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FACT SHEET

May 2020

Distributions-A Legislative Update

As of the date of this document, several bills are being tracked by the Judicial Council for their potential effects on revenue collections and distributions. We are highlighting the following bills due to the significant impact they would have on revenues and distributions if passed. Please see the additional resources link at the end of this document to track changes in these and other pieces of legislation currently being considered by the California Legislature.

- AB 1980 (Gray)
- AB 2338 (Weber)
- AB 2903 (Limon)
- SB 144 (Mitchell)
- SB 957 (McGuire)

AB 1980 (Gray)

This bill would eliminate the state surcharge of 20% levied on the base fine that is transferred to the General Fund. This bill is currently in the Assembly Public Safety Committee.

AB 2338 (Weber)

Permits a court to grant probation or a conditional sentence, as defined, in lieu of an order for community service, imprisonment, or both, for a party found in contempt for failure to comply with a court order pursuant to the Family Code. This bill is currently in the Assembly Judiciary Committee.

AB 2903 (Limon)

This bill would require a court to permit a defendant who is ordered or permitted to attend traffic violator school, and who demonstrates to the court an inability to pay the total required fee immediately, to pay the fee in installments. The bill would make the defendant eligible to attend traffic violator school upon payment of the first installment. The bill would permit the installment schedule to be longer than 90 days if agreed upon by the court. This bill is currently in the Assembly Transportation Committee.

SB 144 (Mitchell) Criminal fees

Repeals the authority to collect various existing fees including fees contingent upon a criminal arrest, prosecution, or conviction for the cost of administering the criminal justice system, including administering probation and diversion programs, collecting restitution orders, processing arrests and citations, administering drug testing, incarcerating inmates, facilitating medical visits, and sealing or expunging criminal records. (the bill as currently in print amends 137 code sections)

Makes the unpaid balance of any court-imposed costs unenforceable and uncollectible and requires any portion of a judgment imposing those costs to be vacated. Prohibits the imposition of trial court filing fees or costs related to a person's underlying criminal conviction.

Deletes the authority of the court to impose liens on a defendant's property. Deletes the authority of the court to require a person convicted of a nonviolent drug. This bill is currently in the Assembly Public Safety Committee.

SB 957 (McGuire)

This bill would authorize a court to allow a person convicted of an infraction to participate in educational programs to satisfy community service hours in lieu of the total fine. This bill is currently in the Senate Public Safety Committee.

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Additional resources:
Legislative research site: http://leginfo.legislature.ca.gov/
JCC Annual Legislative Tracking: http://www.courts.ca.gov/4121.htm