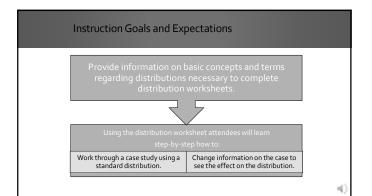
Basic Revenue Distribution Pre-Session Worksheet 101



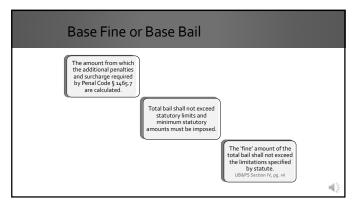
Gene Hughes, State Controller's Office Don Lowrie, Judicial Council

1





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



The Council is not the only entity required to publish a ball schedule. Each individual court is required to prepare, adopt 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, 4.202 additionally requires that, when performing those duties, counties "give consideration to the (UBPS) approved by the Judicial Council." After adopting their countrywinde bail schedule, courts wast send a copy of the counties are responsible for all others.

Base Fine Enhancements

inhancement for Prior Vehicle Code (VC) Convictions IB&PS section VII, pg. viii

* 320 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 \$1.340 or VC \$1.380 or VC \$1.380

Base fine enhancement of \$50 for each violation of the H&S code under subdivision (b).

Base fine enhancement of up to \$150 for each violation of Health &Safety Code sections 11350 through 11392 except H&S § 11357(b).



7

2% State Court Automation

- Government Code § 68090.8 2% State Court Automation Guidelines
- <u>Transferred</u> 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



8

State Surcharge

- PC § 1465.7 20% State Surcharge Guidelines
- 20% state surcharge is calculated on total base fines.
- $\boldsymbol{\cdot}$ The state surcharge is \boldsymbol{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
- S GC \$76000.5 emergency medical services (EMS) additional penalty per board of supervisors' resolution = \$2 per 10



10

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

11

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 \$ 76100 Auto Fingerprint ID Fund, GC \$ 76100 Special Burpose Fund. GC \$ 76100 Special Fund, GC \$ 76100 For facilities transferred to State and NO bonded indebtedness remains, the penalty amount 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 Country'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.

4

13

Additional Penalties

- 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.

- 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.

14

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)

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.



Fees and Assessments

- \$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
- 100% distribution to State TCTF.

- \$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

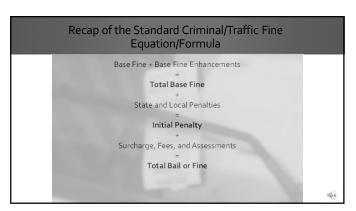


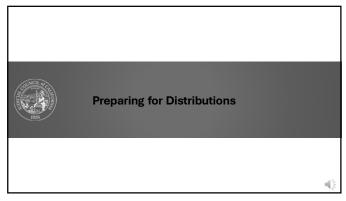
16

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







Preparing for Distributions

1. Gather case information:

- Codes violated
- Violation date and conviction date
- Arresting agency (county, city, CHP)
 Disposition on each count (conviction, traffic school)
- Base fine and enhancements (how much was assessed)
- · Prior violations
- 2. Obtain County Board of Supervisors' resolutions
- 3. Determine other factors



Gathering Case Information

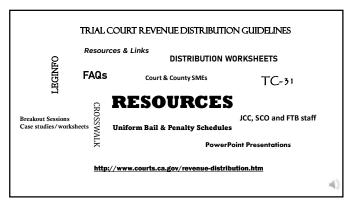
- Violation Date = 9/16/2024
- Disposition Date = 11/21/2024
- Arresting Agency = El Cajon Police Department
 Split between County and City
 (Refer to PC \$ 1463.002)
- Violation = VC § 22349(b); 1-15 MPH Over 55 MPH Limit
- Violation Type = Infraction
- Disposition = Bail Forfeiture

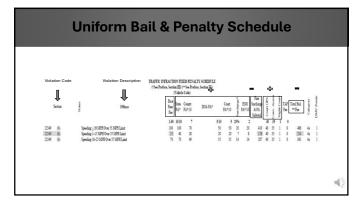
Local County BOS Penalties:

