

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: April 6, 2010
POSITION: Oppose

BILL NUMBER: AB 2264
AUTHOR: K. De Leon

BILL SUMMARY: Debt Collection: Homeless Youth

This bill would prohibit the issuance of a court order for the garnishment of a bank account or the earnings of a homeless youth for fees, fines, forfeitures, or penalties imposed by a court due to the violation of specified laws.

FISCAL SUMMARY

The Judicial Council notes that although the incidence of court orders seeking garnishment of the earnings of a youth are uncommon, the bill would result in unknown, potentially significant ongoing administrative and research costs for the courts. In each case involving a citation issued to a youth that involves the garnishment of earnings, there would need to be research conducted to determine if the youth should be exempted pursuant to this measure. Finance concurs that this bill would impose additional workload on the courts, resulting in additional costs.

COMMENTS

Finance is opposed to this measure because it would create additional workload for trial courts. During this time of limited resources and already decreased capabilities to meet mandated workload, Finance does not believe imposing this additional function is appropriate.

This bill would prohibit the issuance of an order for the garnishment of a bank account or the earnings of a homeless youth for fees, fines, forfeitures, or penalties imposed by a court due to the violation of state or local law related to truancy, loitering, curfew violations, or illegal lodging. The bill would provide that an order for garnishment may be issued if it is proven, by a preponderance of the evidence, that the youth against whom the garnishment is sought does not qualify as a homeless youth. The bill would define the term "homeless youth."

| Code/Department Agency or Revenue Type | (Fiscal Impact by Fiscal Year) | | | | | | | Fund Code |
|--|--------------------------------|------------|----|--------------------------------|-----------------|-----------------|--|--------------|
| | (Dollars in Thousands) | | | | | | | |
| | SO LA CO RV | PROP 98 | FC | 2009-2010 FC | 2010-2011 FC | 2011-2012 FC | | |
| 0250/Jud Branch | LA | No | | ----- See Fiscal Summary ----- | | | | 0001 |

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| Analyst/Principal (0211)J. Osborn | Date | Assistant Program Budget Manager Zlatko Theodorovic | 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)