Session B— Special Distributions
Training Packet: Steps by Step Instructions, Resources, and Case Studies

In this session we will: 1) gather information specific to case study 1, in the Guidelines, the Uniform Bail and Penalty Schedules, the FAQs, and the Uniform Bail & Penalty Schedules; and 2) review the distribution calculation in corresponding worksheet. Similar process may be applied to perform and test distribution for case studies 2, 3, and 4.

Step 1: Gather information about the citation (from the case management system/case file)— including

- Violation type (infraction or misdemeanor)
- Violation date and conviction date
- Disposition on each count (e.g., conviction, traffic school)
- Prior violations
- Arresting agency:
  - ✓ If applicable, determine city/county percentage split, under *Penal Code1463.002*
- Base fine amount $___:
  - ✓ Refer to the 2020 Uniform Bail & Penalty Schedules *UB&PS*
- Code section(s) violated
  - ✓ Research statute in the *California Legislative Information* *Leg. Info* website.
  - ✓ Search authorized distributions in the State Controller's Office *Guidelines* (Rev. 30).

Step 2. Obtain current authorized amount by county BOS resolutions for applicable local penalties.

- ✓ Government Code 76100 – LCCF: $___
- ✓ Government Code 76101 – LCJF: $___
- ✓ Government Code 76104 – EMS: $___
- ✓ Government Code 76104.5 – DNA ID: $___
- ✓ Government Code 76102 – Auto Fingerprint: $___
- ✓ Government Code 76000.5 EMS Additional Penalty: $___

Step 3: Determine other case and/or court specific factors and obtain current authorized amount. Confirm local and case specific fee amounts as they can and do vary from county to county. As an example, these base fine reductions specific to a DUI case:

- ✓ Penal Code section 1463.14 (a) – DUI Lab Special Account ($50.00)
- ✓ Penal Code section 1463.16 - DUI Program Special Account (BOS: $50.00)
- ✓ Penal Code section 1463.18 - DUI Indemnity Allocation ($20.00)

Note: The following resources should be saved to desktop for easy and immediate access:
-- Case Studies and Distribution Worksheets: http://www.courts.ca.gov/revenue-distribution.htm
-- Uniform Bail and Penalty Schedules 2020: https://www.courts.ca.gov/7532.htm#bail
-- Guidelines (Revision 30): https://www.sco.ca.gov/Files-ARD-Local/Guidelines_Rev_30.pdf
-- California Legislative Information: http://leginfo.legislature.ca.gov/faces/codes.xhtm
-- Questions: revenuedistribution@jud.ca.gov and LocalGovPolicy@sco.ca.gov

Resources Overview
(Relates to Case Study 1)

Base fine for Count 1: DUI (available in Uniform Bail and Penalty Schedules pg. 50)

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	
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)	58	Driving Under Influence of Alcohol	390	390	273	195	195	78	78	4	1603	40	30	1	1674
23152	(c)	58	Driving While Addicted to Drug	390	390	273	195	195	78	78	4	1603	40	30	1	1674
23152	(d)	58	Driving Commercial Vehicle Under Influence of [illegible]	450	450	315	225	225	90	90	4	1849	40	30	1	1920
23152	(e)		Dri[illegible] Passenger in the [illegible] BAC.	390	390	273	195	195	78	78	4	1603	40	30		1674
23152	(f)		Dri[illegible]					195								
23152	(g)		Dri[illegible]					195								
23153	(a,b)	59	Dri[illegible]					250								
23153	(d)	59	Dri[illegible] While Causing Injury					250								
23153	(e)		Driving a Motor Vehicle When a Passenger for Hire Is a Passenger in the Vehicle at the Time of the Offense with a .04 or Higher BAC and Causing Injury.	500	500	350	250									

Base fine. Starting point for calculating additional penalties and surcharges.

Subtotal includes state and local penalties.

Total includes Court Operations Assessment, Criminal Conviction Assessment, and Night Court Fee

Reminder

The Uniform Bail & Penalty Schedules are separated by violation type: infractions and misdemeanors. Select the base fine amount from the correct schedule.