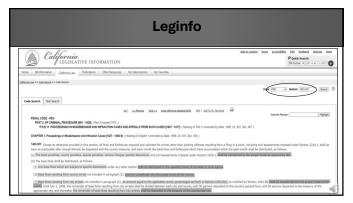
- LCCF = \$0.75LCJF = \$0.75
- EMS = \$5.00
 DNA = \$0.00
- Auto Fingerprint = \$0.50
- Additional EMS = \$2

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









Guidelines

Trial Court Revenue Distribution Guidelines

Revision 35

Table 1 — General Distribution of Fines and Forfeitures under PEN 1463.001

All criminal fines and forfeitures (except parking) without a specific distribution in statute are distributed pursuant to PEN 1483.001. Be advised that most statutes do not designate a specific distribution and are not separately listed in the Guidelines. As stated in PEN 1483(I), Total fine or forfeiture for purposes of distribution under PEN 1483.001 includes "the total amount of bail forfeited or deposited as cash bail subject to forfeiture."

The special distribution for bail increases, pursuant to PEN 1463.28, applies to city arrest violations, but does not apply to county arrest violations within the specified countles.

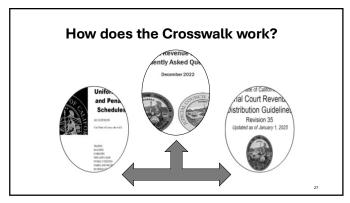
The California Attorney General's Office has clarified that changes in PEN 1214 do not allow a county to charge interest on delinquent and/or unpaid fines. In People v. Sutter Street Ry. Co., 129 Cal. 545 (1900), the California Supreme Court held that interest was not allowed because the fine was for the purpose of punishment rather than for compensating for loss or admage. Furthermore, the absence of a specific distribution for interest indicates that the Legislature did not intend criminal judgment fines to bear interest.

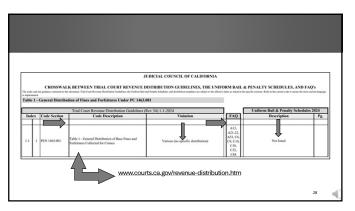
The following apply to the fines and forfeitures in Table 1:

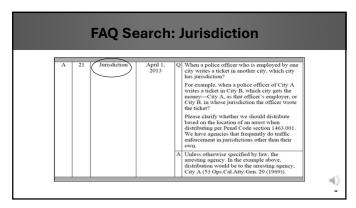
- State and local penalties;
 2% deposit for automation; and
 State surcharge.

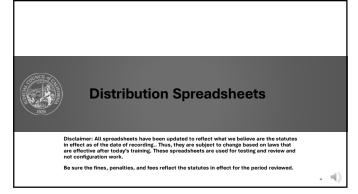
25

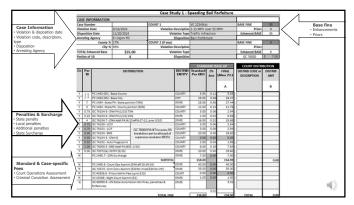
			Guid	eline	es		
Trial Court R	evenue Dis	tribution Guidelines		able 1			Revision
		General Distrib	ution of Fines ar		s under PEN 1	463.001	
Code Section	Violation	Arresting Officer	Jurisdiction/ Highway Where the Violation Occurred	Distribution	Fund/ Identification	Applicable Code Section	Priority of Installment Payments
		California Highway Patrol	Outside the limits of a City (i.e., "County arrest").	100% to the County.	Proper funds of the County.	1463.001(b)(2), RTC 19282 N/A	3 or N/A – For
		state officer California Highway Patrol Dis Au oth	Immaterial.	1			Forfeited Bail Bond Forfeitures
PEN 1463.001 — General Distribution of Base Fines and			Within the limits of a City, District, Authority, or other local agency (i.e., "City arrest").	To the County: Scheduled % from PEN 1463.002.	Proper funds of the County.	PEN 1463.001(b)(3), PEN 1463.002, PEN 1463.28, RTC 19282, VEH 42200°	
Forfeitures	Various	City officer (includes San Francisco), employee of district	Immaterial.	pursuant to PEN 1463.28. Balance to	City - Vehicle Code violations: Traffic flafety	*applies only to misdemeanors	
	1	authority, or other local		the City, District.	Fund.		
Also see PEN 1203.1		other local agency authorized to make arrests or issue notices to appear or notices of violation that may be filed in court.		Authority or other local agency.	city - All other codes: not specified. District. Authority or other local agency: not specified.		

