

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: June 4, 2007
POSITION: Oppose

BILL NUMBER: SB 153
AUTHOR: C. Migden

BILL SUMMARY: Victim Services

This bill would, effective July 1, 2008,: 1) change the percentage of money that is deposited into various funds from the State Penalty Fund (SPF), 2) authorize counties to establish child advocacy centers to coordinate the activities of various agencies involved in the investigation and prosecution of alleged child abuse, and 3) provide that a county may enter into grants for interview services with the Office of Emergency Services (OES) for the recovery of costs associated with the provision of child victim forensic evidentiary interviews conducted by child advocacy centers.

FISCAL SUMMARY

This bill would make various changes to the distribution of penalty assessment funds by changing the percentage that various funds receive from penalty assessments. For example, the following funds would be impacted as shown below:

- A decrease to the Driver Training Penalty Assessment Fund of approximately \$41.5 million
- A decrease to the Restitution Fund of \$2.7 million
- An increase to the Corrections Training Fund of \$9.8 million
- An increase to the Local Public Prosecutors and Public Defenders Training Fund of \$724,000
- An increase to the Victim/Witness Assistance Fund of \$8.5 million
- An increase to the Peace Officers' Training Fund of \$14 million

Under current law, approximately \$42.6 million in penalty assessments is transferred from the SPF to the Driver Training Penalty Assessment Fund. However, pursuant to Control Section 24.10 of the 2006 Budget Act, a majority of that revenue is then transferred from the Driver Training Penalty Assessment Fund to various other funds, as specified. This bill would reduce the transfer from the SPF to the Driver Training Penalty Assessment Fund by approximately \$41.5 million, as noted above. Consequently, this bill would eliminate the corresponding transfer of penalty assessment revenue from the Driver Training Penalty Assessment Fund to the following funds in the following amounts:

- General Fund - \$13.5 million
- Corrections Training Fund - \$9.8 million
- Peace Officers' Training Fund - \$14.0 million
- Victim/Witness Assistance Fund - \$4.1 million

This bill would also create the Child Advocacy Center Fund and Victim Trauma Recovery Fund, and allow for the transfer of \$5.8 million and \$3 million, respectively, into those funds. Finally, this bill would transfer approximately \$3 million to the Department of Justice to support the California Witness Protection Program.

Analyst/Principal (0212) J. Carosone	Date	Program Budget Manager Todd Jerue	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)

C. Migden

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COMMENTS

The Department of Finance opposes this bill because it would result in reduced revenue to the General Fund of approximately \$13.5 million.

Current law creates the SPF into which moneys collected by the courts for the imposition of fines, forfeitures, or penalties on criminal offenses are deposited. Every month, a set percentage of money in the SPF is transferred into various other funds as follows:

- 32.02 percent to the Restitution Fund
- 0.33 percent to the Fish & Game Preservation Fund
- 0.66 percent to the Traumatic Brain Injury Fund
- 0.78 percent to the Local Public Prosecutors and Public Defenders Training Fund
- 8.64 percent to the Victim/Witness Assistance Fund
- 25.70 percent to the Driver Training Penalty Assessment Fund
- 23.99 percent to the Peace Officers' Training Fund
- 7.88 percent to the Corrections Training Fund

In addition, pursuant to Control Section 24.10 of the 2006 Budget Act, the following transfers occur from the Driver Training Penalty Assessment Fund:

- \$4.1 million to the Victim/Witness Assistance Fund
- \$9.8 million to the Corrections Training Fund
- \$14 million to the Peace Officers' Training Fund
- The remaining unallocated money to the General Fund (approximately \$13.5 million in 2007-08)

This bill would change how monies in the SPF are allocated as follows:

- A decrease in the amount transferred to the Driver Training Penalty Assessment Fund from 25.70 to 0.67 percent
- A decrease in the amount transferred to the Restitution Fund from 32.02 to 30.21 percent
- An increase in the amount transferred to the Corrections Training Fund from 7.88 to 13.80 percent
- An increase in the amount transferred to the Local Prosecutors and Public Defenders Training Fund from 0.78 to 0.95 percent
- An increase in the amount transferred to the Victim/Witness Assistance Fund from 8.64 to 13.80 percent
- An increase in the amount transferred into the Peace Officer's Training Fund from 23.99 to 32.44 percent

In addition, this bill would create: 1) the Child Advocacy Center Fund, into which 3.52 percent of SPF monies would be deposited to support county child advocacy centers, and 2) the Victim Trauma Recovery Fund, into which 1.81 percent of SPF monies would be transferred to support victim recovery, resource, and treatment programs to provide comprehensive recovery services to victims of crime. Finally, this bill would provide for the transfer of 1.81 percent of SPF monies to the Department of Justice to be used to support the California Witness Protection Program.

This bill would also do the following:

- Authorize counties to establish child advocacy centers to coordinate the activities of various agencies involved in the investigation and prosecution of alleged child abuse.

AUTHOR

AMENDMENT DATE

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- Provide that, as of July 1, 2008, a county may enter into grants for interview services with the OES for the recovery of costs associated with the provision of child victim forensic evidentiary interviews conducted by child advocacy centers.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)								Fund Code
	LA	(Dollars in Thousands)								
	CO	PROP	2007-2008		2008-2009		2009-2010			
RV	98	FC	FC	FC	FC	FC	FC	FC		
1643/PenAssessm	RV	No	--	U	-2,717	U	-2,717	U	0214	
1643/PenAssessm	RV	No	--	U	724	U	724	U	0241	
1643/PenAssessm	RV	No	--	U	8,546	U	8,546	U	0425	
1643/PenAssessm	RV	No	--	U	13,996	U	13,996	U	0268	
1643/PenAssessm	RV	No	--	U	9,805	U	9,805	U	0170	
1643/PenAssessm	RV	No	--	U	5,830	U	5,830	U	0499	
1643/PenAssessm	RV	No	--	U	2,998	U	2,998	U	0499	
1643/PenAssessm	RV	No	--	U	2,998	U	2,998	U	0499	
T00425/Transfer	RV	No	--	U	4,121	U	4,121	U	0178	
F00178/Transfer	RV	No	--	U	-4,121	U	-4,121	U	0425	
T00268/Transfer	RV	No	--	U	14,000	U	14,000	U	0178	
F00178/Transfer	RV	No	--	U	-14,000	U	-14,000	U	0268	
T00001/Transfer	RV	No	--	U	13,541	U	13,541	U	0178	
F00178/Transfer	RV	No	--	U	-13,541	U	-13,541	U	0001	
T00170/Transfer	RV	No	--	U	9,800	U	9,800	U	0178	
F00178/Transfer	RV	No	--	U	-9,800	U	-9,800	U	0170	
1643/PenAssessm	RV	No	----- See Fiscal Summary -----						0178	

Fund Code	Title
0001	General Fund
0170	Corrections Training Fund
0178	Driver Training Penalty Assessment Fund
0214	Restitution Fund
0241	Loc Pub Prosecutors & Pub Defenders Trng
0268	Peace Officers' Training Fund
0425	Victim - Witness Assistance Fund
0499	Pending New Special Funds