Revenue Distribution Breakout Session "Hands On"

Basic Review

Presented by:

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Instruction Goals and Expectations

- Provide information on basic concepts and terms regarding distributions necessary to complete distribution worksheets.
- Using distribution worksheets attendees will learn hands-on how to:
  - Work through actual case studies of basic distributions.
  - Change information on the cases (priors, different base fines, etc.) to see their effect on the distributions.

BASIC CONCEPTS AND TERMS

Standard Criminal/Traffic Fine Equation

Base Fine + Base Fine Enhancements

=

Total Base Fine

+

State and Local Penalties

=

Initial Penalty

+

Surcharge, Fees, and Assessments

=

Total Bail or Fine

Base Fine or Base Bail

- The amount from which the additional penalties and surcharge required by Penal Code § 1465.7 are calculated.
- Total bail shall not exceed statutory limits and minimum statutory amounts must be imposed.
- The 'fine' amount of the total bail shall not exceed the limitations specified by statute.

  UB&PS Section IV, pg. vii

Countywide Bail Schedules

The Council is not the only entity required to publish a bail schedule. Each individual court is required to prepare, adopt and annually revise a uniform countywide schedule of bail for all bailable felony offenses and for all misdemeanor and infraction offenses, except Vehicle Code infractions. Thus, while the Council is required to publish the traffic infraction schedule, the counties are responsible for all others.

Rule 4.102 additionally requires that, when performing those duties, counties "give consideration to the (UBPS) approved by the Judicial Council." After adopting their countywide bail schedule, courts must send a copy of their countywide schedule to the Council "with a report stating how the revised schedule differs from the (UBPS)."

Base Fine Enhancements

- Enhancement for Prior Vehicle Code (VC) Convictions
  UB&PS section VII, pg. viii
  - $10 may be added to the base fine for each "prior" conviction within 36 months of the new offense. Both the current and "prior" offense must be a moving violation where a "point" was assigned per VC § 12810 or VC § 12810.2. The $10 prior enhancements are assessed for each prior violation on a single count (assessed only once per case). Prior enhancements do not apply to traffic school cases. (Distinguished from VC § 40508.6)
- Health & Safety Code (H&S) § 11372.5 - Criminal Lab Fee
  Trial Court Revenue Distribution Guidelines (*Guidelines*)
  - Base fine enhancement of $50 for each violation of the H&S code under subdivision (b).
- H&S § 11372.7 - County Drug Program Fee *Guidelines*
  - Base fine enhancement of up to $150 for each violation of the H&S sections 11350 through 11392 except H&S § 11357(b).

2% State Court Automation

- Government Code § 68090.8 - 2% State Court Automation *Guidelines*
  - Transferred from all fines, penalties, and forfeitures (not on surcharges or fees) collected in criminal cases.
  - So, referring to our equation, 2% applies to the:
    - Base fine
    - Base fine enhancement
    - State and local penalties

State Surcharge

- PC § 1465.7 – 20% State Surcharge *Guidelines*
  - 20% state surcharge is calculated on total **base fines.**
  - The state surcharge is **NOT** calculated on State and local penalties (PC § 1464, GC § 70372, and GC § 76000.)
  - The GC § 68090.8 2% state court automation is **NOT** applicable to the state surcharge.

State and Local Penalties

- These penalties are calculated using the "Per 10, or part of 10" factor from a **ROUNDED UP** base fine.
- State and Local Penalties UB&PS Section III A, pg. iii
  - PC § 1464 State penalty = $10 per 10
  - GC § 76104.6 County DNA Identification Fund penalty = $1 per 10
  - GC § 76104.7 state DNA Identification Fund additional penalty = $4 per 10
  - GC § 70372(a) state court facilities construction penalty = $5 per 10
  - GC § 76000(a) county penalty *per board of supervisors' resolution* = up to $7 per 10
  - GC § 76000.5 emergency medical services (EMS) additional penalty *per board of supervisors' resolution* = $2 per 10

Board of Supervisors Resolution

- Is there a list of assessments requiring a BOS resolution?
- If I do not have one, should I assess?
- How to obtain a BOS Resolution

State and Local Penalties

- PC § 1464 - State Penalty *Guidelines*
  - A penalty of $10 per $10 (or part of $10) upon every fine, penalty, or forfeiture imposed - 70% goes to the State and 30% goes to the County.
- GC § 76000 (a) & (e) - County Penalties *Guidelines*
  - A penalty of up to $7 per $10 (or part of $10) upon every fine, penalty, or forfeiture imposed (BOS).
  - Board resolution specifies distribution to the following local funds:
    GC § 76100 Courthouse Construction Fund;
    GC § 76101 Criminal Justice Facilities Fund;
    GC § 76102 Auto Fingerprint ID Fund;
    GC § 76103 Forensic Lab Fund;
    GC § 76104 EMS Fund;
    GC § 76104.5 DNA ID Fund; and/or
    GC § 76105 Special Purpose Fund.
  - If responsibility for facilities transferred to State and **NO** bonded indebtedness remains, the additional penalty follows GC § 76000(e).

Transfer/ No Bonded Indebtedness

- Bonded Indebtedness – this is a debt that is secured by an issued bond with the monies received to be used to pay for Court Facilities.
- If the responsibility for one or more facilities has not transferred to the state, the revenues collected in the County's Courthouse Construction Funds will shift proportionally based on the square footage of the space that the County has transferred to the State.
  - For Example: if 75% of the County's Court Facility space transfers to the state and the revenues is not tied to bonded indebtedness on any of the Court Facilities, then 75% of the local courthouse construction fund would also transfer to the state.
- When this occurs, this affects how funds are collected under GC § 76000(a) or GC § 76000(e).

Additional Information can be found under GC § 70375.

Additional Penalties

- GC § 76104.6 - DNA Identification Penalty *Guidelines*
  - Additional penalty of $1 per $10 (or part of $10) for every fine, penalty, or forfeiture imposed.
  - Assessed on all criminal offenses.
  - County transfers 25% to State each quarter.

- GC § 76104.7 - DNA Identification Penalty *Guidelines*
  - Additional penalty of $4 per $10 (or part of $10) for every fine, penalty, or forfeiture imposed.
  - Assessed on all criminal offenses (for violations after June 27, 2012.)
  - County to transfer 100% to State.

Additional Penalties

- GC § 70372 (a) - Court Construction Penalty *Guidelines*
  - Additional penalty of $5 per 10 (or part of $10) upon every fine, penalty, or forfeiture imposed.
  - Distributed to the State CFCF.

- GC § 76000.5 - Emergency Medical Services (EMS) *Guidelines*
  - Additional penalty assessment of $2 per 10 (or part of $10) of the base fine (board of supervisors' resolution).
  - Distributed to the County Maddy EMS Fund

Additional Penalties

- GC § 76000.10(c)(1) $4 EMAT Penalty

  UB&PS Section III F, pg.iv and *Guidelines*

  - A $4 penalty for emergency medical air transportation services (EMAT) is imposed for every Vehicle Code conviction, or a local ordinance adopted under the Vehicle Code, committed on or after January 1, 2011.
  - Distributed to the State EMAT Fund
  - *As the law stands today, imposition of EMAT penalty will end December 31, 2022, and collection of EMAT penalty will end December 31, 2023.*

Fees and Assessments

- PC § 1465.8 – Court Operations Assessment *Guidelines*
  - $40 assessed on every conviction for a criminal offense, including a traffic offense, except parking offenses as defined in subdivision (i) of Penal Code section 1463.
  - "Conviction" includes the confidential conviction of a traffic violation on the condition that the defendant attend a court-ordered traffic violator school.
  - 100% distribution to State TCTF.
- GC § 70373 – Criminal Conviction Assessment *Guidelines*
  - $30 assessed for each *felony/misdemeanor* conviction, **or**
  - $35 assessed for each *infraction* conviction (including confidential conviction for completion of traffic school.)
  - 100% distribution to State CFCF

Fees and Assessments

- VC § 42006 -Night Court Special Assessment *Guidelines*
  - Vehicle Code or local ordinance adopted where the court conducts night or weekend court sessions for traffic offenses.
  - Court may levy a $1 special assessment per fine, forfeiture, and traffic violator school fee imposed.
  - When facilities have transferred w/o bonded indebtedness, the $1 special assessment goes to the State.
  - Non-parking violations

Recap of the Standard Criminal/Traffic Fine Equation/Formula

Base Fine + Base Fine Enhancements

=

Total Base Fine

+

State and Local Penalties

=

Initial Penalty

+

Surcharge, Fees, and Assessments

=

Total Bail or Fine

Distribution Spreadsheets

Disclaimer: All spreadsheets have been updated to reflect what we believe are the statutes in effect as of **TODAY**. Thus, they are subject to change based on laws that are effective after today's training. These spreadsheets are used for testing and review and not configuration work.