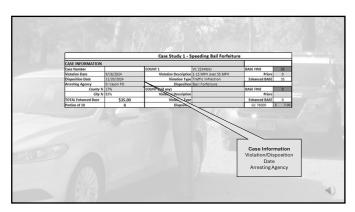






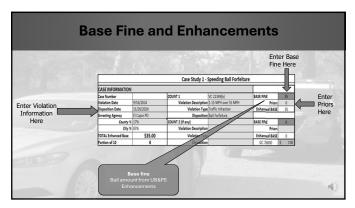




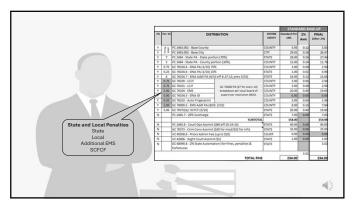


County and Ci	ty % Spli	t	Information
Penal San Diese	Code § 1463.0	02	<u>!</u>
	8		
		-	
		-	
	8		
		-	
		_	
	ve	_	
		-	
	ity 14	-	
	15	-	
	5 8	-	
Vista		-	
San Diego	6	6	
County per	centage	25	
			m) (s

County and City	% S p	olit Informatio	n Applied
Case Number			
Violation Date		9/16/2024	
Disposition Date		11/20/2024	
Arresting Agency	у	El Cajon PD	
	ounty %	17%	
	City %	83%	
*Enter the Perc	entage ider	ntified into the County Line	'
			n(§

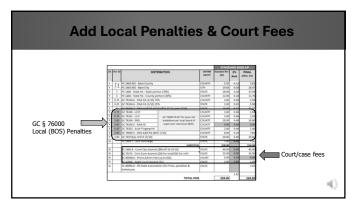


	,	RRAFFIC INFRACTION FIXED PENALTY SCHEDGE ("See Profice, Section III) ("See Profice, Section IV) (Vehicle Code)	
Section	E Office	Box State County Fine PA* PA*100 ENGARA*	PA*10 PA*10 APA B A B B Fee **See B B
22546 (a) 22546 (a) 22546 (b) 22546 (b) 22546 (b) 22546 (b) 22550 22550 22550	Speaking 2, MOSFO on 61 MPE Limat Speaking 1–13 MPE On 61 MPE Limat Speaking 1–13 MPE On 61 MPE Limat Speaking 2, MOSFO on 61 MPE Limat Speaking 2, MOSFO on 61 MPE Limat Speaking 1–13 MPE Con 61 MPE Limat Speaking 1–13 MPE Con 61 MPE Limat Coultre Speak Speaking Continues 1–13 MPE One Limat © United Speak Speaking Continues 1–13 MPE One Limat © United Speak Speaking Continues 1–13 MPE One Limat © United Speak Speaking Continues 1–13 MPE One Limat		513 5 294 2 34 51 1 0 46 4 1 1 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3
	Base fine used in worksheet to calculate additional penalties and surcharges	Subtotal includes by plus penalty asset and surchard	ssments criminal conviction, and night



Local Penalt	y: Sele	ect Co	ounty	
Please choose the county:	San Diego		Select the	
Test for Local Penalties		7	County from	
Has the county transferred responsibility for court facilities to the State?	Yes	ĺ	Drop-down List	
Has county paid off all indebtedness for court facilities?	Yes	l		
GC 76000 Local Penalties for San Diego County	\$ 7.00			
County Street vale	GC 76000 (e)			
Secremento	\$5.00	1		
San Benito	\$5.00	1		
San Bernardino	\$5.00	1		
San Dingo	\$7.00	1		
San Francisco	\$6.99	1		
San Joaquin	\$3.75	I		
San Luis Otingo	\$5.00	1		
San Mateo Santa Barbara	\$4.75			
Santa Barbara Santa Clara	\$3.50	1		
Santa Clara	\$7.00	1		
Sharia	\$3.50	1		
Local Penalties Case 1 Speeding Case 12				
The same of the same	The second second	J		
				all's
				79.5

