

Introduced by Senator Runner

February 26, 2009

An act to amend Section 13292.5 of the Government Code, relating to state agencies.

LEGISLATIVE COUNSEL'S DIGEST

SB 522, as introduced, Runner. State agencies: accounts: reports.

Existing law requires specified state agencies to submit to the Director of Finance an annual report on the status of that agency's liquidated and delinquent accounts as of the end of the previous fiscal year and efforts made by the agency to collect those accounts. Existing law also requires the director, by no later than February 28 of each year, to submit to the Legislature a report on the status of liquidated and delinquent accounts of state agencies. Existing law specifies that these requirements apply only if sufficient existing resources of the specified state agencies and department are available for this purpose. Under existing law, these provisions will become inoperative on July 1, 2010, and will terminate on January 1, 2011.

This bill would delete the inoperative date of July 1, 2010.

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

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

- 1 SECTION 1. Section 13292.5 of the Government Code is
- 2 amended to read:
- 3 13292.5. (a) No later than October 31 of each year, each state
- 4 agency listed in subdivision (d) shall submit a report to the director
- 5 that identifies and describes the status of that agency's liquidated

1 and delinquent accounts as of the end of the previous fiscal year
2 and efforts made by that agency to collect these accounts during
3 that previous fiscal year. The report shall identify receivables that
4 are valid and collectible. For this purpose, “valid” means due and
5 payable and for which there is no known disagreement about the
6 amount of the claim at the time it was established, and “collectible”
7 means due and payable and for which collection has not been
8 deferred by any other provision of law. The report shall be in a
9 form prescribed by the director and shall include, by state agency,
10 but not be limited to, a summary of the total of all of the following:

11 (1) The total number and aggregate dollar amount of liquidated
12 and delinquent accounts.

13 (2) Liquidated and delinquent accounts, by total number and
14 aggregate dollar amount, that were not included in the annual report
15 for the immediately preceding fiscal year.

16 (3) Aggregate beginning balance and aggregate ending balance
17 of all liquidated accounts and of all delinquent accounts.

18 (4) Aggregate dollar amount of moneys paid on liquidated and
19 delinquent accounts.

20 (5) Total amount and total number of liquidated and delinquent
21 accounts that have been discharged from accountability.

22 (6) Total dollar amount of liquidated and delinquent accounts
23 turned over to private collection agencies and total amount
24 collected by those agencies for the fiscal year that is the subject
25 of the report.

26 (7) An aging of the liquidated and delinquent accounts included
27 in the report, which, at a minimum, shall identify the total number
28 and aggregate dollar amount of liquidated and delinquent accounts
29 that are within the following time periods after the obligation was
30 first due to a state agency:

31 (A) From 180 to 365 days.

32 (B) From 366 to 545 days.

33 (C) More than 545 days.

34 (b) No later than February 28 of each fiscal year, the director
35 shall submit to the Legislature a report on the status of liquidated
36 and delinquent accounts of state agencies, which shall be based
37 on the reports submitted by state agencies pursuant to subdivision
38 (a).

39 (c) As used in this section, “liquidated and delinquent accounts”
40 means any loans, accounts receivable, fines, assessments, penalties,

1 or other monetary obligation owed to a state agency that is unpaid
2 for 180 or more days after the obligation was first due to that state
3 agency.

4 (d) Subdivision (a) shall apply to all of the following state
5 agencies:

- 6 (1) State Board of Equalization.
- 7 (2) Franchise Tax Board.
- 8 (3) State Lands Commission.
- 9 (4) Department of General Services.
- 10 (5) Department of Motor Vehicles.
- 11 (6) Department of Real Estate.
- 12 (7) Department of Corporations.

13 (e) A state agency shall not enter into a contract with a private
14 nongovernmental collection agency to perform the functions
15 required of a state agency under this section.

16 (f) The agencies listed in subdivision (d) and the department
17 shall use existing resources to comply with the requirements of
18 this section, which shall apply only if sufficient resources are
19 available for this purpose.

20 ~~(g) This section shall become inoperative on July 1, 2010, and,~~
21 ~~as of January 1, 2011, is repealed, unless a later enacted statute,~~
22 ~~that becomes operative on or before January 1, 2011, deletes or~~
23 ~~extends the dates on which it becomes inoperative and is repealed.~~