

**Introduced by Senator Denham
(Coauthor: Senator Cogdill)**

(Coauthors: Assembly Members Bill Berryhill, Tom Berryhill, and
Galgiani)

February 19, 2010

An act to amend Section 15202 of the Government Code, relating to
counties.

LEGISLATIVE COUNSEL'S DIGEST

SB 1356, as introduced, Denham. Counties: homicide trials:
reimbursement.

Existing law authorizes a county that is responsible for the cost of a
trial or trials or any hearing of a person for the offense of homicide to
apply to the Controller for reimbursement of a portion of the costs
incurred by the county in excess of the amount of money derived by
the county from a tax of 0.0125 of 1% of the full value of property
assessed for purposes of taxation within the county.

This bill would authorize a county, when the victim of the homicide
was a state or local law enforcement officer, to apply to the Controller
for a complete reimbursement of the costs incurred by the county, as
specified.

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 15202 of the Government Code is
2 amended to read:

1 15202. (a) ~~A~~*Except as provided in subdivision (c), a county*
2 *that is responsible for the cost of a trial or trials or any hearing of*
3 *a person for the offense of homicide may apply to the Controller*
4 *for reimbursement of the costs incurred by the county in excess*
5 *of the amount of money derived by the county from a tax of 0.0125*
6 *of 1 percent of the full value of property assessed for purposes of*
7 *taxation within the county.*

8 (b) ~~The~~*For purposes of subdivision (a), the formula in this*
9 *section shall apply to any homicide trial in which the commission*
10 *of the crime occurred on or after January 1, 2005. Homicide trials*
11 *for which the crime was committed before January 1, 2005, shall*
12 *qualify under the reimbursement statute in effect before that date.*

13 (c) *Notwithstanding subdivisions (a) and (b), a county that is*
14 *responsible for the cost of a trial or trials or any hearing of a*
15 *person for the offense of homicide may apply to the Controller for*
16 *a complete reimbursement of the costs incurred by the county if*
17 *the victim of the homicide was a state or local law enforcement*
18 *officer.*

19 (e)
20 (d) The Controller shall not reimburse any county for costs that
21 exceed the California Victim Compensation and Government
22 Claims Board's standards for travel and per diem expenses. The
23 Controller may reimburse extraordinary costs in unusual cases if
24 the county provides sufficient justification of the need for these
25 expenditures. Nothing in this section shall permit the
26 reimbursement of costs for travel in excess of 1,000 miles on any
27 single round trip, without the prior approval of the Attorney
28 General.

29 (d)
30 (e) Reimbursement funds appropriated pursuant to this section
31 are available for three fiscal years from the date of the
32 appropriation. After three fiscal years, any unused funds shall
33 revert back to the General Fund.