Base fine for Count 2: Failure to Stop at Stop Sign (available in UB&PS, pg. 68)

22409		Speed Limit for Solid Tire Vehicle ≥ 26 MPH Over Limit	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	1
22409		Speed Limit for Solid Tire Vehicle 16–25 MPH Over Limit	70	70	49	35	35	14	14	4	291	40	35	1	0	367	4a	1
22409		Speed Limit for Solid Tire Vehicle, 1–15 MPH Over Limit	35	40	28	20	20	7	8	4	162	40	35	1	0	238	4a	1
22410		Exceeding Speed Limit for Metal Tire Vehicles	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	1
22413		Violation of Speed Limit Set by Local Authority for Steep Grades				[See Speed Chart]											4a	1
22450	(a)	Failure to Stop at Stop Sign	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	1
22450	(b)	45 Failure to Stop at Stop Sign at Railroad Grade Crossing	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	1
22451	(a,b)	45 Failure to Stop for Train Signals/Closed Gates	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	1
22452	(b)	45 Failure of Certain Vehicles to Stop at Railroad Crossings	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	1
22452	(c)	45 Failure of Commercial Vehicle to Stop at Railroad Crossings	100	100	70	50	50	20	20	4	414	40	35	1	0	490	4a	1
22454	(a)	46 Passing School Bus With Flashing Signals	150	150	105	75	75	30	30	4	619	40	35	1	0	695	4a	1
22455	(a)	Vending From Vehicle Without Coming to a Complete Stop or Parking the Vehicle Lawfully	35	40	28	20	20	7	8	4	162	40	35	1	0	238	2a	0

Reminder

The bail amounts in UB&PS calculation is based on maximum county ($7/10) and EMS additional penalty ($2/10). Subtotal and Total Amount in UB&PS will reconcile to worksheet totals if the local penalties are assessed at maximum amount.

Resources Overview
(Relates to Case Study 1)

Arresting Agency: If the arresting agency is a city, the base fine amount shall be subject to distribution according to the following schedule, available in Penal Code 1463.002:

Sacramento	
Folsom	31
Galt	25
Isleton	13
North Sacramento	10
Sacramento	21
County percentage	26

Note: These percentages represent the county's share of the base fine. For cities and other local agencies not listed, the "County Percentage" is used.

Resources Overview
(Relates to Case Study 1)

Special Distributions Specific to DUI: Search results for violation "23152", Trial Court Revenue Distribution Guidelines (pg.13-15)

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

Code Section	Violation	Distribution		Fund Use/Special Provision	Priority of Installment Payments
		From	To		
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, VC 23153. Reckless Driving Under: VC 23103, VC 23104, VC 23105.	$50 of each base fine collected. If the account becomes exhausted, the public entity ordering a test performed shall bear the costs of the test.	County special account.	To pay for the cost of performing analysis of blood, breath, or urine for alcohol content or for the presence of drugs; for criminalistics lab services related to such testing.	3
		FUNDS NOT EXPENDED: Special account funds collected in the preceding fiscal year and not expended by November 1.	County General Fund in an amount equal to administrative costs.	To reimburse the County for administrative costs incurred to implement PC 1463.14.	
			Remainder to the City or County pursuant to PC 1463.001.	See PC 1463.001 (Table 1).	
PC 1463.16 — Driving Under the Influence or Reckless Driving; Alcohol Programs and Services Fees	DUI Under: VC 23152, VC 23153. Reckless Driving Under: VC 23103, VC 23104, VC 23105.	$50 per conviction from PC 1463.001 general collections for Los Angeles, Orange, San Diego, San Joaquin, Sonoma, Stanislaus, and San Luis Obispo Counties.	County special account, less up to 5% for administrative costs.	Alcohol programs and services for the general public.	3
		Contra Costa County Board of Supervisors may impose $50 assessment on each defendant convicted under VC 23152 or VC 23153.			
		$50 of fine collected under PC 1463.001 for all other Counties.			
		Up to 5% of funds collected	County General Fund.	To offset administrative costs of collection and disbursement.	
PC 1463.18 — Indemnification of Victims; Driving Under the Influence	DUI Under: VC 23152, VC 23153.	First $20 of any amount collected for a conviction.	State Restitution Fund.	Indemnification of victims of violent crimes, with priority given to victims of alcohol-related traffic accidents.	3 *Pursuant to PC 1462.5, PC 1463.18 disbursements have priority over all other Priority 3 distributions*
		Balance of fine to PC 1463.001.	General distribution pursuant to PC 1463.001.	See PC 1463.001 (Table 1).	

Resources Overview
(Relates to Case Study 1)

All resources provided are tools, not intended to be all inclusive, the codes may be modified at any point during the legislative session. Current law ALWAYS supersedes any guidance provided. Please, double-check statute(s).

