

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM
2.8
(ID # 4004)

MEETING DATE:
Tuesday, April 11, 2017


FROM: EXECUTIVE OFFICE:

SUBJECT: EXECUTIVE OFFICE: Legislative Update - April 11, All Districts. [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Receive and File the Legislative Update for April 11, 2017.

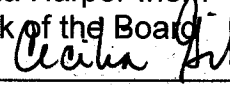
ACTION: Consent


Brian Nestande 4/4/2017

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is received and filed as recommended.

Ayes: Jeffries, Tavaglione, Washington and Ashley
Nays: None
Absent: None
Date: April 11, 2017
xc: EO

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: N/A			Budget Adjustment: N/A	
			For Fiscal Year: N/A	

C.E.O. RECOMMENDATION: APPROVE

BACKGROUND:

Summary

As per Board Policy A-27, the purpose of Riverside County's Legislative Program is to secure legislation that benefits the county and its residents, and to oppose/amend legislation that might adversely affect the county. Recognizing the need for consistency in conveying official positions on legislative matters, the county has instituted a coordinated process involving interaction between the Board of Supervisors, the County Executive Office, county agencies/departments, and the county's legislative advocates in Sacramento and Washington, D.C.

Letters of Support/Opposition

Since the last meeting of the Riverside County Board of Supervisors, the following letters were delivered to our legislative delegation and all pertinent parties in order to voice Riverside County's Support/Opposition.

Legislation/Policy: AB 414 - Suspension and Allocation of Vacant Judgeships (Medina)

Position: SUPPORT

Recipient: Assemblymember Jose Medina

Summary: Would require the suspension of 4 vacant judgeships, as defined, from superior courts with more authorized judgeships than their assessed judicial need and would require the allocation of 4 judgeships to superior courts with fewer authorized judgeships than their assessed judicial need. The bill would require the suspension and allocation of judgeships to be based on a superior court's assessed judicial need in accordance with the uniform standards as specified.

Amendments – Summary: The March 16 amendments to Assembly Member Medina's bill reduce the number of judgeships proposed for redistribution from 5 to 4, making the bill consistent with other parallel efforts to address judicial workload imbalances. Those parallel efforts include the Governor's January budget proposal (with the relevant item approved in the Senate last week; awaiting action in the Assembly), as well as SB 39 by Senator Roth, a measure the county also supports. Any of these efforts, if successful, would result in two judgeships being directed to the Superior Court in Riverside County.

Recommended Position: CONTINUED SUPPORT

Legislation/Policy: AB 1164 – Foster Care Placement: Funding (Thurmond)

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

Position: SUPPORT

Recipient: Assemblymember Blanca Rubio

Summary: AB 1164 would establish the Child Care Bridge Program for Foster Children (bridge program). The bill would authorize county welfare departments to administer the bridge program and distribute vouchers to an eligible child who is placed with an approved resource family, a licensed or certified foster family, or an approved relative or nonrelative extended family member, or who is the child of a young parent involved in the child welfare system.

Amendments – Summary: The most recent amendments to this bill change the appropriation amounts, but not the underlying policy goal or effort.

Recommended Position: CONTINUED SUPPORT

Legislation/Policy: SB 37 - Local Government Finance: Property Tax Revenue Allocations: Vehicle License Fee Adjustments (Roth)

Position: SUPPORT

Recipient: Senator Ricardo Lara

Summary: Beginning with the 2004–05 fiscal year and for each fiscal year thereafter, existing law requires that each city, county, and city and county receive additional property tax revenues in the form of a vehicle license fee adjustment amount, as defined, from a Vehicle License Fee Property Tax Compensation Fund that exists in each county treasury. Current law requires that these additional allocations be funded from ad valorem property tax revenues otherwise required to be allocated to educational entities. This bill would modify these reduction and transfer provisions for a city incorporating after January 1, 2004, and on or before January 1, 2012, for the 2017–18 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation.

Impact on Residents and Businesses

The action presented should not affect residents or businesses within Riverside County.

- ATTACHMENT A.** AB 414 (Medina) Letter- Assembly Judiciary Committee
- ATTACHMENT B.** AB 414 (Medina)
- ATTACHMENT C.** AB 1164 (Thurmond) Letter- Rubio
- ATTACHMENT D.** AB 1164 (Thurmond)
- ATTACHMENT E.** SB 37 (Roth) Letter - Lara
- ATTACHMENT F.** SB 37 (Roth)



HURST+BROOKS+ESPINOSA

March 16, 2017

The Honorable Jose Medina
Member of the Assembly
State Capitol, Room 2141
Sacramento, CA 95814

**RE: AB 414 (Medina) - Suspension and allocation of vacant judgeships
As amended March 6, 2017 - SUPPORT
Set for hearing March 21, 2017 - Assembly Judiciary Committee**

Dear Assembly Member Medina:

On behalf of the Riverside County Board of Supervisors, I write in support of AB 414, your measure that would suspend five vacant superior court judgeships in jurisdictions with more judicial positions than their assessed need warrants and reallocate those positions to high-caseload jurisdictions. Further, AB 414 specifies that the determination of judicial need be performed in accordance with a methodology approved by the Judicial Council. This measure is awaiting hearing before the Assembly Judiciary Committee.

As you are aware, the Judicial Council, in its biennial Judicial Needs Assessment most recently published in Fall 2016, identifies overall statewide judicial officer needs and then prioritizes placement of those positions on the basis of workload across 31 courts. The 2016 assessment identifies a need for 188.5 additional judicial officers to meet statewide workload and caseload demands. Further, the assessment compares each local court's assessed judicial need against its authorized judicial positions. Riverside County, regrettably, stands above all others in terms of overall need - the superior court's workload warrants an additional 46.8 judicial officers (a figure that is 62 percent greater than the level of judicial positions presently authorized). Steep population growth in Riverside County over the last several decades has greatly outpaced the trial court's ability to keep up with the attendant demand on judicial resources.


The County of Riverside greatly appreciates your effort to address the issue of judicial resources in the Inland Empire. AB 414 recognizes the imbalance in the current distribution of judicial resources across the state and seeks to reassign vacancies to high-caseload jurisdictions. We understand the policy interest in more rationally distributing existing judicial positions as a first step in addressing the critical need for additional resources statewide. The application of the provisions of AB 414 would likely result in additional resources for the superior court in Riverside County. The measure would improve our mutual constituents' access to justice and assist our county criminal justice partners in carrying out their critical functions and fulfilling core county responsibilities related to matters before the court.

1127 Eleventh St., Ste. 805
Sacramento, CA 95814
916.245.3445

hbeadvocacy.com

For these reasons, Riverside County is pleased to support AB 414. If you have any questions about the County's position, please do not hesitate to contact Deputy County Executive Officer, Brian Nestande at (951) 955-1110 or bnestande@rceo.org.

Sincerely,



Elizabeth Espinosa

cc: The Honorable Mark Stone, Chair, Assembly Judiciary Committee
The Honorable Jordan Cunningham, Vice Chair, Assembly Judiciary Committee
Members and Counsel, Assembly Judiciary Committee
Members, Riverside County Delegation

AMENDED IN ASSEMBLY MARCH 16, 2017

AMENDED IN ASSEMBLY MARCH 6, 2017

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 414

Introduced by Assembly Member Medina

February 9, 2017

An act to add Section 69614.6 to the Government Code, relating to judgeships.