Be sure the fines, penalties, and fees reflect the statutes in effect for the period reviewed.

Components of the Distribution Spreadsheet

Case Study 1 - Speeding Bail Forfeiture

CASE INFORMATION					
Case Number	0	COUNT 1		BASE FINE	0
Violation Date		Violation Description		Priors	0
Disposition Date		Violation Type		Enhanced BASE	0
Arresting Agency		Disposition			
County %	100%	COUNT 2 (if any)		BASE FINE	0
City %	0%	Violation Description		Priors	
TOTAL Enhanced Base	$0.00	Violation Type		Enhanced BASE	0
Portion of 10	0	Disposition		GC 76000	7

				STANDARD BASE-UP			COURT DISTRIBUTION	
2% Y - Def N	Per 10	DISTRIBUTION	DISTRIB ENTITY	Standard-Per UBS	2% Amt	FINAL (After 2%)	DISTRIB CODE or DESCRIPTION	DISTRIB AMT
	TOTAL BASE					A		B
Y		PC 1463.001 - Base County	COUNTY	0.00	0.00	0.00		
Y		PC 1463.002 - Base City	CITY	0.00	0.00	0.00		
Y	7	PC 1464 - State PA - State portion (70%)	STATE	0.00	0.00	0.00		
Y	3	PC 1464 - State PA - County portion (30%)		0.00	0.00	0.00		
Y	0.75	GC 76104.6 - DNA PA (1/10) 75%				0.00		
Y	0.25	GC 76104.6 - DNA PA (1/10) 25%				0.00		
Y	4	GC 76104.7 - DNA Addl PA						
Y	2.00	GC 76100 - LCCF						
Y	2.00	GC 76101 - LCJF						
Y	1.50	GC 76104 - EMS						
Y	0.50	GC 76104.5 - DNA ID						
Y	1.00	GC 76102 - Auto						
Y	2.00	GC 76000.5 - EMS Addl PA (BC				0.00		
Y		GC 76000.10(c) - EMAT Penalty ($4				0.00		
Y	5.00	GC 70372(a): SCFCF (5/10)			0.00	0.00		
N		PC 1465.7 - 20% Surcharge	STATE	0.00	0.00	0.00		
		SUBTOTAL		0.00		0.00		0.00
N		PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10)	STATE	0.00	0.00	0.00		
N		GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr)	STATE	0.00	0.00	0.00		
N		VC 40508.6 - Priors/DMV Admin Fee (up to $10)	COURT	0.00	0.00	0.00		
N		VC 42006 - Night Court Assmnt ($1)	STATE	0.00	0.00	0.00		
N		GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures	STATE			0.00		
					0.00			
		TOTAL FINE		0.00		0.00	TOTAL	0.00

Case Information

Violation/Disposition Date
Arresting Agency

Case Study 1 - Speeding Bail Forfeiture

CASE INFORMATION					
Case Number	0	COUNT 1		BASE FINE	0
Violation Date		Violation Description		Priors	0
Disposition Date		Violation Type		Enhanced BASE	0
Arresting Agency		Disposition			
County %	100%	COUNT 2 (if any)		BASE FI	0
City %	0%	Violation Description		Priors	
TOTAL Enhanced Base	$0.00	Violation Type		nced BASE	0
Portion of 10	0	Disposition		GC 76000	7

				STANDARD BASE			COURT DISTRIBUTION	
2% Y - Def N	Per 10	DISTRIBUTION	DISTRIB ENTITY	Standard-Per UBS	2% Amt		DISTRIB CODE or DESCRIPTION	DISTRIB AMT B
Y	TOTAL BASE	PC 1463.001 - Base County	COUNTY			0.00		
Y		PC 1463.002 - Base City	CITY			0.00		
Y	7	PC 1464 - State PA - State portion (70%)	STATE			0.00		
Y	3	PC 1464 - State PA - County portion (30%)	COU		00	0.00		
Y	0.75	GC 76104.6 - DNA PA (1/10) 75%			0.00	0.00		
Y	0.25	GC 76104.6 - D				0.00		
Y	4	GC 76104.7 - I				0.00		
Y	2.00	GC 76100 - LC				0.00		
Y	2.00	GC 76101 - LC				0.00		
Y	1.50	GC 76104 - EM				0.00		
Y	0.50	GC 76104.5 - I				0.00		
Y	1.00	GC 76102 - Au				0.00		
Y	2.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)	COUNTY	0.00	0.00	0.00		
Y		GC 76000.10(c) - EMAT Penalty ($4 eff 1-1-11)	STATE	0.00	0.00	0.00		
Y	5.00	GC 70372(a): SCFCF (5/10)	STATE	0.00	0.00	0.00		
N		PC 1465.7 - 20% Surcharge	STATE	0.00	0.00	0.00		
		SUBTOTAL		0.00		0.00		0.00
N		PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10)	STATE	0.00	0.00	0.00		
N		GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr)	STATE	0.00	0.00	0.00		
N		VC 40508.6 - Priors/DMV Admin Fee (up to $10)	COURT	0.00	0.00	0.00		
N		VC 42006 - Night Court Assmnt ($1)	STATE	0.00	0.00	0.00		
N		GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures	STATE			0.00		
					0.00			
		TOTAL FINE		0.00		0.00	TOTAL	0.00

Base Fine

Bail Amount from UB&PS
Enhancements

Case Study 1 - Speeding Bail Forfeiture

CASE INFORMATION					
Case Number	0	COUNT 1		BASE FINE	0
Violation Date		Violation Description		Priors	0
Disposition Date		Violation Type		Enhanced BASE	0
Arresting Agency		Disposition			
County %	100%	COUNT 2 (if any)		BASE FINE	0
City %	0%	Violation Description		Priors	
TOTAL Enhanced Base	$0.00	Violation Type		Enhanced BASE	0
Portion of 10	0	Disposition		GC 76000	7

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						A		B
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Y	3	PC 1464 - State PA - Cou						
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Y	0.50	GC 76104.5 - DNA ID						
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Y	2.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)	COUNTY	0.00	0.00	0.00		
Y		GC 76000.10(c) - EMAT Penalty ($4 eff 1-1-11)	STATE	0.00	0.00	0.00		
Y	5.00	GC 70372(a): SCFCF (5/10)	STATE	0.00	0.00	0.00		
N		PC 1465.7 - 20% Surcharge	STATE	0.00	0.00	0.00		
		SUBTOTAL		0.00		0.00		0.00
N		PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10)	STATE	0.00	0.00	0.00		
N		GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr)	STATE	0.00	0.00	0.00		
N		VC 40508.6 - Priors/DMV Admin Fee (up to $10)	COURT	0.00	0.00	0.00		
N		VC 42006 - Night Court Assmnt ($1)	STATE	0.00	0.00	0.00		
N		GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures	STATE			0.00		
					0.00			
		TOTAL FINE		0.00		0.00	TOTAL	0.00

State & Local Penalties

State Local Penalties
County Local Penalties
Additional EMS
SCFCF

Case Study 1 - Speeding Bail Forfeiture

CASE INFORMATION					
Case Number	0	COUNT 1		BASE FINE	0
Violation Date		Violation Description		Priors	0
Disposition Date		Violation Type		Enhanced BASE	0
Arresting Agency		Disposition			
County %	100%	COUNT 2 (if any)		BASE FINE	0
City %	0%	Violation Description		Priors	
TOTAL Enhanced Base	$0.00	Violation Type		Enhanced BASE	0
Portion of 10	0	Disposition		GC 76000	7

2% Y - Def N	Per 10	DISTRIBUTION	DISTRIB ENTITY	STANDARD BASE-UP Standard-Per UBS	2% Amt	FINAL (After 2%) A	COURT DISTRIBUTION DISTRIB CODE or DESCRIPTION	DISTRIB AMT B
Y	TOTAL BASE	PC 1463.001 - Base County	COUNTY	0.00	0.00	0.00		
Y		PC 1463.002 - Base	CITY	0.00	0.00	0.00		
Y	7	PC 146		0.00	0.00	0.00		
Y	3			0.00	0.00	0.00		
Y				.00	0.00	0.00		
					0.00	0.00		
					0.00	0.00		
				.00	0.00	0.00		
				.00	0.00	0.00		
					0.00	0.00		
Y					0.00	0.00		
Y	1.			0.00	0.00	0.00		
Y	2.00	GC		0.00	0.00	0.00		
Y		GC 76000.1	TE	0.00	0.00	0.00		
Y	5.00	GC 70372(a): SCFCF (5/10)	E	0.00	0.00	0.00		
N		PC 1465.7 - 20% Surcharge		0.00	0.00	0.00		
		SUBTOTAL		0.00		0.00		0.00
N		PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10)	STATE	0.00	0.00	0.00		
N		GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr)	STATE	0.00	0.00	0.00		
N		VC 40508.6 - Priors/DMV Admin Fee (up to $10)	COURT	0.00	0.00	0.00		
N		VC 42006 - Night Court Assmnt ($1)	STATE	0.00	0.00	0.00		
N		GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures	STATE			0.00		
					0.00			
		TOTAL FINE		0.00		0.00	TOTAL	0.00

Standard & Court-specific Fees

20% Surcharge
Court Operations Assessment
Criminal Conviction Assessment

Case Studies

Reference Materials

In general, there are resources you may find useful:

- Statutes
- Uniform Bail and Penalty Schedule (UB&PS)
- State Controller's Office *Trial Court Revenue Distribution Guidelines* (Guidelines)
- Spreadsheets

Items Needed to Test a Distribution

1. Gather information about the citation
   - Violation and conviction dates
   - Local penalties, fines, assessments, etc.
   - Board of Supervisor Resolution
2. Review statutes
3. Refer to Guidelines and FAQs
4. Refer to the UB&PS
5. Call/email for assistance only after going through 1-4 (since we will go through these same steps!)

