

AMENDED IN ASSEMBLY APRIL 6, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 165

Introduced by Assembly Member Gomez

January 21, 2015

An act relating to state claims, *making an appropriation therefor*, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 165, as amended, Gomez. State claims.

Existing law requires the California Victim Compensation and Government Claims Board to ensure that all claims that have been approved by the board, and for which there exists no legally available appropriation, are submitted for legislative approval at least twice each calendar year.

~~This bill declares the intent of the Legislature to appropriate funds for the payment of claims allowed by the board.~~ *would appropriate \$504,743.99 from various funds for the payment of claims accepted by the board, as specified. This bill would require the Controller, upon the request of the board, in a form prescribed by the Controller, to transfer surcharges and fees from the specified Budget Act item of appropriation identified in the bill to Item 7870-001-0001 of Section 2.00 of the Budget Act of 2015. This bill would require the board to provide a report of the amounts recovered pursuant to this authority to the Department of Finance within 90 days of the enactment of this bill. This bill additionally would appropriate certain funds from the General Fund to the board for the payment of the claims of specified individuals.*

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: ~~no~~-yes. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

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

1 ~~SECTION 1. It is the intent of the Legislature to appropriate~~
2 ~~funds for the payment of claims against the state approved by the~~
3 ~~California Victim Compensation and Government Claims Board.~~

4 *SECTION 1. (a) The sum of five hundred four thousand seven*
5 *hundred forty-three dollars and ninety-nine cents (\$504,743.99)*
6 *is hereby appropriated from the various funds specified in*
7 *subdivision (b) to the Executive Officer of the California Victim*
8 *Compensation and Government Claims Board for the payment of*
9 *claims accepted by the board in accordance with the schedule set*
10 *forth in subdivision (b).*

11 *(b) Pursuant to subdivision (a), claims accepted by the*
12 *California Victim Compensation and Government Claims Board*
13 *shall be paid in accordance with the following schedule:*

14
15 *Total for Fund: General Fund (0001).....\$221, 462.15*
16 *Total for Fund: Item 2740-001-0044*
17 *Budget Act of 2015, Program 2130.....\$3, 019.88*
18 *Total for Fund: Item 2740-001-0044*
19 *Budget Act of 2015, Program 9900100.....\$16.00*
20 *Total for Fund: Item 5180-111-0001*
21 *Budget Act of 2015: Program 4275010.....\$5, 846.81*
22 *Total for Fund: Item 7100-001-0185*
23 *Budget Act of 2015, Program 5910.....\$274, 399.15*

24
25 *SEC. 2. Upon the request of the California Victim*
26 *Compensation and Government Claims Board, in a form prescribed*
27 *by the Controller, the Controller shall transfer surcharges and*
28 *fees from the Budget Act items of appropriation identified in*
29 *subdivision (b) of Section 1 of this act to Item 7870-001-0001 of*
30 *Section 2.00 of the Budget Act of 2015. For each Budget Act item*
31 *of appropriation, this amount shall not exceed the cumulative total*
32 *of the per claim filing fees authorized by subdivision (c) of Section*
33 *905.2 of the Government Code and the surcharge authorized by*

subdivision (f) of Section 905.2 of the Government Code. For those items in subdivision (b) that do not reflect a Budget Act appropriation, the Controller shall transfer an amount not to exceed the cumulative total of the per claim filing fee authorized by subdivision (c) of Section 905.2 of the Government Code. This amount shall be transferred for the support of the board reimbursements to Item 7870-001-0001 of Section 2.00 of the Budget Act of 2015. The board shall provide a report of the amounts recovered pursuant to this authority to the Department of Finance within 90 days of the enactment of this act.

SEC. 3. The sum of two hundred twenty -nine thousand dollars (\$229,000) is hereby appropriated from the General Fund to the Executive Officer of the California Victim Compensation and Government Claims Board for the payment of the claim of Ronald Ross, accepted by the board and reported to the Legislature pursuant to Section 4904 of the Penal Code.

SEC. 4. The sum of five hundred ninety-seven thousand two hundred dollars (\$597,200) is hereby appropriated from the General Fund to the Executive Officer of the California Victim Compensation and Government Claims Board for the payment of the claim of Susan Mellen, accepted by the board and reported to the Legislature pursuant to Section 4904 of the Penal Code.

SEC. 5. The sum of one hundred forty-two thousand two hundred dollars (\$142,200) is hereby appropriated from the General Fund to the Executive Officer of the California Victim Compensation and Government Claims Board for the payment of the claim of Brian Banks, accepted by the board and reported to the Legislature pursuant to Section 4904 of the Penal Code.

~~SEC. 2.~~

SEC. 6. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to pay claims against the state and end hardship to claimants as quickly as possible, it is necessary that this bill go into immediate effect.