

| | | |
|--|---|--------------------------------------|
| Department of Finance | | Fund: 0016 |
| STATE OF CALIFORNIA MANUAL OF STATE FUNDS | | PAGE 1 Renumbered From: |
| <u>Legal Title</u> Subsequent Injuries Benefits Trust Fund | | |
| <u>Legal Citation/Authority</u> Chapter 341, Statutes of 2009 (SB 73) Labor Code sections: 4706.5(c), 4751-4755 (General Provisions) 62.5(c)(1) (Creation of Fund) | | |
| <u>Fund Classification</u> <u>GAAP Basis</u> Governmental/Special Revenue Funds | <u>Fund Classification</u> <u>Legal Basis</u> Nongovernmental/Public Service Enterprise Funds | |
| <u>Purpose</u> This fund was created as a depository for any unpaid or accrued benefits of deceased employees who had no dependents or heirs entitled to such benefits. All such revenues are to be paid by the employer to the Department of Industrial Relations and are appropriated for the payment of workers' compensation benefits for subsequent injury pursuant to Article 5 (commencing with Section 4750). To collect assessments levied by the director upon all employers as defined in Section 3300-3302, to be allocated for deposit into the Workers' Compensation Administration Revolving Fund (0223), the Uninsured Employers Benefits Trust Fund (0571), the Subsequent Injuries Benefits Trust Fund (0016), the Occupational Safety and health Fund (3121), and the Labor Enforcement and Compliance Fund (3152). The total amount of the assessments shall be allocated between self-insured employers and insured employers in proportion to payroll respectively paid in the most recent year for which payroll information is available. This fund is continuously appropriated for the nonadministrative expenses of the workers' compensation program for workers who have suffered serious injury and who are suffering from previous and serious permanent disabilities or physical impairments, in accordance with Article 5 (commencing with Section 4751) of Chapter 2 of Part 2 of Division 4, and Section 4 of Article XIV of the California Constitution, and shall not be used for any other purpose. All money collected shall be retained in the trust fund until paid as benefits to workers who have suffered serious injury and who are suffering from previous and serious permanent disabilities or physical impairments. | | |
| <u>Administering Agency/Organization Code</u> Department of Industrial Relations/Org 7350 | | |
| <u>Major Revenue Source</u> <ul style="list-style-type: none"> • Payment of employee benefits by employers to the Department of Industrial Relations, when the employee has deceased and there are no dependents, heirs, etc. (See Sections 4706.5(a) and (b) of the Labor Code.) • Assessments levied by the director upon all employers as defined in Section 3300-3302. | | |

Disposition of Fund (upon abolishment)

Pursuant to Government Code 16346, absent language that identifies a successor fund, any balance remaining in this fund upon abolishment, shall be transferred to the General Fund.

Appropriation Authority

Pursuant to Labor Code section 62.5(c)(1): Notwithstanding Section 13340 of the Government Code, this fund is continuously appropriated for the nonadministrative expenses of the workers' compensation program.

State Appropriations Limit

Always Excluded – Revenues in this fund are not proceeds of taxes and even after transfer, will never become proceeds of taxes because the major revenue source is derived from a Public Service Enterprise Fund.

Comments/ Historical Information

Chapter 1334, Statutes of 1972 created an account within the General Fund for the purposes identified above. A separate fund was established administratively to facilitate the accountability of the moneys being deposited.

Chapter 228, Statutes of 2003 (AB 1756) renamed the Subsequent Injuries Moneys Account to the Subsequent Injuries Benefits Trust Fund (change commencing January 1, 2004). At this time, the source and purpose of both funds were combined into one write up within the Manual of State Funds