

AMENDED IN ASSEMBLY MARCH 15, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 190

Introduced by Assembly Member Wieckowski

January 26, 2011

An act to add Section 1463.29 to the Penal Code, relating to fines.

LEGISLATIVE COUNSEL'S DIGEST

AB 190, as amended, Wieckowski. Vehicle Code violation: 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 to be levied upon every fine, penalty, or forfeiture imposed and collected by any court on all offenses involving *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 to the spinal cord injury research fund created within the University of California. ~~This~~ *The bill would also provide that, prior to the transfer of funds to the spinal cord injury research fund, 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.

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

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

1 SECTION 1. Section 1463.29 is added to the Penal Code, to
2 read:

3 1463.29. (a) ~~An~~ *Subject to subdivision (b), an additional*
4 *penalty in an amount equal to three dollars (\$3) shall be levied*
5 ~~upon every fine, penalty, or forfeiture imposed and collected by~~
6 ~~any court on all offenses involving~~ *imposed upon every conviction*
7 *for a violation of any provision of Division 11 (commencing with*
8 *Section 21000) of the Vehicle Code, or a violation of any local*
9 *ordinance adopted pursuant to the Vehicle Code, except offenses*
10 *relating to parking as defined in subdivision (i) of Section 1463.*

11 (b) ~~Notwithstanding subdivision (a), the~~ *The additional penalty*
12 *imposed pursuant to this section shall not only be imposed or*
13 *collected within a city, county, or city and county if a city council*
14 ~~or~~ *the county board of supervisors adopts an ordinance that*
15 *expressly provides that the additional penalty imposed pursuant*
16 *to subdivision (a) shall not be imposed for offenses committed*
17 *within the jurisdiction of that city, county, or city and county.*

18 (c) *Penalties imposed and collected pursuant to this section shall*
19 *be deposited with the county treasurer and distributed each month*
20 *in accordance with Section 1463.001 for transfer to the spinal cord*
21 *injury research fund created within the University of California*
22 *pursuant to Section 104335 of the Health and Safety Code. Prior*
23 *to the transfer of funds to the spinal cord injury research fund, the*
24 *county treasurer may withhold a sufficient amount necessary to*
25 *reimburse the county and the courts for their actual, reasonable,*
26 *and necessary costs associated with administering this section.*
27 *To the extent moneys are withheld by the county treasurer, an*
28 *accounting report detailing these costs may be sent by the county*
29 *to the Regents of the University of California.*

O