

ASSEMBLY BILL

No. 2458

Introduced by Assembly Member Obernolte

February 19, 2016

An act to amend Section 77203 of the Government Code, relating to courts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2458, as introduced, Obernolte. Courts: unexpended funds.

Existing law, until June 30, 2014, authorized a trial court to carry unexpended funds over from one fiscal year to the next. Existing law, commencing June 30, 2014, authorizes a trial court to carry over unexpended funds in an amount not to exceed 1% of the court's operating budget from the prior fiscal year. Existing law exempts certain funds from the calculation of the 1% authorized to be carried over from the prior fiscal year.

This bill would, notwithstanding the provision described above, authorize a trial court to petition the Department of Finance to carry over funds in an amount greater than 1% of the court's operating budget from the prior fiscal year. The bill would authorize the department to approve the petition if the additional funds are dedicated by the trial court to a specific technology or efficiency upgrade.

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 77203 of the Government Code is
2 amended to read:

1 77203. (a) Prior to June 30, 2014, a trial court may carry over
2 all unexpended funds from the ~~courts~~ court's operating budget
3 from the prior fiscal year.

4 (b) Commencing June 30, 2014, a trial court may carry over
5 unexpended funds in an amount not to exceed 1 percent of the
6 court's operating budget from the prior fiscal year. The calculation
7 of the 1 percent authorized to be carried over from the previous
8 fiscal year shall not include funds received by the court pursuant
9 to the following:

10 (1) Section 470.5 of the Business and Professions Code.

11 (2) Section 116.230 of the Code of Civil Procedure, except for
12 those funds transmitted to the Controller for deposit in the Trial
13 Court Trust Fund pursuant to subdivision (h) of that section.

14 (3) Subdivision (f) of Section 13963, Sections 26731, 66006,
15 68090.8, 70640, 70678, and 76223, subdivision (b) of Section
16 77207.5, and subdivision (h) of Section 77209.

17 (4) The portion of filing fees collected for conversion to
18 micrographics pursuant to former Section 26863, as that section
19 read immediately before its repeal, and Section 27361.4.

20 (5) Sections 1027 and 1463.007, subdivision (a) of Section
21 1463.22, and Sections 4750 and 6005, of the Penal Code.

22 (6) Sections 11205.2 and 40508.6 of the Vehicle Code.

23 (c) *Notwithstanding subdivision (b), a trial court may petition*
24 *the Department of Finance to carry over funds in an amount*
25 *greater than 1 percent of the court's operating budget from the*
26 *prior fiscal year. The Department of Finance may approve the*
27 *petition if the additional funds are dedicated by the trial court to*
28 *a specific technology or efficiency upgrade.*