Crosswalk

- Resource tying *Trial Court Revenue Distribution Guidelines* and other resources
- Minimizes Research Time
  - FAQ's
  - Uniform Bail & Penalty Schedule

How does the Crosswalk work?

niform B.
and Penalty
Schedules

2022 EDITION

(Cal. Rules of Court, rule 4.102)

TRAFFIC
BOATING
FORESTRY
FISH AND GAME
UBLIC UTILITIES
RKS AND RECREATION
ESS LICENSING

Revenue D
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April 2019

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stribution Guideline
Revision 32
Updated as of January 1, 2022

BETTY T. YEE
ate Controlle

JUDICIAL COUNCIL OF CALIFORNIA

CROSSWALK BETWEEN TRIAL COURT REVENUE DISTRIBUTION GUIDELINES, THE UNIFORM BAIL & PENALTY SCHEDULES, AND FAQ's

The codes and any guidance contained in this document, Trial Court Revenue Distribution Guidelines, the Uniform Bail and Penalty Schedules, and distribution templates are subject to the effective dates as stated in the specific sections. Refer to the current code to ensure the most current language is implemented.

Table 2 - Special Distributions of Fines and Forfeitures Preceding PC 1463.001 Distribution

Trial Court Revenue Distribution Guidelines (Rev 32) 1-1-2022					Uniform Bail & Penalty Schedules 2022	
Index	**Code Section**	**Code Description**	**Violation**	**FAQ**	**Description**	**Pg.**
2.4 5	PC 1463.14(a)	Lab Fines for Convictions of Driving Under the Influence or Reckless Driving *(collected as a fine, distributed as a fee)*				
			DUI Under:			
			VC 23152		DUI, various	49
			VC 23153		DUI, causing injury	49
			Reckless Driving Under:			
			VC 23103	C31	Reckless driving	48
			VC 23104	C31	Reckless driving, bodily injury	48
			VC 23105		Reckless driving, Specific injury	48

www.courts.ca.gov/revenue-distribution.htm

Violation Code

Violation Description

TRAFFIC INFRACTION FIXED PENALTY SCHEDULE

(*See Preface, Section III) (**See Preface, Section IV)

(Vehicle Code)

Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	EMAT PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
				10/10	7	5/10	5	20%	2	4		40	35	1	0			
22349	(b)	Speeding ≥ 26 MPH Over 55 MPH Limit	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	1
22349	(b)	Speeding 1–15 MPH Over 55 MPH Limit	35	40	28	20	20	7	8	4	162	40	35	1	0	238	4a	1
22349	(b)	Speeding 16–25 MPH Over 55 MPH Limit	70	70	49	35	35	14	14	4	291	40	35	1	0	367	4a	1
22350		Unsafe Speed for Prevailing Conditions ≥ 26 MPH Over Limit	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	1
22350		Unsafe Speed for Prevailing Conditions 1–15 MPH Over Limit	35	40	28	20	20	7	8	4	162	40	35	1	0	238	4a	1
22350		Unsafe Speed for Prevailing Conditions 16–25 MPH Over Limit	70	70	49	35	35	14	14	4	291	40	35	1	0	367	4a	1
22351	(a,b)	Driving in Excess of Prima Facie Speed Limits Established in VC 22352				[See Speed Chart]											4a	1
22352	(a) (1)	Operating Vehicle in Excess of 15 MPH at Railroad Crossing				[See Speed Chart]											4a	1
22352	(a) (2)	Operating Vehicle in Excess of 15 MPH at Freeway Intersection With No Clear Field of Vision				[See Speed Chart]											4a	1
22352	(a) (3)	Operating Vehicle in Excess of 15 MPH on Any Alley				[See Speed Chart]											4a	1
22352	(b) (1)	Operating Vehicle in Excess of 25 MPH in Business District				[See Speed Chart]											4a	1
22352	(b) (2)	Operating Vehicle in Excess of 25 MPH by School				[See Speed Chart]											4a	1
22352	(b) (3)	Operating Vehicle in Excess of 25 MPH by Senior Center				[See Speed Chart]											4a	1
22354	(a)	Failure to Abide by Speed Limits Set by the State Department of Transportation (DOT) on State Highways				[See Speed Chart]											4a	1
22355		Failure to Abide by Variable Speed Limits Set by the State Department of Transportation (DOT)				[See Speed Chart]											4a	1
22356	(b)	Exceeding 70 MPH Maximum Speed, ≥ 26 MPH Over Limit				[See Speed Chart]											4a	1
22356	(b)	Exceeding Maximum Speed Limit of 70 MPH, 1–15 MPH Over Limit				[See Speed Chart]											4a	1
22356	(b)	Exceeding Maximum Speed limit of 70 MPH, 16–25 MPH Over Limit				[See Speed Chart]											4a	1
22357		Violation of Prima Facie Local Speed Limit				[See Speed Chart]											4a	1
22358		Violation of Local Speed Limit				[See Speed Chart]											4a	1
22358.3		Violation of Local Speed Limit on Narrow Street				[See Speed Chart]											4a	1
22358.4		Violation of Prima Facie Local Speed Limit				[See Speed Chart]											4a	1

Preparing for the Calculations

Gather information *(from the case management system/case file)* including:

1. Codes violated
2. Violation date and conviction date
3. Prior violations
4. Base fine and enhancements for total base fine *(how much was assessed)*
5. Arresting agency – county, city, CHP,
6. Disposition on each count (conviction, dismissed, traffic school)

Case Study #1

Speeding 1 to 15 MPH over 55 MPH Limit

VC 22349(b) Infraction

Basic distribution template

Please refer to the case study handout to follow along the case study exercises on the upcoming slides.

Information for Speeding Case Example #1

San Diego Court Case Information:

- Violation Date = 1/16/2022
- Disposition Date = 3/24/2022
- Arresting Agency = Coronado Police Department
  - *% Split between County and City (Refer to PC § 1463.002)*
- Violation = VC § 22349(b); 1-15 MPH Over 55 MPH Limit
- Violation Type = Infraction
- Disposition = Bail Forfeiture
- Prior VC Conviction = 1

Arresting Agency: County and City % Split Information (Refer to PC § 1463.002)

PENAL CODE - PEN

PART 2. OF CRIMINAL PROCEDURE [681 - 1620]

(Part 2 enacted 1872.)

TITLE 11. PROCEEDINGS IN MISDEMEANOR AND INFRACTION CASES AND APPEALS FROM SUCH CASES [1427 - 1471]

(Heading of Title 11 amended by Stats. 1998, Ch. 931, Sec. 407.)

CHAPTER 1. Proceedings in Misdemeanor and Infraction Cases [1427 - 1465.8]

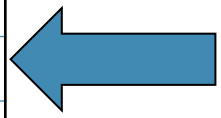
(Heading of Chapter 1 amended by Stats. 1998, Ch. 931, Sec. 408.)

1463.002.

