
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair
2021 - 2022 Regular Session

SB 586 (Bradford) - Criminal fees

Version: February 18, 2021

Urgency: No

Hearing Date: May 20, 2021

Policy Vote: PUB. S. 4 - 1

Mandate: Yes

Consultant: Shaun Naidu

Bill Summary: SB 586 would eliminate or reduce, or require an ability-to-pay determination before imposing, a number of fees related to criminal matters. It also would establish a cause of action related to an ignition interlock device (IID) service dealer's failure to comply with specified fee schedule provisions of law.

***** **ANALYSIS ADDENDUM – SUSPENSE FILE** *****

The following information is revised to reflect amendments
adopted by the committee on May 20, 2021

Fiscal Impact:

- State impact (direct): Major direct ongoing revenue loss to the state potentially in the hundreds of millions of dollars annually. A number of state funds and state entities would experience a revenue loss resulting from the enactment of this measure. This, in turn, would create cost pressures on the General Fund to backfill those losses. For example, the elimination of the \$300 civil assessment specifically would translate to a loss of \$96.9 million to the trial court operating fund. (General Fund, various funds)
- County impact: Unknown revenue loss to local jurisdictions associated with this measure. Some local costs resulting from this measure would be subject to reimbursement by the state to the extent that the Commission on State Mandates determines that the fees proposed to be eliminated allowed for sufficient cost recovery to pay for mandated programs or increased levels of service by the local agencies. Additionally, to the extent that this measure results in overall cost increases to the locals for programs and services determined to be included within the scope of the 2011 Realignment Legislation, Proposition 30 (2012) permits local agencies to not provide those programs or levels of service above the level for which funding is provided by the state, leading to cost pressures for an appropriation of monies from the General Fund to backfill the revenue loss. (Local funds, General Fund)

The actual impact to each county would vary depending on a number of factors, including which fees are charged currently (as some counties waive certain fees), the collection practices of the county, the cost of fee collection—while some counties spend more to collect than they recoup, other counties/county agencies recoup more than the cost to collect—and the actual amount of money collected from the fees and assessments imposed.

Author Amendments: Strike the repeal of specified fees and make technical changes.

Committee Amendments: Strike the repeal of fees related to the dismissal of convictions.

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