

AMENDED IN ASSEMBLY MARCH 22, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1657

Introduced by Assembly Member Wieckowski

February 13, 2012

An act to amend Section 104336 of the Health and Safety Code, and to add Section 1463.29 to the Penal Code, relating to traffic offenses.

LEGISLATIVE COUNSEL'S DIGEST

AB 1657, as amended, Wieckowski. Traffic offenses: additional penalty: spinal cord injury research.

Existing law requires that all fines and forfeitures imposed and collected for crimes other than parking offenses resulting from a filing in a court be deposited with the county treasurer, to be distributed monthly, as required by law. Existing law authorizes the University of California to establish a spinal cord injury research fund, independent of the State Treasury, to accept public and private funds for spinal cord injury research programs and grants.

This bill would impose an additional penalty of ~~\$3~~ \$1 to be imposed upon every conviction for a violation of state or local traffic laws, ~~as specified~~, except for offenses relating to parking. The bill would require the penalty to be deposited with the county treasurer ~~and distributed each month for transfer~~ *who would transfer the moneys to the State Treasurer, to be make available, upon appropriation by the Legislature, for allocation to the spinal cord injury research fund created within the University of California Roman Reed Spinal Cord Injury Penalty Account, which the bill would authorize the University of California to establish in the Roman Reed Spinal Cord Injury Research Fund. Because the bill would require the county treasurer to perform additional duties,*

this bill would impose a state-mandated local program. The bill would also provide that, prior to the transfer of funds to the ~~spinal cord injury research fund~~ State Treasurer, the county treasurer may withhold a sufficient amount necessary to reimburse the county and the courts for their actual, reasonable, and necessary costs associated with administering these provisions. If those amounts are withheld, the bill would authorize the county to send an accounting report detailing its costs to the Regents of the University of California.

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: ~~no~~-yes.
 State-mandated local program: ~~no~~-yes.

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

1 SECTION 1. Section 104336 of the Health and Safety Code is
 2 amended to read:

3 104336. (a) The University of California may establish a
 4 spinal cord injury research fund, independent of the State Treasury,
 5 to accept public and private funds for the purpose of implementing
 6 this chapter.

7 (b) *The University of California may create within the Roman*
 8 *Reed Spinal Cord Injury Research Fund, established pursuant to*
 9 *subdivision (a), the Roman Reed Spinal Cord Injury Research*
 10 *Penalty Account to receive allocations pursuant to subdivision (b)*
 11 *of Section 1463.29 of the Penal Code.*

12 SECTION 1.

13 SEC. 2. Section 1463.29 is added to the Penal Code, to read:

14 1463.29. (a) Subject to subdivision (b), an additional penalty
 15 in an amount equal to ~~three dollars (\$3)~~ *one dollar (\$1)* shall be
 16 imposed upon every conviction for a violation of any provision of
 17 Division 11 (commencing with Section 21000) of the Vehicle
 18 Code, or a violation of any local ordinance adopted pursuant to
 19 the Vehicle Code, except offenses relating to parking as defined
 20 in subdivision (i) of Section 1463.

1 ~~(b) The additional penalty imposed pursuant to this section shall~~
 2 ~~only be imposed or collected within a county or city and county~~
 3 ~~if the county board of supervisors adopts an ordinance that~~
 4 ~~expressly provides that the additional penalty imposed pursuant~~
 5 ~~to subdivision (a) shall be imposed for offenses committed within~~
 6 ~~the jurisdiction of that county or city and county.~~

7 ~~(e)–~~

8 (b) Penalties imposed and collected pursuant to this section
 9 shall be deposited with the county treasurer and ~~distributed each~~
 10 ~~month in accordance with Section 1463.001 for transfer who shall~~
 11 *transfer the moneys to the State Treasurer, to be made available*
 12 *upon appropriation by the Legislature, for allocation to the spinal*
 13 ~~cord injury research fund~~ *Roman Reed Spinal Cord Injury Research*
 14 *Penalty Account within the Roman Reed Spinal Cord Injury*
 15 *Research Fund* created within the University of California pursuant
 16 to the Roman Reed Spinal Cord Injury Research Act of 1999
 17 (Chapter 2 (commencing with Section 104335) of Part 2 of
 18 Division 103 of the Health and Safety Code). Prior to the transfer
 19 of funds to the ~~spinal cord injury research fund~~ *State Treasurer,*
 20 the county treasurer may withhold a sufficient amount necessary
 21 to reimburse the county and the courts for their actual, reasonable,
 22 and necessary costs associated with administering this section. To
 23 the extent moneys are withheld by the county treasurer, an
 24 accounting report detailing these costs may be sent by the county
 25 to the Regents of the University of California.

26 *SEC. 3. No reimbursement is required by this act pursuant to*
 27 *Section 6 of Article XIII B of the California Constitution because*
 28 *a local agency or school district has the authority to levy service*
 29 *charges, fees, or assessments sufficient to pay for the program or*
 30 *level of service mandated by this act, within the meaning of Section*
 31 *17556 of the Government Code.*

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