LEGISLATIVE COUNSEL'S DIGEST

AB 414, as amended, Medina. Suspension and allocation of vacant judgeships.

Existing law specifies the number of judges for the superior court of each county. Existing law allocates additional judgeships to the various counties in accordance with uniform standards for factually determining additional judicial need in each county, as updated and approved by the Judicial Council, pursuant to the Update of Judicial Needs Study, based on specified criteria, including, among others, workload standards that represent the average amount of time of bench and nonbench work required to resolve each case type.

This bill would require the suspension of ~~5~~ 4 vacant judgeships, as defined, from superior courts with more authorized judgeships than their assessed judicial need and would require the allocation of ~~5~~ 4 judgeships to superior courts with fewer authorized judgeships than their assessed judicial need. The bill would require the suspension ~~to be in accordance with a methodology approved by the Judicial Council, as specified, and would require the determination of a superior court's assessed judicial need to be in accordance with the above uniform~~

~~standards and be based on the criteria described above, and allocation of judgeships to be based on a superior court's assessed judicial need in accordance with the uniform standards described above.~~ The bill would require the Judicial Council, if a vacant judgeship is eligible for suspension, to promptly notify the ~~applicable courts, court with the vacant judgeship,~~ the Legislature, and the Governor that the judgeship ~~will be suspended.~~ *is subject to suspension, provide an adequate opportunity for public comment, and, after consideration of any comments received, determine if the vacant judgeship should be suspended.* The bill would require the Judicial Council to promptly notify the court with the vacant judgeship, the Legislature, and the Governor of its decision regarding suspension of the judgeship. The bill would provide that a court in which a vacant judgeship is suspended will not have its funding allocation reduced or any of its funding shifted or transferred as a result of, or in connection with, the suspension of a vacant judgeship.

This bill would also make a statement of legislative intent regarding the authority of the Legislature, the Governor, and the Chief Justice of California.

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. It is the intent of the Legislature that this act shall
- 2 not be construed to limit any of the following:
- 3 (a) The authority of the Legislature to create and fund new
- 4 judgeships pursuant to Section 4 of Article VI of the California
- 5 Constitution.
- 6 (b) The authority of the Governor to appoint a person to fill a
- 7 vacancy pursuant to subdivision (c) of Section 16 of Article VI of
- 8 the California Constitution.
- 9 (c) The authority of the Chief Justice of California to assign
- 10 judges pursuant to subdivision (e) of Section 6 of Article VI of the
- 11 California Constitution.
- 12 SEC. 2. Section 69614.6 is added to the Government Code, to
- 13 read:
- 14 69614.6. (a) To provide for a more equitable distribution of
- 15 judgeships and ~~upon notice to the applicable courts, five pursuant~~
- 16 *to the process set forth in subdivision (b), four vacant judgeships*

1 shall be suspended in superior courts with more authorized
2 judgeships than their assessed judicial need and ~~five~~ *four*
3 judgeships shall be allocated to superior courts with fewer
4 authorized judgeships than their assessed judicial need.

5 (b) (1) The suspension of vacant judgeships *and the allocation*
6 *of judgeships* pursuant to subdivision (a) shall be ~~in accordance~~
7 ~~with a methodology approved by the Judicial Council after~~
8 ~~solicitation of public comments. The determination of based on a~~
9 superior court's assessed judicial need ~~shall be~~ in accordance with
10 the uniform standards for factually determining additional judicial
11 need in each county, as updated and approved by the Judicial
12 Council, pursuant to the Update of Judicial Needs Study, based
13 on the criteria set forth in subdivision (b) of Section 69614.

14 (e)

15 (2) If a judgeship in a superior court becomes vacant, the Judicial
16 Council shall determine whether the judgeship is eligible for
17 suspension under the ~~methodology, standards, and criteria~~
18 *standards and criteria* described in ~~subdivision (b). paragraph~~
19 *(1)*. If the judgeship is eligible for suspension, the Judicial Council
20 shall promptly notify the ~~applicable courts, court with the vacant~~
21 *judgeship*, the Legislature, and the Governor that the vacant
22 judgeship ~~shall be suspended. is subject to suspension, provide an~~
23 *adequate opportunity for public comment, and, after consideration*
24 *of any comments received, determine if the vacant judgeship should*
25 *be suspended. The Judicial Council shall promptly notify the court*
26 *with the vacant judgeship, the Legislature, and the Governor of*
27 *its decision regarding suspension of the judgeship.*

28 (d)

29 (c) (1) For purposes of this section only, a judgeship shall
30 become "vacant" when an incumbent judge relinquishes the office
31 through resignation, retirement, death, removal, or confirmation
32 to an appellate court judgeship during either of the following:

33 (A) At any time before the deadline to file a declaration of
34 intention to become a candidate for a judicial office pursuant to
35 Section 8023 of the Elections Code.

36 (B) After the deadline to file a declaration of intention to become
37 a candidate for a judicial office pursuant to Section 8023 of the
38 Elections Code if no candidate submits qualifying nomination
39 papers by the deadline pursuant to Section 8020 of the Elections
40 Code.

- 1 (2) For purposes of this section, a judgeship shall not become
2 “vacant” when an incumbent judge relinquishes the office as a
3 result of being defeated in an election for that office.
- 4 (c)
- 5 (d) For purposes of this section only, the “suspension” of a
6 vacant judgeship means that the vacant judgeship may not be filled
7 by appointment or election, notwithstanding any other law, unless
8 an appropriation by the Legislature is made for the judgeship.
- 9 (f)
- 10 (e) A court in which a vacant judgeship is suspended shall not
11 have its funding allocation reduced or any funding shifted or
12 transferred as a result of, or in connection with, the suspension of
13 a vacant judgeship pursuant to this section.



Board of Supervisors

District 1	Kevin Jeffries 951-955-1010
District 2 Chairman	John F. Tavaglione 951-955-1020
District 3	Chuck Washington 951-955-1030
District 4	Vacant 951-955-1040
District 5	Marion Ashley 951-955-1050

March 28, 2017

The Honorable Blanca Rubio, Chair
Assembly Human Services Committee
State Capitol, Room 5175
Sacramento, CA 95814

Re: **AB 1164 (Thurmond): Foster care placement: funding**
As introduced February 17, 2017
Set for hearing April 4, 2017: Assembly Human Services Committee
County of Riverside: SUPPORT

Dear Assembly Member Rubio:

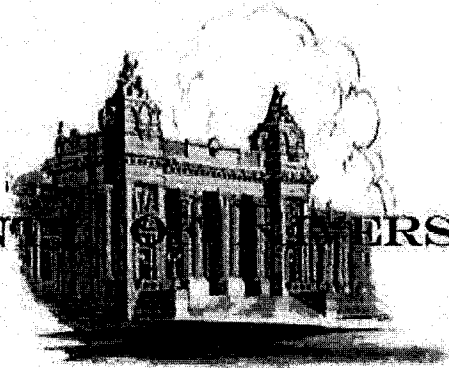
On behalf of the Riverside County Board of Supervisors, I write to express our support for the Emergency Child Care Bridge Program for Foster Children, contingent upon a \$31 million appropriation, to increase access to early care and education services for abused and neglected children across the State. This program would help to immediately stabilize vulnerable children in the most appropriate placement, and provide them with a bridge to long-term, high quality early education programs.