The base fine amounts from city arrests shall be subject to distribution according to the following schedule:

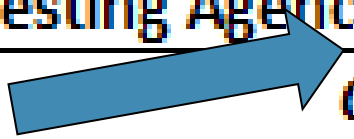
County and City % Split Information (Refer to PC § 1463.002) *Continued*

San Diego	
Carlsbad	8
Chula Vista	23
Coronado	**25**
Del Mar	8
El Cajon	17
Escondido	16
Imperial Beach	8
La Mesa	23
Lemon Grove	8
National City	14
Oceanside	15
San Marcos	8
Vista	8
San Diego	6
County percentage	25



County and City % Split Information (Refer to PC § 1463.002) Applied

CASE INFORMATION	
Case Number	0
Violation Date	1/16/2022
Disposition Date	3/24/2022
Arresting Agency	Coronado PD
County %	25%
City %	75%



**Enter the Percentage identified into the County Line*

Information for Speeding Case #1

Local County BOS Penalties:

- LCCF = $2
- LCJF = $2
- EMS = $1.50
- DNA = $.50
- Auto Fingerprint = $1
- Additional EMS = $2
- EMAT Fee GC § 76000.10(c) = $4

Court Fees:

- PC § 1465.8 – Court Ops Assessment = $40
- GC § 70373 – Criminal Conviction Assessment = $35
- Night Court Fee = $1

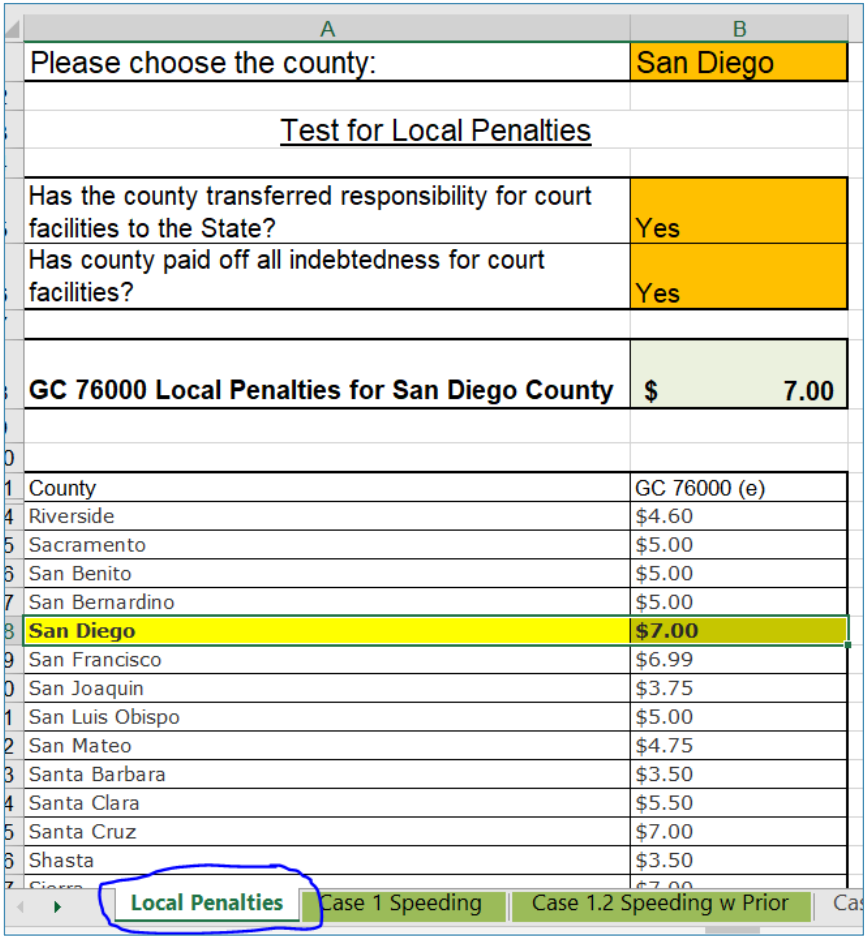
Case Study 1 - Speeding Bail Forfeiture

CASE INFORMATION					
Case Number	0	COUNT 1	VC 22349(b)	BASE FINE	0
Violation Date	1/16/2022	Violation Description	1-15 MPH over 55 MPH	Priors	0
Disposition Date	3/24/2022	Violation Type	Traffic Infraction	Enhanced BASE	0
Arresting Agency	Coronado PD	Disposition	Bail Forfeiture		
County %	25%	COUNT 2 (if any)		BASE FINE	0
City %	75%	Violation Description		Priors	
TOTAL Enhanced Base	$0.00	Violation Type		Enhanced BASE	0
Portion of 10	0	Disposition		GC 76000	7

				STANDARD BASE-UP			COURT DISTRIBUTION	
2% Y - Def N	Per 10	DISTRIBUTION	DISTRIB ENTITY	Standard-Per UBS	2% Amt	FINAL (After 2%)	DISTRIB CODE or DESCRIPTION	DISTRIB AMT
						A		B
Y	TOTAL BASE	PC 1463.001 - Base County	COUNTY	0.00	0.00	0.00		
Y		PC 1463.002 - Base City	CITY	0.00	0.00	0.00		
Y	7	PC 1464 - State PA - State portion (70%)	STATE	0.00	0.00	0.00		
Y	3	PC 1464 - State PA - County portion (30%)	COUNTY	0.00	0.00	0.00		
Y	0.75	GC 76104.6 - DNA PA (1/10) 75%	COUNTY	0.00	0.00	0.00		
Y	0.25	GC 76104.6 - DNA PA (1/10) 25%	STATE	0.00	0.00	0.00		
Y	4	GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10)	STATE	0.00	0.00	0.00		
Y	0.00	GC 76100 - LCCF	COUNTY	0.00	0.00	0.00		
Y	0.00	GC 76101 - LCJF	COUN			0.00		
Y	0.00	GC 76104 - EMS	COUNTY	0.00	0.00	0.00		
Y	0.00	GC 76104.5 - DNA ID	COUNTY	0.00	0.00	0.00		
Y	0.00	GC 76102 - Auto	COUNTY	0.00	0.00	0.00		
Y	0.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)	COUNTY	0.00	0.00	0.00		
Y		GC 76000.10(c) - EMAT Penalty ($4 eff 1-1-11)	STATE	0.00	0.00	0.00		
Y	5.00	GC 70372(a): SCFCF (5/10)	STATE	0.00	0.00	0.00		
N		PC 1465.7 - 20% Surcharge	STATE	0.00	0.00	0.00		
		SUBTOTAL		0.00		0.00		0.00

ERROR! GC 76000 PA total is not $7. Check Court's board resolution.

Local Penalty: Select County



	A	B
	Please choose the county:	San Diego
	Test for Local Penalties	
	Has the county transferred responsibility for court facilities to the State?	Yes
	Has county paid off all indebtedness for court facilities?	Yes
	GC 76000 Local Penalties for San Diego County	**$ 7.00**
11	County	GC 76000 (e)
14	Riverside	$4.60
15	Sacramento	$5.00
16	San Benito	$5.00
17	San Bernardino	$5.00
18	**San Diego**	**$7.00**
19	San Francisco	$6.99
20	San Joaquin	$3.75
21	San Luis Obispo	$5.00
22	San Mateo	$4.75
23	Santa Barbara	$3.50
24	Santa Clara	$5.50
25	Santa Cruz	$7.00
26	Shasta	$3.50

Select the County from Drop-down List

Add Local Penalties & Court Fees

GC § 76000
BOS Penalties

Y - Def N	10		ENTITY	Per UBS
Y	TOTAL BASE	PC 1463.001 - Base County	COUNTY	8.75
Y		PC 1463.002 - Base City	CITY	26.25
Y	7	PC 1464 - State PA - State portion (70%)	STATE	28.00
Y	3	PC 1464 - State PA - County portion (30%)	COUNTY	12.00
Y	0.75	GC 76104.6 - DNA PA (1/10) 75%	COUNTY	3.00
Y	0.25	GC 76104.6 - DNA PA (1/10) 25%	STATE	1.00
Y	4	GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10)	STATE	16.00
Y	2.00	GC 76100 - LCCF	COUNTY	8.00
Y	2.00	GC 76101 - LCJF	COUNTY	8.00
Y	1.50	GC 76104 - EMS	COUNTY	6.00
Y	0.50	GC 76104.5 - DNA ID	COUNTY	2.00
Y	1.00	GC 76102 - Auto Fingerprint	COUNTY	4.00
Y	2.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)	COUNTY	8.00
Y		GC 76000.10(c) - EMAT Penalty ($4 eff 1-1-11)	STATE	4.00
Y	5.00	GC 70372(a): SCFCF (5/10)	STATE	20.00
N		PC 1465.7 - 20% Surcharge	STATE	7.00
		SUBTOTAL		**162.00**
N		PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10)	STATE	40.00
N		GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr)	STATE	35.00
N		VC 40508.6 - Priors/DMV Admin Fee (up to $10)	COURT	0.00
N		VC 42006 - Night Court Assmnt ($1)	STATE	1.00
N		GC 68090.8 - 2% State Automation (for fines, penalties &	STATE	

GC 76000 PA ($7 for every 10) breakdown per local board of supervisor resolution (BOS).