						STAND	ASE-UP	
	2%	Per 10		BUTION	DISTRIB	Standard-Per UBS	2% Amt	FINAL (After 2%)
	Y	Z w	PC 1463.001 - Base County PC 1463.002 - Base City		COUNTY	5.95	0.12	5.83
	Y	53	PC 1463.002 - Base City		CITY	29.05	0.58	28.47
	Y	7	PC 1464 - State PA - State portio	n (70%)	STATE	28.00	0.56	27.44
	Y	3	PC 1464 - State PA - County port	tion (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	0.75	GC 76100 - LCCF		COUNTY	3.00	0.06	2.94
	Y	0.75	GC 76101 - LCJF	GC 76000 PA (\$7 for every 10)	COUNTY	3.00	0.06	2.94
	Y	5.00	GC 76104 - EMS	breakdown per local board of	COUNTY	20.00	0.40	19.60
	Y	0.00	GC 76104.5 - DNA ID	supervisor resolution (805).	COUNTY	0.00		0.00
	Y	0.50	GC 76102 - Auto Fingerprint		COUNTY	2.00	0.04	1.96
	Y	2.00	GC 76000.5 - EMS Addl PA (BOS:	2/10)	COUNTY	8.00	0.16	7.84
	Y	5.00	GC 70372(a): SCFCF (5/10)		STATE	20.00		19.60
	N		PC 1465.7 - 20% Surcharge		STATE	7.00	0.00	7.00
ard and Court-specific Fees				SUBTOTA	4	158.00		154.98
20% Surcharge	N		PC 1465.8 - Court Ops Assmnt (\$	40 eff 10-19-10)	STATE	40.00		40.00
urt Operations Assessment	N		GC 70373 - Crim Conv Assmnt (\$	30 for misd/\$35 for infr)	STATE	35.00	0.00	35.00
inal Conviction Assessment	- 19		VC 40508.6 - Priors Admin Fee (up to \$10)	COURT	0.00	0.00	0.00
	N		VC 42006 - Night Court Assmnt (STATE	1.00	0.00	1.00
	N		GC 68090.8 - 2% State Automatic forfeitures	on (for fines, penalties &	STATE			3.02
				1000000000000			3.02	
	- 1			TOTAL FIN	E	234.00		234.00



		Case	Study 1 -	Speeding	Bail F	orfeiture		
ASE INFORMATION								
ase Number		COUNT 1		VC 223490			BASE FINE	35
Solation Date	9/16/2024	Violatio	n Descriptio	1-15 MPH e	ver 55 !	MPH	Priery	0
	11/20/2024				Traffic Infraction		Enhanced BASE	35
creating Agency	El Caion PD			Sail Forfeit				
County %	17%	COUNT 2 (If any	1				BASE FINE	. 0
City %	83%	Violatio	n Descriptio				Priers	
OTAL Enhanced Base	\$35.0	00 V	iolation Typ				Enhanced BASE	0
ertien of 10	- 4		Dispositio				GC 76000	\$ 7.00
				STANE	ARD 8	ASE-UP	COURT DISTR	BUTION
7% Per 10	DISTRI	BUTION	DISTRIB	Standard Per URS	2% Amt	FINAL (After 2N)	DISTRIB CODE or DESCRIPTION	DISTRIB
Y W W PC 1463.001 - 8a	sa County		COUNTY	5.95	0.12	3.83		
Y 2 8 PC 1463.002 - Be	se City		CITY	29.05	0.58	25.47		
Y 7 PC 1464 - State F		n (20%)	STATE	28.00	0.56	27.44		
Y 3 PC 1464 - State F			COUNTY	12.00		11.76		
Y 0.75 GC 76104.6 - DN			COUNTY	3.00		2.54		
Y 0.25 GC 76104.6 - DN	A PA (3/30) 25%		STATE	1.00	0.62	0.90		
Y 4 GC 76094.7 - DN	A Addi PA (4/30	4ff 6-27-12; oney 3/381	STATE	16.00	0.32	15.60		
Y 8.75 GC 76100 - LCCF			COUNTY	3.00		2.50		
Y 0.75 GC 76101 - LCJF		GC 78000 FA (\$7 for every \$0)	COUNTY	3.00	0.06	2.94		
Y 5:00 GC 76104 - EMS		breakdown per local board of	COUNTY	20.00		19.60		
Y 8:00 GC 76104.5 - DNJ		supervisor resolution (NOS).	COUNTY	0.00		0.00		
Y 838 GC 76102 - Auto			COUNTY	2.00		1.90		
Y 200 GC 76000.5 - EVE		2/10)	COUNTY	8.00		7.84		
Y 5:00 GC 70172(x):507			STATE	20.00		19.60		
N PC 1465.7 - 20%	Surcharge		STATE	7.00	0.00	7,00		
		508101		158.00		154.58		0.00
N PC 1465.8 - Cour			STATE	40.00		40.00		- 1111
		30 for miss(\$35 for infr)	STATE	35.00		35.00		_
N VC 40508.6 - Pric			COURT	0.00		0.00		_
N VC 42006 - Night			STATE	1.00	0.00	1.00		
N GC 69090.8 - 2N forfeitures	State Automati	on (for fines, penalties &	STATE			3.62		
		TOTAL FI	N.F.	234.00	3.62	234.00	TOTAL	0.00