County child welfare agencies rely on the commitment of countless resource families to provide children, who have been abused and neglected, with safe and loving homes. Unfortunately, many willing resource parents cannot provide homes for foster children because they lack access to child care. Although foster children are eligible for state child care subsidies, one of the main barriers to accessing child care is a "timing gap." When children are removed, they are in crisis and prospective resource parents – often relatives – instantly need to access child care to care for their new family member while further allowing them to keep their jobs. Yet, child care programs typically operate at full capacity, with short enrollment windows that rarely align with a child's placement into foster care. This makes it nearly impossible for caregivers who work to take in young children. This proposal addresses this "timing gap" so that children can be promptly placed and stabilized with loving relatives or with the right resource family.

The Emergency Child Care Bridge Program for Foster Children would provide:

- 1) An emergency child care voucher for resource families who need child care to take in foster children as well as for parenting foster youth;

COUNTY OF RIVERSIDE



Board of Supervisors

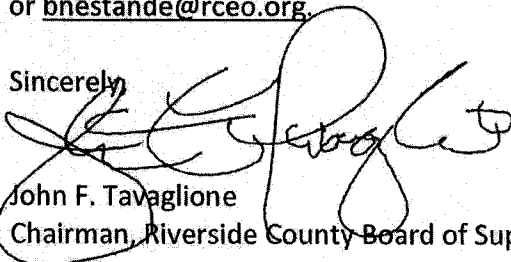
District 1	Kevin Jeffries 951-955-1010
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District 4	Vacant 951-955-1040
District 5	Marion Ashley 951-955-1050

- 2) Child Care Navigators to provide the resource family with enhanced support in navigating the state's complex child care system and transitioning into long-term, high quality early education programs; and,
- 3) Training for child care providers caring for our youngest abused and neglected children on trauma-informed care.

The success of the Continuum of Care Reform (CCR) depends on increased recruitment, retention and support of resource families. Many counties continue to struggle with declines in the available number of caregivers, in part due to positive outcomes such as adoption/guardianship and difficulty in recruiting working families. The child welfare system cannot succeed in its mission to provide loving foster homes for our most vulnerable children unless this barrier to recruiting caregivers is addressed. In addition, we know that, for all the benefits that high quality child care has for young children, the impact can be far more dramatic for children who have experienced the trauma of abuse, neglect, and removal from their homes.

For these reasons, we strongly support AB 1164. Should you have any questions about our position, please do not hesitate to contact Deputy County Executive Officer Brian Nestande at (951) 955-1110 or bnestande@rceo.org.

Sincerely,

A handwritten signature in black ink, appearing to read "John F. Tavaglione", is written over a circular stamp. The signature is fluid and cursive.

John F. Tavaglione
Chairman, Riverside County Board of Supervisors

Cc: The Honorable Tony Thurmond, California State Assembly
Members and Consultants, Assembly Human Services Committee
County of Riverside Delegation

AMENDED IN ASSEMBLY MARCH 27, 2017

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 1164

Introduced by Assembly Member Thurmond

February 17, 2017

An act to amend Section 8212 of the Education Code, and to amend Section 11460 of, and to add Section 11461.6 to, the Welfare and Institutions Code, relating to foster care.

LEGISLATIVE COUNSEL'S DIGEST

AB 1164, as amended, Thurmond. Foster care placement: funding.

Existing law, the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, requires foster care providers to be paid a per-child per-month rate, established by the State Department of Social Services, for the care and supervision of the child placed with the provider. Existing law defines "care and supervision" to include, among others, food, clothing, shelter, and daily supervision.

This bill would establish the *Emergency Child Care Bridge Program* for Foster Children (bridge program). The bill would authorize, contingent upon an appropriation of ~~\$22,000,000 annually~~, *\$11,000,000 in the 2017–18 fiscal year and \$22,000,000 annually thereafter*, county welfare departments to administer the bridge program and distribute vouchers to ~~children between birth and 4 years of age~~, *an eligible child who is placed with an approved resource family or family, a licensed or certified foster family, or an approved relative or nonrelative extended family member, or who is the child of a young parent involved in the child welfare system*. The bill would require, for counties that choose to participate, that county welfare departments determine eligibility for the bridge program and provide *monthly payment either*

directly to the family or to the child care provider or provide a monthly voucher for child-care care, in an amount that is commensurate with the regional market rate, for up to 6 months following the child's initial placement, unless the child and resource family are able to access long-term, subsidized child care prior to the end of the 6-month period. The bill would allow eligibility for a child care payment or voucher to be extended for 6 months, at the discretion of the county welfare department, if the child and resource family have been unable to access long-term, subsidized child care during the initial 6-month period. The bill would require that each child receiving a monthly child care payment or voucher be provided with a child care navigator, as specified. specified, and would authorize the county to establish local priorities in the implementation of the bridge program.

~~The bill would provide that "daily supervision," for purposes of payments to foster care providers, may include licensed child care if work responsibilities preclude a resource family from being at home when the child for whom they have care and responsibility is not in school. The bill would make other conforming changes.~~

Existing law establishes the California Child Care Initiative Project for certain purposes, including increasing the availability of qualified child care programs in the state and establishing child care resource and referral programs to serve a defined geographic area.

This bill would require, contingent upon an appropriation of ~~\$4,000,000 annually~~, *\$2,500,000 in the 2017-18 fiscal year and \$5,000,000 annually thereafter*, each child care resource and referral program to provide a child care navigator to support children in foster care and children previously in foster care upon return to their home of origin. The bill would also require, contingent upon an appropriation of ~~\$5,000,000 annually~~, *\$2,000,000 in the 2017-18 fiscal year and \$4,000,000 annually thereafter*, the child care resource and referral program to provide trauma-informed training and coaching to child care providers working with children in the foster care system.

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 8212 of the Education Code is amended
- 2 to read:

1 8212. (a) For purposes of this article, child care resource and
2 referral programs, established to serve a defined geographic area,
3 shall provide the following services:

4 (1) Identification of the full range of existing child care services
5 through information provided by all relevant public and private
6 agencies in the areas of service, and the development of a resource
7 file of those services which shall be maintained and updated at
8 least quarterly. These services shall include, but not be limited to,
9 family day care homes, public and private day care programs,
10 full-time and part-time programs, and infant, preschool, and
11 extended care programs.

12 The resource file shall include, but not be limited to, the
13 following information:

14 (A) Type of program.

15 (B) Hours of service.

16 (C) Ages of children served.

17 (D) Fees and eligibility for services.

18 (E) Significant program information.

19 (2) (A) Establishment of a referral process which responds to
20 parental need for information and which is provided with full
21 recognition of the confidentiality rights of parents. Resource and
22 referral programs shall make referrals to licensed child day care
23 facilities. Referrals shall be made to unlicensed care facilities only
24 if there is no requirement that the facility be licensed. The referral
25 process shall afford parents maximum access to all referral
26 information. This access shall include, but is not limited to,
27 telephone referrals to be made available for at least 30 hours per
28 week as part of a full week of operation. Every effort shall be made
29 to reach all parents within the defined geographic area, including,
30 but not limited to, any of the following:

31 (i) Toll-free telephone lines.