EMAT Fee

Court Fees

Information for Speeding Case #1: UB&PS

TRAFFIC INFRACTION FIXED PENALTY SCHEDULE
(*See Preface, Section III) (**See Preface, Section IV)
(Vehicle Code)

Section	Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	EMAT PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
				10/10	7	5/10	5	20%	2	4		40	35	1	0			
22349	(b)	Speeding ≥ 26 MPH Over 55 MPH Limit	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	1
22349	(b)	Speeding 1–15 MPH Over 55 MPH Limit	35	40	28	20	20	7	8	4	162	40	35	1	0	238	4a	1
22349	(b)	Speeding 16–25 MPH Over 55 MPH Limit	70	70	49	35	35	14	14	4	291	40	35	1	0	367	4a	1
22350		Unsafe Speed for Prevailing Conditions ≥ 26 MPH Over Limit	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	1
22350		Unsafe Speed for Prevailing Conditions 1–15 MPH Over Limit	35	40	28	20	20	7	8	4	162	40	35	1	0	238	4a	1
22350		Unsafe Speed for Prevailing Conditions 16–25 MPH Over Limit	70	70	49	35	35	14	14	4	291	40	35	1	0	367	4a	1

Enter Violation Information Here

Enter Base Fine Here

Case Study 1 - Speeding B l Forfeiture			
COUNT 1	VC 22349(b)	BASE FINE	35
Violation Description	1-15 MPH over 55 MPH	Priors	0
Violation Type	Traffic Infraction	Enhanced BASE	35
Disposition	Bail Forfeiture		
COUNT 2 (if any)		BASE FINE	0
Violation Description		Priors	
Violation Type		Enhanced BASE	0
Disposition		GC 76000	7

Check the SUBTOTAL to the UB&PS

Case Study 1 - Speeding Bail Forfeiture

CASE INFORMATION					
Case Number	0	COUNT 1	VC 22349(b)	BASE FINE	35
Violation Date	1/16/2022	Violation Description	1-15 MPH over 55 MPH	Priors	0
Disposition Date	3/24/2022	Violation Type	Traffic Infraction	Enhanced BASE	35
Arresting Agency	Coronado PD	Disposition	Bail Forfeiture		
County %	25%	COUNT 2 (if any)		BASE FINE	0
City %	75%	Violation Description		Priors	
TOTAL Enhanced Base	**$35.00**	Violation Type		Enhanced BASE	0
Portion of 10	**4**	Disposition		GC 76000	7

				STANDARD BASE-UP			COURT DISTRIBUTION	
2% Y - Def N	Per 10	DISTRIBUTION	DISTRIB ENTITY	Standard-Per UBS	2% Amt	FINAL (After 2%)	DISTRIB CODE or DESCRIPTION	DISTRIB AMT
						A		B
Y	TOTAL BASE	PC 1463.001 - Base County	COUNTY	8.75	0.18	8.58		
Y		PC 1463.002 - Base City	CITY	26.25	0.53	25.73		
Y	7	PC 1464 - State PA - State portion (70%)	STATE	28.00	0.56	27.44		
Y	3	PC 1464 - State PA - County portion (30%)	COUNTY	12.00	0.24	11.76		
Y	0.75	GC 76104.6 - DNA PA (1/10) 75%	COUNTY	3.00	0.06	2.94		
Y	0.25	GC 76104.6 - DNA PA (1/10) 25%	STATE	1.00	0.02	0.98		
Y	4	GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10)	STATE	16.00	0.32	15.68		
Y	2.00	GC 76100 - LCCF	COUNTY	8.00	0.16	7.84		
Y	2.00	GC 76101 - LCJF	COUNTY	8.00	0.16	7.84		
Y	1.50	GC 76104 - EMS	COUNTY	6.00	0.12	5.88		
Y	0.50	GC 76104.5 - DNA ID	COUNTY	2.00	0.04	1.96		
Y	1.00	GC 76102 - Auto Fingerprint	COUNTY	4.00	0.08	3.92		
Y	2.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)	COUNTY	8.00	0.16	7.84		
Y		GC 76000.10(c) - EMAT Penalty ($4 eff 1-1-11)	STATE	4.00	0.08	3.92		
Y	5.00	GC 70372(a): SCFCF (5/10)	STATE	20.00	0.40	19.60		
N		PC 1465.7 - 20% Surcharge	STATE	7.00	0.00	7.00		
		SUBTOTAL		**162.00**		**158.90**		**0.00**
N		PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10)	STATE	40.00	0.00	40.00		
N		GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr)	STATE	35.00	0.00	35.00		
N		VC 40508.6 - Priors/DMV Admin Fee (up to $10)	COURT	0.00	0.00	0.00		
N		VC 42006 - Night Court Assmnt ($1)	STATE	1.00	0.00	1.00		
N		GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures	STATE			3.10		
					3.10			
		TOTAL FINE		**238.00**		**238.00**	**TOTAL**	**0.00**

GC 76000 PA ($7 for every 10) breakdown per local board of supervisor resolution (BOS).

Case Studies
Basic Distributions Session A

Case Study #1: Speeding. UB&PS

TRAFFIC INFRACTION FIXED PENALTY SCHEDULE
(*See Preface, Section III) (**See Preface, Section IV)
(Vehicle Code)

Section		Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	EMAT PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
					10/10	7	5/10	5	20%	2	4		40	35	1	0			
22349	(b)		Speeding ≥ 26 MPH Over 55 MPH Limit	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	1
22349	(b)		Speeding 1–15 MPH Over 55 MPH Limit	35	40	28	20	20	7	8	4	162	40	35	1	0	238	4a	1
22349	(b)		Speeding 16–25 MPH Over 55 MPH Limit	70	70	49	35	35	14	14	4	291	40	35	1	0	367	4a	1
22350			Unsafe Speed for Prevailing Conditions ≥ 26 MPH Over Limit	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	1
22350			Unsafe Speed for Prevailing Conditions 1–15 MPH Over Limit	35	40	28	20	20	7	8	4	162	40	35	1	0	238	4a	1
22350			Unsafe Speed for Prevailing Conditions 16–25 MPH Over Limit	70	70	49	35	35	14	14	4	291	40	35	1	0	367	4a	1
22351	(a,b)		Driving in Excess of Prima Facie Speed Limits Established in VC 22352				[See Speed Chart]											4a	1
22352	(a) (1)		Operating Vehicle in Excess of 15 MPH at Railroad Crossing				[See Speed Chart]											4a	1

Base fine used in worksheet to calculate additional penalties and surcharges.

Subtotal includes base fine plus state and local penalty assessments, and surcharge.

Total includes Court Operations, Criminal Conviction, and Night Court Assessments.

Case No. 1 Scenario 2

- Add one prior
- What happens to the base fine and the distribution?

Prior Convictions

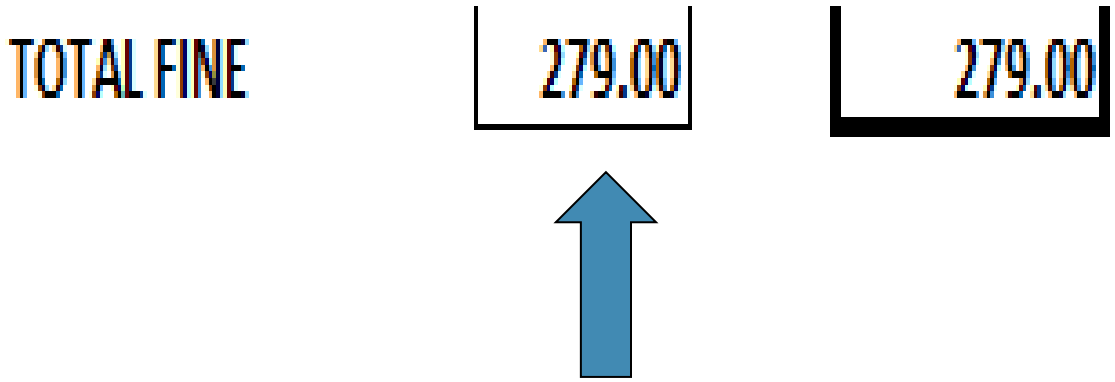
The base fine for one Vehicle Code moving violation that is assessed "points" on a current arrest or citation may be enhanced by $10 for each "prior" conviction within 36 months of the new alleged offense. For calculating the enhancement, both the current and "prior" offense must be a moving violation for which a "point" has been assigned per Vehicle Code section 12810 or 12810.2.

A confidential conviction after completion of traffic school is not assigned a point or counted as a prior offense for purposes of enhancing the fine of a subsequent offense. Regardless of the number of moving violation convictions on a citation, only one "prior" per citation shall be counted in determining the enhancement on the current offense.

Uniform Bail and Penalty Schedule (2022), pg. viii

By adding the number of prior(s) to the worksheet the total fine amount changes from $238.00 to $279.00.

