires at the beginning of each fiscal year in counties having a population of 90,000 or more that the board of supervisors make available to the district attorney's special appropriation the sum of \$5,000, and in all other counties, the sum of \$2,500. Existing law authorizes the district attorney to use this special appropriation to pay for, among other things, expenses incurred in criminal cases arising in the county, expenses in civil actions, proceedings, or other matters in which the county is interested, and expenses necessarily incurred in the detection of crime, except as specified.

This bill would revise these provisions to require that the district attorney shall only use the special appropriation for expenses that are ~~necessarily~~ *lawfully* incurred, as specified.

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

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

- 1 SECTION 1. Section 29404 of the Government Code is
2 amended to read:
3 29404. The district attorney shall only use the special
4 appropriation to pay:
5 (a) Expenses ~~necessarily~~ *lawfully* incurred in criminal cases
6 arising in the county.
7 (b) Expenses ~~necessarily~~ *lawfully* incurred in the detection of
8 crime, other than those declared to be misdemeanors by the
9 Vehicle Code.
10 (c) Expenses ~~necessarily~~ *lawfully* incurred in civil actions or
11 proceedings.