32 (ii) Office space convenient to parents and providers.

33 (iii) Referrals in languages which are spoken in the community.

34 Each child care resource and referral program shall publicize its
35 services through all available media sources, agencies, and other
36 appropriate methods.

37 (B) (i) Provision of information to any person who requests a
38 child care referral of his or her right to view the licensing
39 information of a licensed child day care facility required to be
40 maintained at the facility pursuant to Section 1596.859 of the

1 Health and Safety Code and to access any public files pertaining
2 to the facility that are maintained by the State Department of Social
3 Services Community Care Licensing Division.

4 (ii) A written or oral advisement in substantially the following
5 form will comply with the requirements of clause (i):

6 "State law requires licensed child day care facilities to make
7 accessible to the public a copy of any licensing report pertaining
8 to the facility that documents a facility visit or a substantiated
9 complaint investigation. In addition, a more complete file regarding
10 a child care licensee may be available at an office of the State
11 Department of Social Services Community Care Licensing
12 Division. You have the right to access any public information in
13 these files."

14 (3) Maintenance of ongoing documentation of requests for
15 service tabulated through the internal referral process. The
16 following documentation of requests for service shall be maintained
17 by all child care resource and referral programs:

18 (A) Number of calls and contacts to the child care information
19 and referral program or component.

20 (B) Ages of children served.

21 (C) Time category of child care request for each child.

22 (D) Special time category, such as nights, weekends, and swing
23 shift.

24 (E) Reason that the child care is needed.

25 This information shall be maintained in a manner that is easily
26 accessible for dissemination purposes.

27 (4) Provision of technical assistance to existing and potential
28 providers of all types of child care services. This assistance shall
29 include, but not be limited to:

30 (A) Information on all aspects of initiating new child care
31 services including, but not limited to, licensing, zoning, program
32 and budget development, and assistance in finding this information
33 from other sources.

34 (B) Information and resources that help existing child care
35 services providers to maximize their ability to serve the children
36 and parents of their community.

37 (C) Dissemination of information on current public issues
38 affecting the local and state delivery of child care services.

39 (D) Facilitation of communication between existing child care
40 and child-related services providers in the community served.

1 Services prescribed by this section shall be provided in order to
2 maximize parental choice in the selection of child care to facilitate
3 the maintenance and development of child care services and
4 resources.

5 (5) (A) (i) Contingent upon an appropriation of ~~four million~~
6 ~~dollars (\$4,000,000) annually~~ *two million five hundred thousand*
7 *dollars (\$2,500,000) in the 2017-18 fiscal year and five million*
8 *dollars (\$5,000,000) annually thereafter* for purposes of this
9 subparagraph, provision of a child care navigator to support
10 children in foster care, ~~and children previously in foster care upon~~
11 ~~return to their home of origin.~~ *origin, and children of parents*
12 *involved in the child welfare system, including the children of*
13 *nonminor dependents.* The navigator shall work with the child's
14 resource family, social worker, and child and family team to assess
15 child care opportunities appropriate to the child's age and needs,
16 assist the resource family in identifying potential opportunities for
17 an ongoing child care subsidy, assist the caregiver in completing
18 appropriate child care program applications, and develop an overall,
19 long-term child care plan for the child.

20 (ii) *As a condition of receiving funds pursuant to this*
21 *subparagraph, each resource and referral agency shall develop*
22 *and enter into a memorandum of understanding, contract, or other*
23 *formal agreement with the county child welfare agency in order*
24 *to facilitate interagency communication and, to the maximum*
25 *extent possible, to leverage federal funding, including*
26 *administrative funding, available pursuant to Title IV-E of the*
27 *Social Security Act, to enhance the navigation support authorized*
28 *under this subparagraph, or the resource and referral agency shall*
29 *explain, in writing, annually, why entering into a memorandum*
30 *of understanding, contract, or other formal agreement with the*
31 *county child welfare agency is not practical or feasible. This*
32 *section shall not limit the provision of child care navigation support*
33 *to children who are in the foster care system, including children*
34 *who are eligible for the Emergency Child Care Bridge Program*
35 *for Foster Children established pursuant to Section 11461.6 of*
36 *the Welfare and Institutions Code.*

37 (B) (i) Contingent upon an appropriation of ~~five million dollars~~
38 ~~(\$5,000,000) annually~~ *two million dollars (\$2,000,000) in the*
39 *2017-18 fiscal year and four millions dollars (\$4,000,000)*
40 *annually thereafter* for purposes of this subparagraph, provision

1 of trauma-informed training and coaching to child care providers
2 working with children in the foster care system. Training shall
3 include, but not be limited to, infant and toddler development and
4 research-based, trauma-informed best care practices. Child care
5 providers shall be provided with coaching to assist them in applying
6 training techniques and strategies for working with children in
7 foster care.

8 *(ii) As a condition of receiving funds pursuant to this*
9 *subparagraph, each resource and referral agency, in coordination*
10 *with the California Child Care Resource and Referral Network,*
11 *shall develop and enter into a memorandum of understanding,*
12 *contract, or other formal agreement with the county child welfare*
13 *agency in order to, to the maximum extent possible, leverage*
14 *federal funding, including training funds, available pursuant to*
15 *Title IV-E of the Social Security Act, to enhance the training*
16 *support authorized under this subparagraph, or the resource and*
17 *referral agency shall explain, in writing, annually, why entering*
18 *into a memorandum of understanding, contract, or other formal*
19 *agreement with the county child welfare agency is not practical*
20 *or feasible.*

21 (b) (1) A program operating pursuant to this article shall, within
22 two business days of receiving notice, remove a licensed child day
23 care facility with a revocation or a temporary suspension order, or
24 that is on probation from the program's referral list.

25 (2) A program operating pursuant to this article shall, within
26 two business days of receiving notice, notify all entities, operating
27 a program under Article 3 (commencing with Section 8220) and
28 Article 15.5 (commencing with Section 8350) in the program's
29 jurisdiction, of a licensed child day care facility with a revocation
30 or a temporary suspension order, or that is on probation.

31 SEC. 2. Section 11460 of the Welfare and Institutions Code is
32 amended to read:

33 11460. (a) (1) Foster care providers shall be paid a per child
34 per month rate in return for the care and supervision of the
35 AFDC-FC child placed with them. The department is designated
36 the single organizational unit whose duty it shall be to administer
37 a state system for establishing rates in the AFDC-FC program.
38 State functions shall be performed by the department or by
39 delegation of the department to county welfare departments or

1 Indian tribes, consortia of tribes, or tribal organizations that have
2 entered into an agreement pursuant to Section 10553.1.

3 (2) (A) Foster care providers that care for a child in a
4 home-based setting described in paragraph (1) of subdivision (g)
5 of Section 11461, or in a certified home or an approved resource
6 family of a foster family agency, shall be paid the per child per
7 month rate as set forth in subdivision (g) of Section 11461.

8 (B) The basic rate paid to either a certified family home or an
9 approved resource family of a foster family agency shall be paid
10 by the agency to the certified family home or approved resource
11 family from the rate that is paid to the agency pursuant to Section
12 11463.