CASE INFORMATION					
Case Number	0	COUNT 1	VC 22349(b)	BASE FINE	35
Violation Date	1/16/2022	Violation Description	1	Priors	1
Disposition Date	3/24/2022	Violation Type	Traffic Infraction	Enhanced BASE	45
Arresting Agency	Coronado PD	Disposition	Bail Forfeiture		
County %	25%	COUNT 2 (if any)		BASE FINE	0
City %	75%	Violation Description		Priors	
TOTAL Enhanced Base	$45.00	Violation Type		Enhanced BASE	0
Portion of 10	5	Disposition		GC 76000	7



Moving Violations

TRAFFIC INFRACTION FIXED PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**
(Vehicle Code)

Section		Notes	Offense	Base Fine/ Fee	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	EMAT PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	TAP Fee	Total Bail **/Fee	Category	DMV Points
					10/10	**7**	**5/10**	**5**	**20%**	**2**	**4**		**40**	**35**	**1**	**0**			
21805	(b)		Violation of Right-of-Way at Equestrian Crossing	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	1
21805	(c)		Violation of Right-of-Way by Rider–Posing Hazard	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21806	(a,b)	32	Failure to Yield to Emergency Vehicle	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	1
21806	(c)	32	Failure to Yield to Emergency Vehicle–Pedestrian	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	0
21807			Driving Authorized Emergency Vehicle Without Due Regard for Safety of Persons and Property	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	1
21809	(a)	33	Failure to Slow Down or Change Lane When Approaching and Passing Stationary Emergency Vehicle or Tow Truck Displaying Specific Lights	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	1
21950	(a,c)		Driver to Yield Right-of-Way at Crosswalks	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	1
21950	(b)		Pedestrian Right-of-Way at Crosswalks Regulated	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21951		34	Overtaking Vehicles Stopped for Pedestrians	100	100	70	50	50	20	20	4	414	40	35	1	0	490	2a	1
21952			Failure to Yield Right-of-Way on Sidewalk to Pedestrian	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	1
21953			Pedestrian Must Use Tunnel or Overhead Crossing	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21954	(a)		Pedestrians Must Yield Right-of-Way Outside of Crosswalks	25	30	21	15	15	5	6	4	121	40	35	1	0	197	1a	0
21954	(b)		Failure of Driver to Exercise Due Care for Safety of Pedestrian on Roadway	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	1

Continuing with Prior Convictions and Moving Violations

Since we know this violation carries a DMV point, we will be adding the $10 DMV Priors Fee on line 38 for the VC § 40508.6 DMV/Administrative Fee. This administrative fee pays for the court costs of recording the prior conviction(s) and/or submitting information to DMV.

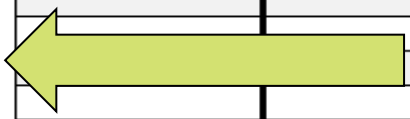
36	N		PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10)	STATE	40.00	0.00	40.00
37	N		GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr)	STATE	35.00	0.00	35.00
38	N		VC 40508.6 - Priors/DMV Admin Fee (up to $10)	COURT	10.00	0.00	10.00
39	N		VC 42006 - Night Court Assmnt ($1)	STATE	1.00	0.00	1.00
40	N		GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures	STATE			3.88
41						3.88	
42				TOTAL FINE	289.00		289.00

CASE INFORMATION

Case Number	0	COUNT 1	VC 22349(b)	BASE FINE	35
Violation Date	1/16/2022	Violation Description	1-15 MPH over 55 MPH	Priors	1
Disposition Date	3/24/2022	Violation Type	Traffic Infraction	Enhanced BASE	45
Arresting Agency	Coronado PD	Disposition	Bail Forfeiture		
County %	25%	COUNT 2 (if any)		BASE FINE	0
City %	75%	Violation Description		Priors	
TOTAL Enhanced Base	$45.00	Violation Type		Enhanced BASE	0
Portion of 10	5	Disposition		GC 76000	7

2% Y - Def N	Per 10	DISTRIBUTION	DISTRIB ENTITY	STANDARD BASE-UP Standard-Per UBS	2% Amt	FINAL (After 2%) A	COURT DISTRIBUTION DISTRIB CODE or DESCRIPTION	DISTRIB AMT B
Y	TOTAL BASE	PC 1463.001 - Base County	COUNTY	11.25	0.23	11.03		
Y		PC 1463.002 - Base City	CITY	33.75	0.68	33.08		
Y	7	PC 1464 - State PA - State portion (70%)	STATE	35.00	0.70	34.30		
Y	3	PC 1464 - State PA - County portion (30%)	COUNTY	15.00	0.30	14.70		
Y	0.75	GC 76104.6 - DNA PA (1/10) 75%	COUNTY	3.75	0.08	3.68		
Y	0.25	GC 76104.6 - DNA PA (1/10) 25%	STATE	1.25	0.03	1.23		
Y	4	GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10)	STATE	20.00	0.40	19.60		
Y	2.00	GC 76100 - LCCF	COUNTY	10.00	0.20	9.80		
Y	2.00	GC 76101 - LCJF	COUNTY	10.00	0.20	9.80		
Y	1.50	GC 76104 - EMS	COUNTY	7.50	0.15	7.35		
Y	0.50	GC 76104.5 - DNA ID	COUNTY	2.50	0.05	2.45		
Y	1.00	GC 76102 - Auto Fingerprint	COUNTY	5.00	0.10	4.90		
Y	2.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)	COUNTY	10.00	0.20	9.80		
Y		GC 76000.10(c) - EMAT Penalty ($4 eff 1-1-11)	STATE	4.00	0.08	3.92		
Y	5.00	GC 70372(a): SCFCF (5/10)	STATE	25.00	0.50	24.50		
N		PC 1465.7 - 20% Surcharge	STATE	9.00	0.00	9.00		
		SUBTOTAL		**203.00**		**199.12**		**0.00**
N		PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10)	STATE	40.00	0.00	40.00		
N		GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr)	STATE	35.00	0.00	35.00		
N		VC 40508.6 - Priors/DMV Admin Fee (up to $10)	COURT	10.00	0.00	10.00		
N		VC 42006 - Night Court Assmnt ($1)	STATE	1.00	0.00	1.00		
N		GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures	STATE			3.88		
					3.88			
		TOTAL FINE		**289.00**		**289.00**	**TOTAL**	**0.00**

GC 76000 PA ($7 for every 10) breakdown per local board of supervisor resolution (BOS).



Case No. 1 Scenario 3

- What if the judicial officer simply orders the defendant to pay $200?
- What do you do?
- What happens to the distribution?

Top-Down Distribution Speeding Spreadsheet

ASSUMPTION:

Standard total fine is $289 but
the judge ordered a fine of $200

WATCH OUT FOR:

What distribution components are and are not prorated.

BASIC RULES

Tops Down vs. Bottoms Up Assessments

PC § 1463.004:

If a sentencing judge specifies only the total fine or forfeiture, or if an automated case-processing system requires it, percentage calculations may be employed to establish the components of total fines or forfeitures, provided that the aggregate monthly distributions resulting from the calculations are the same as would be produced by strict observance of the statutory distributions.

Top-Down Distribution

Prorate “soft” distribution components ONLY

Top Down Method 1 (Speeding Bail Forfeiture)

CASE INFORMATION

Case Number		**COUNT 1**	VC 22349(b)	**BASE FINE**	35
Violation Date	1/16/2022	**Violation Description**	1-15 MPH over 55 MPH	**Priors**	1
Disposition Date	3/24/2022	**Violation Type**	Traffic Infraction	**Enhanced BASE**	45
Arresting Agency	Coronado PD	**Disposition**	Bail Forfeiture		
County %	25%	**COUNT 2 (if any)**		**BASE FINE**	0
City %	75%	**Violation Description**		**Priors**	
TOTAL Enhanced Base	**$45.00**	**Violation Type**		**Enhanced BASE**	0
Portion of 10	**5**	**Disposition**		GC 76000	$ 7.00

