

AMENDED IN SENATE JULY 2, 2008  
AMENDED IN SENATE JUNE 16, 2008  
AMENDED IN ASSEMBLY MAY 23, 2008  
AMENDED IN ASSEMBLY MARCH 28, 2008  
AMENDED IN ASSEMBLY MARCH 24, 2008  
AMENDED IN ASSEMBLY MARCH 3, 2008  
CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1900**

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**Introduced by Assembly Member Nava**

February 7, 2008

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An act to amend Section 76104.1 of the Government Code, and to amend Section 42007.5 of the Vehicle Code, relating to penalty assessments.

LEGISLATIVE COUNSEL'S DIGEST

AB 1900, as amended, Nava. Penalty assessments: Santa Barbara County Level II Trauma Center.

Existing law generally provides, for purposes of supporting emergency medical services in Santa Barbara County, that a specified penalty shall be imposed on every fine, penalty, or forfeiture collected for all criminal offenses, including, except as specified, all offenses involving a violation of the Vehicle Code, and shall be specially distributed, as specified. These provisions are scheduled to be repealed on January 1, 2009.

This bill would ~~delete~~ *extend* the repeal dates of the above provisions ~~thereby extending those provisions indefinitely until January 1, 2011.~~ The bill would provide that the above penalty assessment shall not be

applicable to offenses involving a violation of the Vehicle Code, except for specified offenses involving alcohol or drugs, and would delete the above distribution procedure. The bill would make conforming changes to a related provision. The bill would make specified findings and declarations, including that, for specified reasons, the special legislation contained in the act is necessarily applicable only to Santa Barbara County. By extending the above penalty assessment provisions indefinitely, and by revising the offenses subject to the penalty assessment and the current penalty assessment distribution procedure, this bill would impose new duties on local officials relating to the imposition of penalty assessments, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature hereby finds and declares all of  
2 the following:

3 (a) This is the third time that the County of Santa Barbara has  
4 sought extraordinary assistance from the Legislature in obtaining  
5 Maddy Emergency Medical Services funding.

6 (b) The county is the only county in the state that is receiving  
7 this unique funding.

8 (c) It is the intent of the Legislature in passing another extension  
9 on this penalty assessment that the County of Santa Barbara secure  
10 a permanent local funding mechanism to ensure the continuation  
11 of trauma care in the region before the repeal of Section 76104.1  
12 of the Government Code.

13 SECTION 1.

14 SEC. 2. Section 76104.1 of the Government Code is amended  
15 to read:

16 76104.1. (a) (1) Except as otherwise provided in this section,  
17 and notwithstanding any other law, for purposes of supporting  
18 emergency medical services pursuant to Chapter 2.5 (commencing

1 with Section 1797.98a) of Division 2.5 of the Health and Safety  
 2 Code, in Santa Barbara County, a penalty in the amount of five  
 3 dollars (\$5.00) for every ten dollars (\$10.00), or part of ten dollars  
 4 (\$10), shall be imposed on every fine, penalty, or forfeiture  
 5 collected for all criminal offenses. This penalty assessment shall  
 6 not apply to offenses involving a violation of the Vehicle Code,  
 7 except for violations of Sections 23103.5, 23136, 23140, 23152,  
 8 and 23153. This penalty assessment shall be collected together  
 9 with and in the same manner as the amount established by Section  
 10 1464 of the Penal Code.

11 (2) The penalty imposed by this section does not apply to the  
 12 following:

13 (A) Any restitution fine.

14 (B) Any penalty authorized by Section 1464 of the Penal Code  
 15 or this chapter.

16 (C) Any parking offense subject to Article 3 (commencing with  
 17 Section 40200) of Chapter 1 of Division 17 of the Vehicle Code.

18 (D) The state surcharge authorized by Section 1465.7 of the  
 19 Penal Code.

20 (b) The moneys collected pursuant to this section shall be held  
 21 by the county treasurer in the same manner, and shall be payable  
 22 for the same purposes, described in subdivision (e) of Section  
 23 76104.

24 (c) This section shall be implemented only if the Santa Barbara  
 25 County Board of Supervisors adopts a resolution stating that  
 26 implementation of this section is necessary to the county for  
 27 purposes of providing payment for emergency medical services.

28 *(d) This section shall remain in effect only until January 1, 2011,*  
 29 *and as of that date is repealed, unless a later enacted statute, that*  
 30 *is enacted before January 1, 2011, deletes or extends that date.*

31 ~~SEC. 2.~~

32 SEC. 3. Section 42007.5 of the Vehicle Code is amended to  
 33 read:

34 42007.5. (a) Notwithstanding paragraph (2) of subdivision (b)  
 35 of Section 42007, in Santa Barbara County, upon the establishment  
 36 of a Maddy Emergency Medical Services Fund pursuant to Section  
 37 1797.98a of the Health and Safety Code, the amount that would  
 38 have been collected pursuant to Section 76104.1 of the Government  
 39 Code shall be deposited in the Maddy Emergency Medical Services

1 Fund established by the county pursuant to Section 1797.98a of  
2 the Health and Safety Code.

3 (b) The Board of Supervisors of the County of Santa Barbara  
4 shall report to the Legislature whether, and to the extent that, any  
5 actions are taken by the County of Santa Barbara to implement  
6 alternative local sources of funding.

7 (c) *This section shall remain in effect only until January 1, 2011,*  
8 *and as of that date is repealed, unless a later enacted statute, that*  
9 *is enacted before January 1, 2011, deletes or extends that date.*

10 ~~SEC. 3.~~

11 SEC. 4. The Legislature finds and declares that due to unique  
12 circumstances regarding emergency medical services in the County  
13 of Santa Barbara, a general statute cannot be made applicable  
14 within the meaning of Section 16 of Article IV of the California  
15 Constitution. Therefore, the special legislation contained in  
16 Sections ~~1 and 2~~ 2 and 3 of this act is necessarily applicable only  
17 to the County of Santa Barbara.

18 ~~SEC. 4.~~

19 SEC. 5. No reimbursement is required by this act pursuant to  
20 Section 6 of Article XIII B of the California Constitution because  
21 the only costs that may be incurred by a local agency or school  
22 district are the result of a program for which legislative authority  
23 was requested by that local agency or school district, within the  
24 meaning of Section 17556 of the Government Code and Section  
25 6 of Article XIII B of the California Constitution.