13 (b) "Care and supervision" includes food, clothing, shelter, daily
14 supervision, school supplies, a child's personal incidentals, liability
15 insurance with respect to a child, reasonable travel to the child's
16 home for visitation, and reasonable travel for the child to remain
17 in the school in which he or she is enrolled at the time of
18 placement. Reimbursement for the costs of educational travel, as
19 provided for in this subdivision, shall be made pursuant to
20 procedures determined by the department, in consultation with
21 representatives of county welfare and probation directors, and
22 additional stakeholders, as appropriate.

23 (1) ~~(A)~~—A child who meets the eligibility criteria of the
24 *Emergency Child Care Bridge Program for Foster Children*, as
25 established by Section 11461.6, may be provided with a voucher
26 for child care services for the child for up to six months
27 immediately following the child's placement as well as a child
28 care navigator to assist the child and resource family in accessing
29 long-term subsidized child care.

30 ~~(B) "Daily supervision" includes licensed child care if work~~
31 ~~responsibilities preclude resource families from being at home~~
32 ~~when the child for whom they have care and responsibility is not~~
33 ~~in school. It also includes child care for periods when the resource~~
34 ~~family is required to participate, without the child, in activities~~
35 ~~associated with parenting a child in foster care that are beyond the~~
36 ~~scope of ordinary parental duties, including, but not limited to,~~
37 ~~attendance at administrative or judicial reviews, case conferences,~~
38 ~~and resource family training.~~

39 (2) For a child or youth placed in a short-term residential
40 therapeutic program or a group home, care and supervision shall

1 also include reasonable administration and operational activities
2 necessary to provide the items listed in this subdivision.

3 (3) For a child or youth placed in a short-term residential
4 therapeutic program or a group home, care and supervision may
5 also include reasonable activities performed by social workers
6 employed by the program provider that are not otherwise
7 considered daily supervision or administration activities.

8 (4) The department, in consultation with the California State
9 Foster Parent Association, and other interested stakeholders, shall
10 provide information to the Legislature, no later than January 1,
11 2017, regarding the availability and cost for liability and property
12 insurance covering acts committed by children in care, and shall
13 make recommendations for any needed program development in
14 this area.

15 (c) It is the intent of the Legislature to establish the maximum
16 level of financial participation in out-of-state foster care group
17 home program rates for placements in facilities described in
18 subdivision (h) of Section 11402.

19 (1) The department shall develop regulations that establish the
20 method for determining the level of financial participation in the
21 rate paid for out-of-state placements in facilities described in
22 subdivision (h) of Section 11402. The department shall consider
23 all of the following methods:

24 (A) Until December 31, 2016, a standardized system based on
25 the rate classification level of care and services per child per month.

26 (B) The rate developed for a short-term residential therapeutic
27 program pursuant to Section 11462.

28 (C) A system that considers the actual allowable and reasonable
29 costs of care and supervision incurred by the out-of-state program.

30 (D) A system that considers the rate established by the host
31 state.

32 (E) Any other appropriate methods as determined by the
33 department.

34 (2) Reimbursement for the Aid to Families with Dependent
35 Children-Foster Care rate to be paid to an out-of-state program
36 described in subdivision (h) of Section 11402 shall only be paid
37 to programs that have done all of the following:

38 (A) Submitted a rate application to the department, which shall
39 include, but not be limited to, both of the following:

1 (i) Commencing January 1, 2017, unless granted an extension
2 from the department pursuant to subdivision (d) of Section
3 11462.04, the equivalent of the mental health program approval
4 required in Section 4096.5.

5 (ii) Commencing January 1, 2017, unless granted an extension
6 from the department pursuant to subdivision (d) of Section
7 11462.04, the national accreditation required in paragraph (6) of
8 subdivision (b) of Section 11462.

9 (B) Maintained a level of financial participation that shall not
10 exceed any of the following:

11 (i) The current fiscal year's standard rate for rate classification
12 level 14 for a group home.

13 (ii) Commencing January 1, 2017, the current fiscal year's rate
14 for a short-term residential therapeutic program.

15 (iii) The rate determined by the ratesetting authority of the state
16 in which the facility is located.

17 (C) Agreed to comply with information requests, and program
18 and fiscal audits as determined necessary by the department.

19 (3) Except as specifically provided for in statute, reimbursement
20 for an AFDC-FC rate shall only be paid to a group home or
21 short-term residential therapeutic program organized and operated
22 on a nonprofit basis.

23 (d) A foster care provider that accepts payments, following the
24 effective date of this section, based on a rate established under this
25 section, shall not receive rate increases or retroactive payments as
26 the result of litigation challenging rates established prior to the
27 effective date of this section. This shall apply regardless of whether
28 a provider is a party to the litigation or a member of a class covered
29 by the litigation.

30 (e) Nothing shall preclude a county from using a portion of its
31 county funds to increase rates paid to family homes, foster family
32 agencies, group homes, and short-term residential therapeutic
33 programs within that county, and to make payments for specialized
34 care increments, clothing allowances, or infant supplements to
35 homes within that county, solely at that county's expense.

36 (f) Nothing shall preclude a county from providing a
37 supplemental rate to serve commercially sexually exploited foster
38 children to provide for the additional care and supervision needs
39 of these children. To the extent that federal financial participation

1 is available, it is the intent of the Legislature that the federal
2 funding shall be utilized.

3 SEC. 3. Section 11461.6 is added to the Welfare and
4 Institutions Code, to read:

5 11461.6. (a) The Legislature finds and declares the following:

6 (1) When a child is first placed in foster care he or she is in
7 crisis and in immediate need of a stable placement with a loving
8 resource family.

9 (2) *Chapter 773 of the Statutes of 2015 and Chapter 612 of the*
10 *Statutes of 2016, commonly known as Continuum of Care Reform,*
11 *aggravates California's shortage of foster care placements and*
12 *demands that we address the major barriers to parent recruitment.*

13 ~~(2)~~

14 (3) A major barrier to finding resource families for children,
15 especially young children, is the difficulty they experience in
16 accessing subsidized child care for the foster child.

17 ~~(3)~~

18 (4) The difficulty accessing subsidized child care at the time of
19 placement, in addition to being a barrier to stability, can also lead
20 to delayed placement, subsequent placement changes, or sibling
21 separation, all of which retraumatize foster children.

22 (b) The *Emergency Child Care Bridge Program for Foster*
23 *Children is hereby established established, to be implemented at*
24 *the discretion of each county, for the purpose of stabilizing foster*
25 *children with resource families at the time of initial placement by*
26 *providing a payment or voucher for child care and development*
27 *services for up to six months immediately following the child's*
28 *placement and by providing the resource family with a child care*
29 *navigator to assist the family in accessing long-term subsidized*
30 *child care.*

31 (c) Contingent upon appropriation of *eleven million dollars*
32 *(\$11,000,000) in the 2017-18 fiscal year and twenty-two million*
33 *dollars (\$22,000,000) annually thereafter* for the purposes of this
34 section, the *Emergency Child Care Bridge Program for Foster*
35 *Children shall be administered by county welfare departments for*
36 *counties that choose to participate in the program to distribute*
37 *vouchers to eligible children. These funds may be encumbered to*
38 *a local alternative payment agency pursuant to Section 8220.1 of*
39 *the Education Code. If the county chooses to contract with the*
40 *local alternative payment agency to provide alternative payment*

1 services, this contract shall not displace, or result in the reduction
2 of an existing contract with, a current alternative payment program.