					STANDARD BASE-UP			TOP-DOWN #1		
	Per 10		**DISTRIBUTION**	**DISTRIB ENTITY**	**Standard-Per UBS**	**2% Amt**	**FINAL (After 2%)**	**Prorate % After Fixed Amts**	**2% Amt**	**FINAL (After 2%)**
Y - Def	TOTAL BASE		PC 1463.001 - Base County	COUNTY	11.25	0.23	11.03	6.22	0.12	6.09
			PC 1463.002 - Base City	CITY	33.75	0.68	33.08	18.66	0.37	18.28
	7		PC 1464 - State PA (7/10)	STATE	35.00	0.70	34.30	19.35	0.39	18.96
Y	3		PC 1464 - County PA (3/10)	COUNTY	15.00	0.30	14.70	8.29	0.17	8.13
Y	0.75		GC 76104.6 - DNA PA (1/10) 75%	COUNTY	3.75	0.08	3.68	2.07	0.04	2.03
Y	0.25		GC 76104.6 - DNA PA (1/10) 25%	STATE	1.25	0.03	1.23	0.69	0.01	0.68
Y	4		GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10)	STATE	20.00	0.40	19.60	11.06	0.22	10.83
Y	2.00		GC 76100 - LCCF	COUNTY	10.00	0.20	9.80	5.53	0.11	5.42
Y	2.00		GC 76101 - LCJF	COUNTY	10.00	0.20	9.80	5.53	0.11	5.42
Y	1.50		GC 76104 - EMS	COUNTY	7.50	0.15	7.35	4.15	0.08	4.06
Y	0.50		GC 76104.5 - DNA ID	COUNTY	2.50	0.05	2.45	1.38	0.03	1.35
Y	1.00		GC 76102 - Auto Fingerprint	COUNTY	5.00	0.10	4.90	2.76	0.06	2.71
Y	2.00		GC 76000.5 - EMS Addl PA (BOS: 2/10)	COUNTY	10.00	0.20	9.80	5.53	0.11	5.42
Y			GC 76000.10(c) - EMAT Penalty ($4 eff 1-1-11)	STATE	4.00	0.08	3.92	4.00	0.08	3.92
Y	5.00		GC 70372(a): SCFCF (5/10)	STATE	25.00	0.50	24.50	13.82	0.28	13.54
N			PC 1465.7 - 20% Surcharge	STATE	9.00	0.00	9.00	4.97	0.00	4.97
			SUBTOTAL		**203.00**		**199.12**	**114.00**		**111.82**
N			PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10)	STATE	40.00	0.00	40.00	40.00	0.00	40.00
N			GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr)	STATE	35.00	0.00	35.00	35.00	0.00	35.00
N			VC 40508.6 - Priors/DMV Admin Fee (up to $10)	COURT	10.00	0.00	10.00	10.00	0.00	10.00
N			VC 42006 - Night Court Assmnt ($1)	STATE	1.00	0.00	1.00	1.00	0.00	1.00
N			GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures	STATE			3.88			2.18
									2.18	
			TOTAL FINE		**289.00**		**289.00**	**200.00**		**200.00**

GC 76000 PA ($7 for every 10) breakdown per local board of supervisor resolution (BOS).

Enter the amount here:

Top-Down Distribution

- This special distribution applies for judge-ordered total fines that do not follow the standard total bail in the UB&PS or the countywide penalty schedule.
- These total fines are typically less than the standard total bail.
- *There is no stated or agreed-upon method for performing the Top-Down distribution, so the following are examples of two methods.*

Differences between the Top-Down Distribution #1 versus #2

Court Fees remain the same and the rest of the fine is Pro-rated.

TOP-DOWN #1		
Prorate % After Fixed Amts	2% Amt	FINAL (After 2%)
6.22	0.12	6.09
18.66	0.37	18.28
19.35	0.39	18.96
8.29	0.17	8.13
2.07	0.04	2.03
0.69	0.01	0.68
11.06	0.22	10.83
5.53	0.11	5.42
5.53	0.11	5.42
4.15	0.08	4.06
1.38	0.03	1.35
2.76	0.06	2.71
5.53	0.11	5.42
4.00	0.08	3.92
13.82	0.28	13.54
4.97	0.00	4.97
114.00		**111.82**
40.00	0.00	40.00
35.00	0.00	35.00
10.00	0.00	10.00
1.00	0.00	1.00
		2.18
	2.18	
200.00		**200.00**

All Fines and Fees are Pro-rated.

TOP-DOWN #2		
Prorate % After Fixed Amts 69.20%	2% Amt	FINAL (After 2%)
7.79	0.16	7.63
23.36	0.47	22.89
24.22	0.48	23.74
10.38	0.21	10.17
2.60	0.05	2.54
0.87	0.00	0.87
13.84	0.28	13.56
6.92	0.14	6.78
6.92	0.14	6.78
5.19	0.10	5.09
1.73	0.03	1.70
3.46	0.07	3.39
6.92	0.14	6.78
2.77	0.06	2.71
17.30	0.35	16.96
6.23	0.00	6.23
140.48		**137.82**
27.68	0.00	27.68
24.22	0.00	24.22
6.92	0.00	6.92
0.69	0.00	0.69
		2.67
	2.67	
200.00		**200.00**

Additional Information to Review on the Case Study 1 Worksheet

The "Y" means this penalty is subjected to the 2% Calc.

2%	Per 10	[
Y	TOTAL BASE	PC 1463.001 - Base Count
Y		PC 1463.002 - Base City
Y	7	PC 1464 - State PA - State
Y	3	PC 1464 - State PA - Count
Y	0.75	GC 76104.6 - DNA PA (1/1
Y	0.25	GC 76104.6 - DNA PA (1/1
Y	4	GC 76104.7 - DNA Addl PA
Y	2.00	GC 76100 - LCCF
Y	2.00	GC 76101 - LCJF
Y	1.50	GC 76104 - EMS
Y	0.50	GC 76104.5 - DNA ID
Y	1.00	GC 76102 - Auto Fingerpri
Y	2.00	GC 76000.5 - EMS Addl PA
Y		GC 76000.10(c) - EMAT Pe
Y	5.00	GC 70372(a): SCFCF (5/10
N		PC 1465.7 - 20% Surcharg
N		PC 1465.8 - Court Ops Ass
N		GC 70373 - Crim Conv Ass
N		VC 40508.6 - Priors/DMV
N		VC 42006 - Night Court As
N		GC 68090.8 - 2% State Aut forfeitures

Standard-Per UBS	2% Amt	FINAL (After 2%)
		A
11.25	0.23	11.03
33.75	0.68	33.08
35.00	0.70	34.30
15.00	0.30	14.70
3.75	0.08	3.68
1.25	0.03	1.23
20.00	0.40	19.60
10.00	0.20	9.80
10.00	0.20	9.80
7.50	0.15	7.35
2.50	0.05	2.45
5.00	0.10	4.90
10.00	0.20	9.80
4.00	0.08	3.92
25.00	0.50	24.50
9.00	0.00	9.00
203.00		**199.12**
40.00	0.00	40.00
35.00	0.00	35.00
10.00	0.00	10.00
1.00	0.00	1.00
		3.88
	3.88	
289.00		**289.00**

These individual distributions tell you where the money goes.

	DISTRIB ENTITY	Standard-Per UBS
	COUNTY	11.25
	CITY	33.75
	STATE	35.00
	COUNTY	15.00
	COUNTY	3.75
	STATE	1.25
	STATE	20.00
	COUNTY	10.00
	COUNTY	10.00
	COUNTY	7.50
	COUNTY	2.50
	COUNTY	5.00
	COUNTY	10.00
	STATE	4.00
	STATE	25.00
	STATE	9.00
L		**203.00**
	STATE	40.00
	STATE	35.00
	COURT	10.00
	STATE	1.00
	STATE	
E		**289.00**

Case Study No. 2 - DUI

Court Case Information:

- Violation Date: 9/12/2020
- Disposition Date: 12/3/2020
- Arresting Agency= County Arrest
- Violation= VC § 23152(a, b) Driving under the influence of alcohol
- Violation Type= Misdemeanor
- Disposition = Bail Forfeiture

Information for Case Study No. 2

TRAFFIC MISDEMEANOR BAIL AND PENALTY SCHEDULE
(*See Preface, Section III) (See Preface, Section IV)**
(Vehicle Code)