Other specific fees and assessments: (pg. 133-139)

Penal Code 1463.14(b) – DUI Lab Test Penalty (BOS: up to $50)

Table 6
Penalty and Assessment Distribution

Code Section	Violation/Situation	Distribution	Applicable Fund	Fund Use/Special Provision	Priority of Installment Payments
PC 1463.14(b) — Additional Penalty to Recover Lab Fees for Convictions of Driving Under the Influence *Collected as a fine, distributed as a fee.*	Additional penalty of up to $50 to be assessed for each defendant convicted of a violation of DUI under VC 23152 or VC 23153, if authorized by board of supervisors' resolution.	To the County, to recover actual costs of testing for alcohol content that exceed the $50 distribution pursuant to PC 1463.14(a).	Special account pursuant to PC 1463.14(a).	To pay for the cost of performing analysis of blood, breath, or urine for alcohol content.	4

Penal Code 1463.13 – Alcohol and Drug Assessment (BOS: up to $150)

PC 1463.13 — Alcohol and Drug Special Assessment	The County develops a program for a person convicted of a crime other than driving under the influence in which the court determines that alcohol or substance abuse was substantially involved in the commission of the crime.	100% of assessment collected (up to $150) to the County.	Special account in the County Treasury.	Exclusively for the costs of developing, implementing, operating, maintaining, and evaluating alcohol and drug problem assessment and monitoring programs.	3
		Any moneys not expended in the preceding fiscal year as determined by the county treasurer annually on January 15.	County General Fund.	Not specified.	

Penal Code 1463.25 (a) – Alcohol Abuse Edu and Prevention Penalty (up to $50)

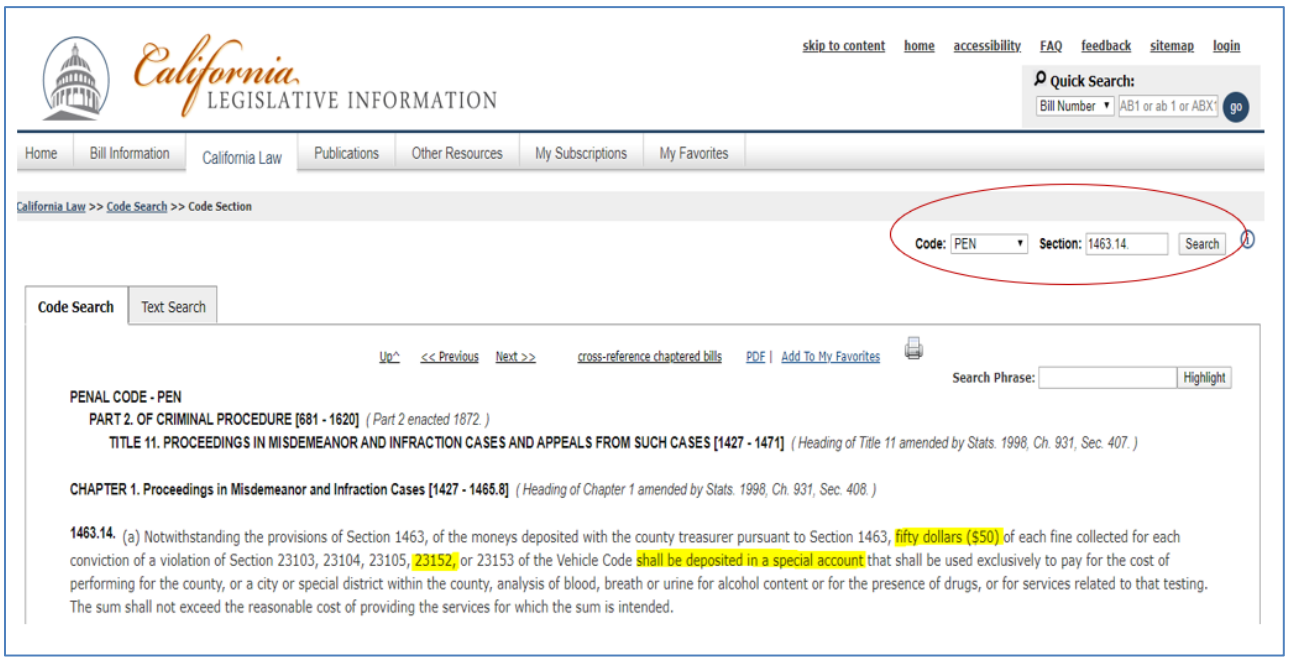
PC 1463.25 — Alcohol Abuse Education and Prevention; Penalty Assessments	Penalty assessment of up to $50 collected under VC 23645 (formerly VC 23196) for conviction of a DUI under VC 23152 or VC 23153.	100% to the County.	No more than 5% of these funds may be used for administrative costs.	Cost of administering the fund.	3
			Balance to a special county alcohol abuse and prevention fund.	5% to conduct annual evaluation; remainder for exclusive allocation by the county alcohol program administrator for the county's alcohol prevention program under H&S 11802.	