3 (d) (1) As determined by the county welfare department, and
4 consistent with guidance issued jointly by the State Department
5 of Social Services and the State Department of Education, counties
6 may establish local priorities and may either provide payment
7 directly to the resource family or child care provider, or contract
8 with a local alternative payment agency to distribute vouchers for
9 child care.

10 (2) Counties that elect to provide payment directly to a child
11 care provider or to distribute vouchers shall pay commensurate
12 with the regional market rates, as described in Section 8357 of the
13 Education Code.

14 (3) For counties that elect to contract with a local alternative
15 payment agency, as described in Section 8220 of the Education
16 Code, to distribute child care vouchers, the vouchers shall be in
17 an amount commensurate with the regional market rates, as
18 described in Section 8357 of the Education Code and the contract
19 shall not displace, or result in the reduction of, an existing contract
20 with a current local alternative payment program.

21 ~~(d)~~

22 (e) (1) Participating county welfare departments shall determine
23 eligibility of a child for the *Emergency Child Care Bridge Program*
24 for Foster Children and provide an eligible child between birth
25 and four years of age placed with an approved resource family or
26 the child of a young parent involved in the child welfare system,
27 including a nonminor dependent, with a monthly voucher for child
28 care commensurate with regional market rate requirements, as
29 specified in Section 8357 of the Education Code, upon and for up
30 to six months following the child's initial placement. *Children.*

31 (2) Family placements eligible to receive payment or a voucher
32 for child care and developmental services include all of the
33 following:

34 (A) Approved resource families and families that have a child
35 placed with them based on an emergency or for a compelling
36 reason, as described in Section 16519.5.

37 (B) Currently licensed or certified foster care providers, as
38 defined in Sections 1502 and 1506.5 of the Health and Safety Code.

39 (C) Currently approved relatives or nonrelative extended family
40 members as described in Sections 309, 361.4, and 362.7.

1 (D) Parents under the jurisdiction of the juvenile court,
2 including, but not limited to, nonminor dependent parents.

3 (3) A participating county welfare department may provide a
4 payment or voucher if work responsibilities preclude resource
5 families from being at home when the child for whom they have
6 care and responsibility is not in school or for periods when the
7 resource family is required to participate, without the child, in
8 activities associated with parenting a child in foster care that are
9 beyond the scope of ordinary parental duties, including, but not
10 limited to, attendance at administrative or judicial reviews, case
11 conferences, and resource family training.

12 (e)

13 (f) Each child receiving a monthly child care payment or voucher
14 shall be provided with a child care navigator, pursuant to paragraph
15 (5) of subdivision (a) of Section 8212 of the Education Code, who
16 shall work directly with the child's resource family, social worker,
17 and the child and family team to assist in accessing child care at
18 the time of placement as well as long-term, subsidized child care
19 for the child, as necessary.

20 (f)

21 (g) Each child receiving a monthly child care payment or
22 voucher shall be eligible to receive child care pursuant to the
23 payment or voucher for up to six months. If the child and resource
24 family access long-term, subsidized child care prior to the end of
25 the six-month period covered by the payment or voucher, eligibility
26 for the monthly payment or voucher shall terminate upon
27 enrollment in long-term, subsidized child care.

28 (g)

29 (h) Eligibility for the monthly payment or voucher may be
30 extended beyond the initial six-month period for an additional
31 six-month period, not to exceed 12 months in total, at the discretion
32 of the county welfare department, if the child and resource family
33 have been unable to access long-term, subsidized child care during
34 the initial six-month period.

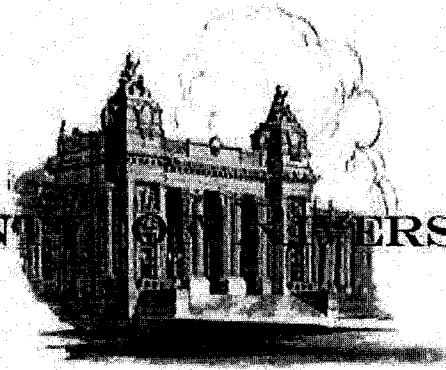
35 (h) Assistance of a child care navigator, pursuant to subdivision
36 (c), shall be available until the child and family procures long-term,
37 subsidized child care.

38 (i) The department shall seek all federal approvals necessary
39 to claim federal reimbursement under Title IV-E of the Social

1 *Security Act in order to maximize state and local funding for child*
2 *care.*
3 *(j) This section shall not be interpreted to create an entitlement*
4 *to child care payment or voucher.*
5 *(k) The program established pursuant to this section is intended*
6 *to complement county child welfare agency efforts to recruit,*
7 *retain, and support resource families as described in Section*
8 *16003.5, and any funding provided to counties pursuant to this*
9 *section shall supplement those county activities to support the*
10 *goals of Chapter 773 of the Statutes of 2015 and Chapter 612 of*
11 *the Statutes of 2016.*

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COUNTY OF RIVERSIDE



Board of Supervisors

District 1	Kevin Jeffries 951-955-1010
District 2 Chairman	John F. Tavaglione 951-955-1020
District 3	Chuck Washington 951-955-1030
District 4	Vacant 951-955-1040
District 5	Marion Ashley 951-955-1050

March 28, 2017

The Honorable Ricardo Lara, Chair
Senate Appropriations Committee
State Capitol, Room 5050
Sacramento, California 95814

Re: **SB 37 (Roth): Local Government Finance: property tax revenue allocations: vehicle license fee adjustments**
As introduced December 5, 2016
Set for hearing April 3, 2017: Senate Appropriations Committee
County of Riverside: SUPPORT

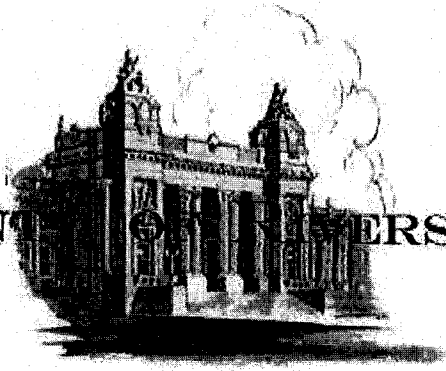
Dear Senator Lara:

On behalf of the Riverside County Board of Supervisors, I write to communicate our support for Senate Bill 37 by Senator Richard Roth. This bill would provide a "Vehicle License Fee Adjustment Amount" for cities incorporated between January 1, 2004 and January 1, 2012, which includes those that were impacted by SB 89 (2011). The Board strongly supports this measure, as it would provide immediate financial assistance to the four newly incorporated cities in Riverside County.

Prior to the passage of SB 89 (2011), the four newly incorporated cities in Riverside County relied on current state law in evaluating their fiscal viability through the LAFCO process. In each case, LAFCO considered the Vehicle License Fee (VLF) revenue special allocation in their evaluation of the new cities' revenue, which informed the eventual LAFCO vote to allow the local voters to consider incorporation. When SB 89 was approved and redirected those VLF revenues to 2011 realignment, these new cities were impacted in a significant way.

SB 69 provides a mechanism by which these newly incorporated cities resume receipt of revenues anticipated prior to their incorporations. By establishing a "Vehicle License Fee Adjustment Amount" and replacing the lost VLF revenues with property taxes from the schools' share (as currently exists for all other cities and counties in the state), SB 37 restores funds to those impacted by SB 89 and ensures their continued viability.