Section		Notes	Offense	Base Fine	State PA*	County PA*/10	DNA PA*	Court PA*/10	Surcharge*	EMS PA*/10	EMAT PA*	Fine Surcharge & PA Subtotal	Court OPS	Conv. Assess	Night Court	Total Bail **
					10/10	**7**	**5/10**	**5**	**20%**	**2**	**4**		**40**	**30**	**1**	
23109	(a)	95	Engaging in Speed Contests Prohibited	360	360	252	180	180	72	72	4	1480	40	30	1	1551
23109	(b)	96	Abetting Speed Contest Prohibited	100	100	70	50	50	20	20	4	414	40	30	1	485
23109	(c)	97	Engaging in or Abetting Exhibition of Speed Prohibited	100	100	70	50	50	20	20	4	414	40	30	1	485
23109	(d)	98	Placing Barricades or Obstructions Prohibited	100	100	70	50	50	20	20	4	414	40	30	1	485
23109	(e)(2)	99	Engaging in Speed Contest and Causing Bodily Injury	500	500	350	250	250	100	100	4	2054	40	30	1	2125
23109.1		100	Engaging in Speed Contest–Specific Injury	750	750	525	375	375	150	150	4	3079	40	30	1	3150
23110	(a)		Throwing Substance at Vehicle Prohibited	250	250	175	125	125	50	50	4	1029	40	30	1	1100
23112.5	(a)		Hazardous Materials–Notification of Agency Required	2000	2000	1400	1000	1000	400	400	4	8204	40	30	1	8275
23118	(f)(4)		Release of Impounded Vehicle by Legal Owner or Agent Prior to End of Impoundment Period	2000	2000	1400	1000	1000	400	400	4	8204	40	30	1	8275
23127			Motor Vehicle on Riding/Hiking Trails Prohibited	50	50	35	25	25	10	10	4	209	40	30	1	280
23152	(a,b)	101	Driving Under Influence of Alcohol	390	390	273	195	195	78	78	4	1603	40	30	1	1674
23152	(c)	102	Driving While Addicted to Drug	390	390	273	195	195	78	78	4	1603	40	30	1	1674
23152	(d)	103	Driving Commercial Vehicle Under Influence of Alcohol	450	450	315	225	225	90	90	4	1849	40	30	1	1920
23152	(f)	104	Driving Under Influence of Drug	390	390	273	195	195	78	78	4	1603	40	30	1	1674
23152	(g)	105	Driving Under Influence of Alcohol and Drug	500	500	350	250	250	100	100	4	2054	40	30	1	2125

Case Study No. 2

Local BOS Penalties:

- LCCF = $2
- LCJF = $2
- EMS = $1.50
- DNA = $.50
- Auto Fingerprint = $1
- Additional EMS = $2
- EMAT Fee GC § 76000.10(c) = $4

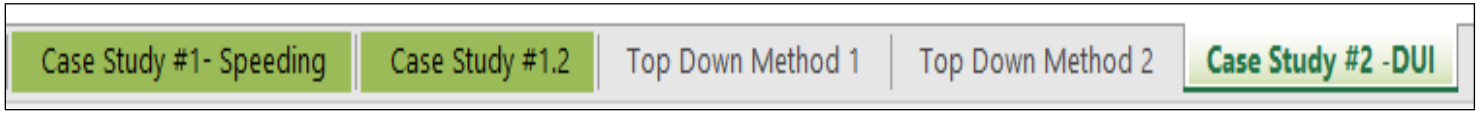
Court and Local Fees:

- PC § 1463.14(b) = DUI Lab Test Penalty (BOS: up to $50)
- PC § 1463.25 = Alcohol Education Penalty (up to $50)
- VC § 23649(a) = Co Alcohol & Drug Problem Assessment (up to $100)

Case Study No. 2

Additional State Restitution Fines and Local Fees

- PC § 1202.4(b) State Restitution Fine
  - Misdemeanors – minimum of $150
  - Felonies – minimum of $300
- Night Court Fee = $1



Case Study 2 - Driving Under Influence

2% Y - Def N	Per 10	DISTRIBUTION	DISTRIB ENTITY	Standard-Per UBS	2% Amt	FINAL (After 2%) A	DISTRIB CODE or DESCRIPTION	DISTRIB AMT B
Y	TOTAL BASE	**BASE REDUCTION:** PC 1463.14(a) - DUI Lab Spec Acct ($50)	COUNTY	50.00	1.00	49.00		
Y		**BASE REDUCTION:** PC 1463.16 - DUI Prog Spec Acct (BOS: $50)	COUNTY	50.00	1.00	49.00		
Y		**BASE REDUCTION:** PC 1463.18 - DUI Indemnity Alloc ($20)	STATE	20.00	0.40	19.60		
Y		PC 1463.001 - Base County	COUNTY	270.00	5.40	264.60		
Y		PC 1463.002 - Base City	CITY	0.00	0.00	0.00		
Y	7	PC 1464 - State PA - State portion (70%)	STATE	273.00	5.46	267.54		
Y	3	PC 1464 - State PA - County portion (30%)	COUNTY	117.00	2.34	114.66		
Y	0.75	GC 76104.6 - DNA PA (1/10) 75%	COUNTY	29.25	0.59	28.67		
Y	0.25	GC 76104.6 - DNA PA (1/10) 25%	STATE	9.75	0.20	9.56		
Y	4	GC 76104.7 - DNA Addl PA (4/10 eff 6-27-12; prev 3/10)	STATE	156.00	3.12	152.88		
Y	2.00	GC 76100 - LCCF	COUNTY	78.00	1.56	76.44		
Y	2.00	GC 76101 - LCJF	COUNTY	78.00	1.56	76.44		
Y	1.50	GC 76104 - EMS	COUNTY	58.50	1.17	57.33		
Y	0.50	GC 76104.5 - DNA ID	COUNTY	19.50	0.39	19.11		
Y	1.00	GC 76102 - Auto Fingerprint	COUNTY	39.00	0.78	38.22		
Y	2.00	GC 76000.5 - EMS Addl PA (BOS: 2/10)	COUNTY	78.00	1.56	76.44		
Y		GC 76000.10(c) - EMAT Penalty ($4 eff 1-1-11)	STATE	4.00	0.08	3.92		
Y	5.00	GC 70372(a): SCFCF (5/10)	STATE	195.00	3.90	191.10		
N		PC 1465.7 - 20% Surcharge	STATE	78.00	0.00	78.00		
		SUBTOTAL		**1603.00**		**1572.50**		**0.00**
N		PC 1465.8 - Court Ops Assmnt ($40 eff 10-19-10)	STATE	40.00	0.00	40.00		
N		GC 70373 - Crim Conv Assmnt ($30 for misd/$35 for infr)	STATE	30.00	0.00	30.00		
N		VC 40508.6 - Priors/DMV Admin Fee (up to $10)	COURT	0.00	0.00	0.00		
N		PC 1463.13 - Alcohol & Drug Assmnt (BOS: up to $150)	COUNTY	0.00	0.00	0.00		
Y		PC 1463.14(b) - DUI Lab Test Penalty (BOS: up to $50)	CNTY or CTY	50.00	1.00	49.00		
Y		PC 1463.25 - Alcohol Education Penalty (up to $50)	COUNTY	50.00	1.00	49.00		
N		VC 23649(a) - Co Alc & Drug Prob Assmnt (up to $100)	COUNTY	100.00	0.00	100.00		
Y		PC 1202.4(b) - State Restitutn Fine (min: $150 misd/$300 fel)	STATE	150.00	3.00	147.00		
N		VC 42006 - Night Court Assmnt ($1)	STATE	1.00	0.00	1.00		
N		GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures)	STATE			35.50		
					35.50			
		TOTAL FINE		**2024.00**		**2024.00**	**TOTAL**	**0.00**

GC 76000 PA ($7 for every 10) breakdown = local Board of Supervisor resolution (BOS).

Disabled Parking VC § 22507.8

a) It is unlawful for any person to park or leave standing any vehicle in a stall or space designated for **disabled persons and disabled veterans** pursuant to Section 22511.7 or 22511.8 of this code or Section 14679 of the Government Code, unless the vehicle displays either a special identification license plate issued pursuant to Section 5007 or a distinguishing placard issued pursuant to Section 22511.55 or 22511.59.

b) It is unlawful for any person to obstruct, block, or otherwise bar access to those parking stalls or spaces except as provided in subdivision (a).

c) It is unlawful for any person to park or leave standing any vehicle, including a vehicle displaying a special identification license plate issued pursuant to Section 5007 or a distinguishing placard issued pursuant to Section 22511.55 or 22511.59, in either of the following places:

(1) On the lines marking the boundaries of a parking stall or space designated for disabled persons or disabled veterans.

(2) In any area of the pavement adjacent to a parking stall or space designated for disabled persons or disabled veterans that is marked by crosshatched lines and is thereby designated, pursuant to any local ordinance, for the loading and unloading of vehicles parked in the stall or space.

d) Subdivisions (a), (b), and (c) apply to all offstreet parking facilities owned or operated by the state, and to all offstreet parking facilities owned or operated by a local authority. Subdivisions (a), (b), and (c) also apply to any privately owned and maintained offstreet parking facility.

Late Penalty Charge

- Vehicle Code section 40310 requires the imposition of a late charge of 50 percent on any traffic penalties not paid within 20 days.
- The 20 days shall be counted from the mailing of a notice that the penalty has been assessed.
- Note: Check with your finance staff if you have questions, but we're under the impression that most courts DO NOT charge a late penalty charge. We are NOT encouraging you to do so.

RECAP: Case Study Goals and Expectations

- Provide information on basic concepts and terms regarding distributions necessary to complete distribution worksheets.
- Use distribution worksheets to:
  1. Work through actual case studies of basic distributions.
  2. Understand impacts of variations (priors, different base fines, etc.) to demonstrate how distributions change.

Questions?

Please submit them to:

revenuedistribution@jud.ca.gov

The End

Thank you!!