Instructions for Completing the Excess Revenue Payment (50-50) Template

- **About the 50-50 Excess Revenue Template**

Under Government Code section 77205, in any year in which a county collects qualifying fee, fine, and forfeiture revenue pursuant to nine specified statutes, in excess of the amount specified in Gov. Code §77201.1(b) or Gov. Code §77205(c), the excess revenue shall be divided equally between the county general fund and the State Trial Court Improvement and Modernization Fund.

The statutes included are as follows and as they read on December 31, 1997:

- Gov. Code §27361,
- Gov. Code §29550(f),
- Gov. Code §76000,
- Penal Code §1463.001,
- Pen. Code §1464,
- Vehicle Code §42007,
- Veh. Code §42007.1,
- Veh. Code §42008,
- Pen. Code §1463.07.

For each of the first eight code sections, the qualifying revenue would have been remitted to the State General Fund on or before December 31, 1997 and is now deposited into the county general fund.

Veh. Code §42008 is no longer in effect and is not listed on the form. Similarly, Gov. Code §29550(f) applies only to convictions between August 5, 1991, and June 30, 1996, and is not on the form.

The calculation formula for each statute, based on the language in effect on December 31, 1997, is as follows:

Gov. Code §27361(b):	100% of collections
Gov. Code §76000(b, c)	$1 of each $2.50 deposited with the county for parking violations
Pen. Code §1463.001	75% of the county's percentage for city and county arrests
Pen. Code §1464	30% of collections (the county's percentage)
Veh. Code §42007	77% of collections
Veh. Code §42007.1	49% of collections

The calculation formula for Pen. Code §1463.07, as it currently reads, is as follows:

Pen. Code §1463.07	100% of collections

- **Due Date**

The excess revenue payment shall be remitted to the Controller no later than 45 days after the end of the fiscal year, or *August 14*, for deposit into the State Trial Court Improvement and Modernization Fund. If the due date falls on a weekend, then the following Monday becomes the remittance date.

Late remittances are subject to penalty by the State Controller's Office.

The excess revenue payment, or 50-50, template, should be sent to the Judicial Council at the same time as the remittance to the Controller.

- **Reporting Period**

The 50-50 template should be completed for the period of July 1 through June 30 through the fiscal year just ended.

What Should Be Reported

To clarify the process of calculating the qualified revenue and determining the excess revenue payment, if any, due to the state, the 50-50 template has been modified.

Instead of performing the calculations, simply select your county and enter the total revenue collected for each of the qualifying statutes in the **REVENUES COLLECTED** column; the worksheet will do the rest.

Step-by-Step Instructions

- **Fiscal Year:**

  Choose the fiscal year for which you are reporting. This should be the year most recently ended.

- **Name**:

  Enter the name of the person responsible for completing this form, who will serve as the appropriate point of contact should the Judicial Council have any questions.

- **Phone Number**:

  Enter the phone number of the point of contact for this form.

- **County:**

  Choose your county from the drop-down menu. This will ensure that the proper revenue-base maintenance of effort figure is displayed on the form.

- **E-Mail Address:**

  Enter the e-mail address of the point of contact for this form.

- **Gov. Code §27361(b):**

  Enter the amount deposited into the county general fund, or $1 of each $3 fee for each additional page recorded and indexed. Input 100% of the revenues collected in the column "Revenues Collected".

- **Gov. Code §76000(b, c):**

  Enter the amount of the additional parking penalty which is deposited into the county general fund, or $1 of each $2.50 collected. Input 100% of the revenues collected in the column "Revenues Collected"

- **Pen. Code §1463.001:**

  Enter the amount of base fine deposited into the county general fund, or 100 percent of county arrests and the county's share of city arrests, as determined under Pen. Code §1463.002.

  Input 100% of the revenues collected in the column "Revenues Collected"; the worksheet will calculate the amount of qualified revenue.

- **Pen. Code §1463.07:**

  Enter the amount collected for the $25 administrative processing fee, the $10 citation processing fee, or both. Input 100% of the revenues collected in the column "Revenues Collected"

- **Pen. Code §1464:**

  Enter the amount deposited into the county general fund, or 30% of the state penalty collected. Input 100% of the revenues collected in the column "Revenues Collected"; the worksheet will calculate the amount of qualified revenue.

- **Veh. Code §42007:**

  Enter the total amount collected of the traffic violator school (TVS) fee. The following distributions from the TVS fee should be included, along with the amount retained in the county general fund:

  - Local Courthouse Construction Fund;
  - Local Criminal Justice Facilities Construction Fund;
  - Maddy Emergency Medical Services Fund;
  - the local fees for cities.

  Input 100% of the revenues collected in the column "Revenues Collected"; the worksheet will calculate the amount of qualified revenue, or "net amount". If needed, there is a worksheet to add the components of the TVS fee together and determine the total TVS fee to be entered.

- **Veh. Code §42007.1:**

  Enter the full amount of the $49 traffic violator school fee collected. Input 100% of the revenues collected in the column "Revenues Collected"; the worksheet will calculate the amount of qualified revenue.

- **Submitting Excess Revenue Payment**

If your qualifying revenue is less than or equal to the revenue-base MOE amount for your county, you do not owe an excess revenue payment and the balance will be reported as zero on the worksheet. The worksheet should still be submitted to the Judicial Council.

If it is determined that your county has excess revenue, remit the amount shown in "AMOUNT TO BE TRANSFERRED TO STATE CONTROLLER" and include a separate TC-31 form with your remittance payment by *August 14.* If August 14 falls on a weekend, the remittance is due the following Monday.

Send the original and duplicate of the TC-31 form along with check or warrant to:

State Treasurer
Cash Management Division
915 Capitol Mall, Room 319
Sacramento, CA 95814

OR

State Treasurer
Cash Management Division
P.O. Box 942809
Sacramento, CA 94209-0001