COUNTY OF RIVERSIDE



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District 4	Vacant 951-955-1040
District 5	Marion Ashley 951-955-1050

For these reasons, we strongly support SB 37. Should you have any questions about our position, please do not hesitate to contact Deputy County Executive Officer Brian Nestande at (951) 955-1110 or bnestande@rceo.org.

Sincerely,

John F. Tavaglione
Chairman, Riverside County Board of Supervisors

Cc: Members and Consultants, Senate Appropriations Committee
County of Riverside Delegation

Introduced by Senator Roth
(Principal coauthor: Assembly Member Cervantes)

December 5, 2016

An act to amend Section 97.70 of the Revenue and Taxation Code, relating to local government finance.

LEGISLATIVE COUNSEL'S DIGEST

SB 37, as introduced, Roth. Local government finance: property tax revenue allocations: vehicle license fee adjustments.

Existing property tax law requires the county auditor, in each fiscal year, to allocate property tax revenue to local jurisdictions in accordance with specified formulas and procedures, and generally provides that each jurisdiction be allocated an amount equal to the total of the amount of revenue allocated to that jurisdiction in the prior fiscal year, subject to certain modifications, and that jurisdiction's portion of the annual tax increment, as defined.

Existing property tax law also requires that, for purposes of determining property tax revenue allocations in each county for the 1992-93 and 1993-94 fiscal years, the amounts of property tax revenue deemed allocated in the prior fiscal year to the county, cities, and special districts be reduced in accordance with certain formulas. It requires that the revenues not allocated to the county, cities, and special districts as a result of these reductions be transferred to the Educational Revenue Augmentation Fund in that county for allocation to school districts, community college districts, and the county office of education.

Beginning with the 2004-05 fiscal year and for each fiscal year thereafter, existing law requires that each city, county, and city and county receive additional property tax revenues in the form of a vehicle license fee adjustment amount, as defined, from a Vehicle License Fee

Property Tax Compensation Fund that exists in each county treasury. Existing law requires that these additional allocations be funded from ad valorem property tax revenues otherwise required to be allocated to educational entities.

This bill would modify these reduction and transfer provisions for a city incorporating after January 1, 2004, and on or before January 1, 2012, for the 2017–18 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation.

By imposing additional duties upon local tax officials with respect to the allocation of ad valorem property tax revenues, this bill would impose a state-mandated local program.

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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

1 SECTION 1. Section 97.70 of the Revenue and Taxation Code
2 is amended to read:
3 97.70. Notwithstanding any other law, for the 2004–05 fiscal
4 year and for each fiscal year thereafter, all of the following apply:
5 (a) (1) (A) The auditor shall reduce the total amount of ad
6 valorem property tax revenue that is otherwise required to be
7 allocated to a county's Educational Revenue Augmentation Fund
8 by the countywide vehicle license fee adjustment amount.
9 (B) If, for the fiscal year, after complying with Section 97.68
10 there is not enough ad valorem property tax revenue that is
11 otherwise required to be allocated to a county Educational Revenue
12 Augmentation Fund for the auditor to complete the allocation
13 reduction required by subparagraph (A), the auditor shall
14 additionally reduce the total amount of ad valorem property tax
15 revenue that is otherwise required to be allocated to all school
16 districts and community college districts in the county for that

1 fiscal year by an amount equal to the difference between the
2 countywide vehicle license fee adjustment amount and the amount
3 of ad valorem property tax revenue that is otherwise required to
4 be allocated to the county Educational Revenue Augmentation
5 Fund for that fiscal year. This reduction for each school district
6 and community college district in the county shall be the percentage
7 share of the total reduction that is equal to the proportion that the
8 total amount of ad valorem property tax revenue that is otherwise
9 required to be allocated to the school district or community college
10 district bears to the total amount of ad valorem property tax revenue
11 that is otherwise required to be allocated to all school districts and
12 community college districts in a county. For purposes of this
13 subparagraph, "school districts" and "community college districts"
14 do not include any districts that are excess tax school entities, as
15 defined in Section 95.

16 (2) The countywide vehicle license fee adjustment amount shall
17 be allocated to the Vehicle License Fee Property Tax Compensation
18 Fund that shall be established in the treasury of each county.

19 (b) (1) The auditor shall allocate moneys in the Vehicle License
20 Fee Property Tax Compensation Fund according to the following:

21 (A) Each city in the county shall receive its vehicle license fee
22 adjustment amount.

23 (B) Each county and city and county shall receive its vehicle
24 license fee adjustment amount.

25 (2) The auditor shall allocate one-half of the amount specified
26 in paragraph (1) on or before January 31 of each fiscal year, and
27 the other one-half on or before May 31 of each fiscal year.

28 (c) For purposes of this section, all of the following apply:

29 (1) "Vehicle license fee adjustment amount" for a particular
30 city, county, or a city and county means, subject to an adjustment
31 under paragraph (2) and Section 97.71, all of the following:

32 (A) For the 2004-05 fiscal year, an amount equal to the
33 difference between the following two amounts:

34 (i) The estimated total amount of revenue that would have been
35 deposited to the credit of the Motor Vehicle License Fee Account
36 in the Transportation Tax Fund, including any amounts that would
37 have been certified to the Controller by the auditor of the County
38 of Ventura under subdivision (j) of Section 98.02, as that section
39 read on January 1, 2004, for distribution under the law as it read
40 on January 1, 2004, to the county, city and county, or city for the

1 2004–05 fiscal year if the fee otherwise due under the Vehicle
2 License Fee Law ~~(Pt. (Part 5~~ (commencing with Section 10701)
3 of ~~Div. Division 2~~) was 2 percent of the market value of a vehicle,
4 as specified in ~~Section Sections~~ 10752 and 10752.1 as those
5 sections read on January 1, 2004.

6 (ii) The estimated total amount of revenue that is required to be
7 distributed from the Motor Vehicle License Fee Account in the
8 Transportation Tax Fund to the county, city and county, and each
9 city in the county for the 2004–05 fiscal year under Section 11005,
10 as that section read on the operative date of the act that amended
11 this clause.

12 (B) (i) Subject to an adjustment under clause (ii), for the
13 2005–06 fiscal year, the sum of the following two amounts:

14 (I) The difference between the following two amounts:

15 ~~(Ia)~~

16 (ia) The actual total amount of revenue that would have been
17 deposited to the credit of the Motor Vehicle License Fee Account
18 in the Transportation Tax Fund, including any amounts that would
19 have been certified to the Controller by the auditor of the County
20 of Ventura under subdivision (j) of Section 98.02, as that section
21 read on January 1, 2004, for distribution under the law as it read
22 on January 1, 2004, to the county, city and county, or city for the
23 2004–05 fiscal year if the fee otherwise due under the Vehicle
24 License Fee Law (Part 5 (commencing with Section 10701) of
25 Division 2) was 2 percent of the market value of a vehicle, as
26 specified in Sections 10752 and 10752.1 as those sections read on
27 January 1, 2004.