Vehicle Code 23649(a) – County Alcohol and Drug Probation Assessment (up to $100)

Resources Overview
(Relates to Case Study 1)

VC 23649 — County Alcohol and Drug Problem Assessment	Assessment of not more than $100 on every fine, penalty, or forfeiture collected for a DUI under VC 23152 or VC 23153 in any judicial district that participates in a county alcohol and drug problem assessment program. Assessment of not more than $100 from each person convicted of a violation of VC 23103 who is ordered to participate in a county alcohol and drug problem	100% to the County.	Special account.	Exclusively for the costs of developing, implementing, operating, maintaining, and evaluating the alcohol and drug problem assessment program.	3
		ANNUAL TRANSFER, equal to administrative costs, from the special account to the County General Fund.	County General Fund.	County's administrative costs.	
		FUNDS NOT EXPENDED: Special account funds collected in the preceding fiscal year and not	County General Fund.	Not specified.	

Distributions Specific to DUI: *California Legislative Information (Leg Info.)*



Resources Overview
(Relates to Case Study 1)

Penal Code 1463.14.
(a) Notwithstanding the provisions of Section 1463, of the moneys deposited with the county treasurer pursuant to Section 1463, fifty dollars ($50) of each fine collected for each conviction of a violation of Section 23103, 23104, 23105, 23152, or 23153 of the Vehicle Code shall be deposited in a special account that shall be used exclusively to pay for the cost of performing for the county, or a city or special district within the county, analysis of blood, breath or urine for alcohol content or for the presence of drugs, or for services related to that testing. The sum shall not exceed the reasonable cost of providing the services for which the sum is intended.

(Amended by Stats. 2007, Ch. 682, Sec. 5. Effective January 1, 2008.)

Penal Code 1463.16.
(a) Notwithstanding Section 1203.1 or 1463, fifty dollars ($50) of each fine collected for each conviction of a violation of Section 23103, 23104, 23105, 23152, or 23153 of the Vehicle Code shall be deposited with the county treasurer in a special account for exclusive allocation by the county for the county's alcoholism program, with approval of the board of supervisors, for alcohol programs and services for the general population. These funds shall be allocated through the local planning process and expenditures reported to the State Department of Health Care Services pursuant to subdivision (c) of Section 11798.2 and subdivision (a) of Section 11818.5 of the Health and Safety Code. Programs shall be certified by the State Department of Health Care Services or have made application for certification to be eligible for funding under this section. The county shall implement the intent and procedures of subdivision (b) of Section 11812 of the Health and Safety Code while distributing funds under this section.

(Amended by Stats. 2013, Ch. 22, Sec. 78. Effective June 27, 2013. Operative July 1, 2013, by Sec. 110 of Ch. 22.)

Penal Code 1463.18.
(a) Notwithstanding the provisions of Section 1463, moneys which are collected for a conviction of a violation of Section 23152 or 23153 of the Vehicle Code and which are required to be deposited with the county treasurer pursuant to Section 1463 shall be allocated as follows:

(1) The first twenty dollars ($20) of any amount collected for a conviction shall be transferred to the Restitution Fund. This amount shall be aggregated by the county treasurer and transferred to the State Treasury once per month for deposit in the Restitution Fund.

(2) The balance of the amount collected, if any, shall be deposited by the county treasurer pursuant to Section 1463.

(b) The amount transferred to the Restitution Fund pursuant to this section shall be in addition to any amount of any additional fine or assessment imposed pursuant to Sections 1202.4 and 1203.04, as operative on or before August 3, 1995, or Section 13967, as operative on or before September 28, 1994, of the Government Code. The amount deposited to the Restitution Fund pursuant to this section shall be used for the purpose of indemnification of victims pursuant to Section 13965 of the Government Code, with priority given to victims of alcohol-related traffic offenses. *(Amended by Stats. 1996, Ch. 1077, Sec. 26. Effective January 1, 1997.*