

ASSEMBLY BILL

No. 1556

Introduced by Assembly Member Cook

January 26, 2012

An act to amend Section 15820.910 of the Government Code, relating to jail facilities, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1556, as introduced, Cook. Financing of county jail facilities.

Existing law authorizes the Department of Corrections and Rehabilitation, participating counties, and the State Public Works Board (SPWB) to acquire, design, and construct local jail facilities approved by the Corrections Standards Authority. Existing law authorizes the SPWB to issue revenue bonds, notes, or bond anticipation notes in specified amounts to finance the acquisition, design, or construction, and a reasonable construction reserve, of approved local jail facilities, as specified.

Existing law authorizes a participating county that has received a conditional award under one specified jail facilities financing program to relinquish its conditional award, provided that no state moneys have been encumbered in contracts let by the county, and reapply for a conditional award under a separate financing program that requires the county to contribute 10% of the total project costs. Moneys derived under the separate financing program are continuously appropriated for the acquisition, design, or construction of approved jail facilities.

This bill would require that, notwithstanding the provisions above, any qualified county, as defined, that has received a conditional award under one specified jail facilities financing program whereby state moneys have been encumbered in contracts let by the county, to be

awarded \$16,000,000 by December 31, 2012, from the separate financing program. By expanding the purposes of a continuously appropriated fund, this bill would make an appropriation.

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

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

- 1 SECTION 1. Section 15820.910 of the Government Code is
2 amended to read:
3 15820.910. (a) A participating county that has received a
4 conditional award under the financing program, as set forth in
5 Chapter 3.11 (commencing with Section ~~15820.80~~ 15820.90),
6 may relinquish its conditional award, provided that no state moneys
7 have been encumbered in contracts let by the county, and may
8 reapply for a conditional award under the financing program set
9 forth in this chapter, as amended by the act adding this section.
10 (b) (1) *Notwithstanding subdivision (a), any qualified county*
11 *that has received a conditional award under the financing program,*
12 *as set forth in Chapter 3.11 (commencing with Section 15820.90),*
13 *whereby state moneys have been encumbered in contracts let by*
14 *the county, shall be awarded sixteen million dollars (\$16,000,000)*
15 *from funds derived to pursuant to Section 15820.913 by December*
16 *31, 2012.*
17 (2) *Any amount received by a qualified county pursuant to*
18 *paragraph (1) shall be deposited into the county's general fund.*
19 (c) *For purposes of this section, "qualified county" means a*
20 *participating county that prior to January 1, 2011, had state*
21 *moneys encumbered in contracts let by the county under the Public*
22 *Safety and Offender Rehabilitation Services Act of 2007 that was*
23 *precluded from benefitting from the lower county match of 10*
24 *percent as authorized by Chapter 23 of the statutes of 2011.*