28 ~~(Ib)~~

29 (ib) The actual total amount of revenue that was distributed
30 from the Motor Vehicle License Fee Account in the Transportation
31 Tax Fund to the county, city and county, and each city in the county
32 for the 2004–05 fiscal year under Section 11005, as that section
33 read on the operative date of the act that amended this
34 ~~sub-subclause. subsubclause.~~

35 (II) The product of the following two amounts:

36 ~~(IIa)~~

37 (ia) The amount described in subclause (I).

38 ~~(IIb)~~

39 (ib) The percentage change from the prior fiscal year to the
40 current fiscal year in gross taxable assessed valuation within the

1 jurisdiction of the entity, as reflected in the equalized assessment
2 roll for those fiscal years. For the first fiscal year for which a
3 change in a city's jurisdictional boundaries first applies, the
4 percentage change in gross taxable assessed valuation from the
5 prior fiscal year to the current fiscal year shall be calculated solely
6 on the basis of the city's previous jurisdictional boundaries, without
7 regard to the change in that city's jurisdictional boundaries. For
8 each following fiscal year, the percentage change in gross taxable
9 assessed valuation from the prior fiscal year to the current fiscal
10 year shall be calculated on the basis of the city's current
11 jurisdictional boundaries.

12 (ii) The amount described in clause (i) shall be adjusted as
13 follows:

14 (I) If the amount described in subclause (I) of clause (i) for a
15 particular city, county, or city and county is greater than the amount
16 described in subparagraph (A) for that city, county, or city and
17 county, the amount described in clause (i) shall be increased by
18 an amount equal to this difference.

19 (II) If the amount described in subclause (I) of clause (i) for a
20 particular city, county, or city and county is less than the amount
21 described in subparagraph (A) for that city, county, or city and
22 county, the amount described in clause (i) shall be decreased by
23 an amount equal to this difference.

24 (C) For the 2006–07 fiscal year and for each fiscal year
25 thereafter, the sum of the following two amounts:

26 (i) The vehicle license fee adjustment amount for the prior fiscal
27 year, if Section 97.71 and clause (ii) of subparagraph (B) did not
28 apply for that fiscal year, for that city, county, and city and county.

29 (ii) The product of the following two amounts:

30 (I) The amount described in clause (i).

31 (II) The percentage change from the prior fiscal year to the
32 current fiscal year in gross taxable assessed valuation within the
33 jurisdiction of the entity, as reflected in the equalized assessment
34 roll for those fiscal years. For the first fiscal year for which a
35 change in a city's jurisdictional boundaries first applies, the
36 percentage change in gross taxable assessed valuation from the
37 prior fiscal year to the current fiscal year shall be calculated solely
38 on the basis of the city's previous jurisdictional boundaries, without
39 regard to the change in that city's jurisdictional boundaries. For
40 each following fiscal year, the percentage change in gross taxable

1 assessed valuation from the prior fiscal year to the current fiscal
2 year shall be calculated on the basis of the city's current
3 jurisdictional boundaries.

4 (2) Notwithstanding paragraph (1), "vehicle license fee
5 adjustment amount," for a city incorporating after January 1,
6 2004, and on or before January 1, 2012, means the following:

7 (A) For the 2017–18 fiscal year, the quotient derived from the
8 following fraction:

9 (i) The numerator is the product of the following two amounts:

10 (I) The sum of the most recent vehicle license fee adjustment
11 amounts determined for all cities in the county.

12 (II) The population of the incorporating city.

13 (ii) The denominator is the sum of the populations of all cities
14 in the county.

15 (B) For the 2018–19 fiscal year, and for each fiscal year
16 thereafter, the sum of the following two amounts:

17 (i) The vehicle license fee adjustment amount for the prior fiscal
18 year.

19 (ii) The product of the following two amounts:

20 (I) The amount described in clause (i).

21 (II) The percentage change from the prior fiscal year to the
22 current fiscal year in gross taxable assessed valuation within the
23 jurisdiction of the entity, as reflected in the equalized assessment
24 roll for those fiscal years.

25 (2)

26 (3) For the 2013–14 fiscal year, the vehicle license fee
27 adjustment amount that is determined under subparagraph (C) of
28 paragraph (1) for the County of Orange shall be increased by
29 fifty-three million dollars (\$53,000,000). For the 2014–15 fiscal
30 year and each fiscal year thereafter, the calculation of the vehicle
31 license fee adjustment amount for the County of Orange under
32 subparagraph (C) of paragraph (1) shall be based on a prior fiscal
33 year amount that reflects the full amount of this one-time increase
34 of fifty-three million dollars (\$53,000,000).

35 (3)

36 (4) "Countywide vehicle license fee adjustment amount" means,
37 for any fiscal year, the total sum of the amounts described in
38 paragraphs ~~(1)~~ (1), (2), and ~~(2)~~ (3) for a county or city and county,
39 and each city in the county.

40 (4)

1 (5) On or before June 30 of each fiscal year, the auditor shall
2 report to the Controller the vehicle license fee adjustment amount
3 for the county and each city in the county for that fiscal year.

4 (d) For the 2005–06 fiscal year and each fiscal year thereafter,
5 the amounts determined under subdivision (a) of Section 96.1, or
6 any successor to that provision, shall not reflect, for a preceding
7 fiscal year, any portion of any allocation required by this section.

8 (e) For purposes of Section 15 of Article XI of the California
9 Constitution, the allocations from a Vehicle License Fee Property
10 Tax Compensation Fund constitute successor taxes that are
11 otherwise required to be allocated to counties and cities, and as
12 successor taxes, the obligation to make those transfers as required
13 by this section shall not be extinguished nor disregarded in any
14 manner that adversely affects the security of, or the ability of, a
15 county or city to pay the principal and interest on any debts or
16 obligations that were funded or secured by that city's or county's
17 allocated share of motor vehicle license fee revenues.

18 (f) This section shall not be construed to do any of the following:

19 (1) Reduce any allocations of excess, additional, or remaining
20 funds that would otherwise have been allocated to county
21 superintendents of schools, cities, counties, and cities and counties
22 pursuant to clause (i) of subparagraph (B) of paragraph (4) of
23 subdivision (d) of Sections 97.2 and 97.3 or Article 4 (commencing
24 with Section 98) had this section not been enacted. The allocations
25 required by this section shall be adjusted to comply with this
26 paragraph.

27 (2) Require an increased ad valorem property tax revenue
28 allocation or increased tax increment allocation to a community
29 redevelopment agency.

30 (3) Alter the manner in which ad valorem property tax revenue
31 growth from fiscal year to fiscal year is otherwise determined or
32 allocated in a county.

33 (4) Reduce ad valorem property tax revenue allocations required
34 under Article 4 (commencing with Section 98).

35 (g) Tax exchange or revenue sharing agreements, entered into
36 prior to the operative date of this section, between local agencies
37 or between local agencies and nonlocal agencies are deemed to be
38 modified to account for the reduced vehicle license fee revenues
39 resulting from the act that added this section. These agreements
40 are modified in that these reduced revenues are, in kind and in lieu

1 thereof, replaced with ad valorem property tax revenue from a
2 Vehicle License Fee Property Tax Compensation Fund or an
3 Educational Revenue Augmentation Fund.

4 SEC. 2. If the Commission on State Mandates determines that
5 this act contains costs mandated by the state, reimbursement to
6 local agencies and school districts for those costs shall be made
7 pursuant to Part 7 (commencing with Section 17500) of Division
8 4 of Title 2 of the Government Code.

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