41

Prior Convictions

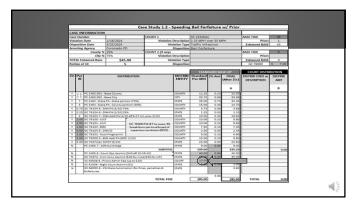
The base fine for one Vehicle Code moving violation that is assessed "points" on a current arrest or citation <u>may</u> be enhanced by \$10 for each "prior" conviction within 36 months of the new alleged offense. For calculating the enhancement, both the current and "prior" offense must be a moving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

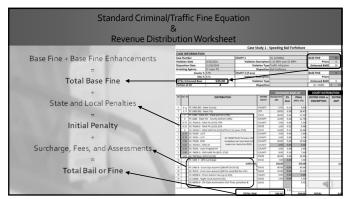
A confidential conviction after completion of traffic school is not assigned a point or counted as a prior offense for purposes of enhancing the fine of a subsequent offense. Regardless of the number of moving violation convictions on a citation, only one "prior" per citation shall be counted in determining the enhancement on the current offense. Uniform Bail and Penalty Schedule (2025), pg. viii

		Case Study 1.2 - Speeding	a Rail Forfoiture w/ P	rior	
		Case Study 1.2 - Speedii	ig ball rolleitule w/ r	noi _	
CASE INFORMATION	V	Tanana .			**
ase Number			VC 22349(b)	BASE FINE	35
Violation Date	1/16/2025		1-15 MPH over 55 MPH	Priors	1
Disposition Date	3/25/2025 El Calon PD		Traffic Infraction	Enhanced BASE	- 45
Arresting Agency County %		COUNT 2 (if any)	Bail Forfeiture	BASE FINE	0
City %		Violation Description		Priors	0
TOTAL Enhanced Base				Enhanced BASE	0
Portion of 10	\$45.00	Violation Type Disposition		GC 76000	\$ 7.0

Υ	0.75	GC 76100 - LCCF	7	COUNTY	3.75	0.08	3.68
Υ	0.75	GC 76101 - LCJF	GC 76000 PA (\$7 for every 10)	COUNTY	3.75	0.08	3.68
Υ	5.00	GC 76104 - EMS	breakdown per local board of	COUNTY	25.00	0.50	24.50
Υ	0.00	GC 76104.5 - DNA ID	supervisor resolution (BOS).	COUNTY	0.00	0.00	0.00
Υ	0.50	GC 76102 - Auto Fingerprint		COUNTY	2.50	0.05	2.45
Υ	2.00	GC 76000.5 - EMS Addl PA (BOS	S: 2/10)	COUNTY	10.00	0.20	9.80
Υ	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
			SUBTOTA	u.	199.00		195.20

_	PC 1465.8 - Court Ops Assmnt (\$40 eff 10-19-10)	STATE	40.00	0.00	40.
t	GC 70373 - Crim Conv Assmnt (\$30 for misd/\$35 for infr)	STATE	35.00	0.00	35.
t	VC 40508.6 - Priors Admin Fee (up to \$10)	COURT	(10.00)	0.00	10.
t	VC 42006 - Night Court Assmnt (\$1)	STATE	1.00	0.00	1.
Ť	GC 68090.8 - 2% State Automation (for fines, penalties & forfeitures	STATE			3.
	TOTAL F	INE	285.00	3.80	285.0





47

Thank You for Watching

If you have any questions, please email us at: revenuedistribution@jud.ca.gov localgovpolicy@sco.ca.gov

We look forward to connecting with you virtually in the "live" training sessions!

The <u>registration</u> deadline for the following sessions is April 25, 2025:

- Session A— Basic Distributions
- o Session B— Advanced Distributions