

Trial Court Revenue Distribution Guidelines Urgency Legislation



California State Controller's Office

Revision 26 Addendum #2

Amendments after *January 1, 2016*

This Addendum to the **Trial Court Revenue Distribution Guidelines Revision 26** provides direction on specific urgency legislation pertaining to the distribution of fines, fees, forfeitures, penalties, and assessments that have been amended after *January 1, 2016*, and should be used in concurrence with Revision 26. Statutory codes may be modified by the legislature after this date. Current code may supersede any guidelines provided in this document.

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Legend

Abbreviation	Code	Abbreviation	Code	Abbreviation	Code
B&P	Business and Professions	F&G	Fish and Game	PC	Penal
CC	Civil Code	F&A	Food and Agriculture	PRO	Probate
CCP	Code of Civil Procedure	GC	Government	PRC	Public Resources
CORP	Corporations	H&N	Harbors and Navigation	R&T	Revenue and Taxation
ED	Education	H&S	Health and Safety	VC	Vehicle
ELEC	Elections	IC	Insurance	WC	Water
FC	Family Code	LC	Labor	W&I	Welfare and Institutions

How to Use the Trial Court Revenue Distribution Guidelines

The **Trial Court Revenue Distribution Guidelines** (Guidelines) consist of nine distribution tables that provide guidance on the distribution of trial court revenues that are required by California Code. Each table is preceded with a narrative that identifies the code section within the table, as well as any special rules or background that may apply. The purpose of the narrative is to provide guidance to questions that may arise when working with the code sections within the table; the narrative may also apply to code sections in other tables. While a few tables have additional specialized columns, the basic organization and the definition of terms used in the tables are shown below.

Note: This Addendum to Revision 26 contains only those tables and code sections which have been added or amended after January 1, 2016. Please see Revision 26 for the Trial Court Revenue Distribution Guidelines effective January 1, 2016.

Code Section	The California code section, with a descriptive title. Each code section will be cited using the legend above for the code, followed by the section number. For example, PC 1464 refers to Penal Code section 1464.
Violation/Situation	The California code under which the conviction occurred (unless the code is the same as the distribution code) and/or a description of the situation that resulted in the charge.
Arresting Officer/Jurisdiction	The jurisdiction of the arresting officer (“city” versus “county”) is included when relevant for distribution purposes.
Distribution	The entity or entities to which the revenue is distributed (state, county, city, other agency, or victim) and the percentages of and/or conditions for the distribution. References to “city”, “county”, “state”, or similar entities refer to the treasury of the entity in question unless otherwise specified.
Applicable Fund	The fund or account to receive the distribution, as designated in the statute. “Not specified” means no specific fund is designated in the statute; the general fund of the receiving agency is the default fund in such cases.
Fund Use	The use of funds as restricted in the statute. “Not specified” means that a use is not specified in the statute.
Priority of Installment Payments	Court-ordered installment payments are disbursed according to the priorities set by PC 1203.1d. For more information, see page 5 of the <i>Trial Court Revenue Distribution Guidelines, Revision 26</i> .

Resources and Terminology

Resources

The California Legislative Information website, <http://leginfo.legislature.ca.gov/>, provides information on California’s bills and laws. The website also provides tools to help users track bills going through the legislative process that may affect them if they are enacted. While the Guidelines provide direction to help understand specific code sections, the State Controller’s Office (SCO) highly recommends that users read the entire code section to have a complete understanding of the law.

Terminology

“Base fine enhancements” are additional monetary sanctions that are added to the “base fine” equaling the “total base fine”. For example, monetary sanctions pursuant to H&S 11372.5 and H&S 11372.7 add to the “base fine”.

The **“chapter date”** is the date when the Governor signs a bill into law and the Secretary of State assigns the bill a chapter number which subsequently may be used to refer to the measure.

“City arrest” means an arrest by an employee of a city, or by a California Highway Patrol officer within the limits of a city. "City" includes any city; city and county; district, including any enterprise special district, community service district, or community service area engaged in police protection activities pursuant to PC 1463(b).

“County arrest” means an arrest by a California Highway Patrol officer outside the limits of a city, or any arrest by a county officer or by any other state officer. Any arrest that is not a city arrest is a county arrest.

The **“effective date”**, as specified by the Constitution, is the date when a law takes effect. The date is usually January 1 of the following year, unless the bill is an urgency measure or specifies another date.

“Fees” are monetary amounts paid by the defendant that are usually administrative in nature and are used to reimburse for services provided in statute.

“Fines” or “base fines” are the monetary sanctions, set by statute, for committing a criminal violation.

“Forfeiture” is the loss of money or property through seizure. For example, a defendant may post bail in order to be released from jail and to ensure their presence in court at a later date. If the defendant does not appear before the court when ordered, their bail may be forfeited. The “forfeiture” would then be distributed as stated in statute.

Terminology

The difference between **“mandatory” vs. “discretionary”** language is whether or not compliance must be met with the law. **“Mandatory”** means it is required by law. Statute will include language such as: shall, must, or will. **“Discretionary”** means it is optional. Statute will include language such as: may or should. It is important to read legislation very carefully to determine whether the law is mandatory or discretionary.

The phrase **“notwithstanding any other provision of law”**, is used in legislation to preclude that code section from being affected by any other code section. Code sections often interact with other code sections and to prevent unwanted changes to the meaning, legislators use the phrase to ensure the code section is interpreted exactly how it is written.

“Penalties”, **“additional penalties”**, and **“penalty assessments”** are monetary sanctions imposed in addition to **“fines”** and often have a calculation associated with the amount to assess, but not always.

“Restitution fines” are monetary sanctions to compensate the victim of a crime who incurs an economic loss as a result of the commission of a crime directly from the defendant convicted of that crime. **“Restitution fines”** shall not be subject to penalty assessments authorized in PC 1464 or Chapter 12 (commencing with Section 76000) of Title 8 of the Government Code, or the state surcharge authorized in PC 1465.7, and shall be deposited in the Restitution Fund in the State Treasury. Interest may not be assessed on **“restitution fines”** however, the board of supervisors of a county may impose a fee to cover the actual administrative cost of collecting the restitution fine, not to exceed 10 percent of the amount ordered to be paid, to be added to the restitution fine and included in the order of the court, the proceeds of the actual administrative cost shall be deposited in the general fund of the county pursuant to PC 1202.4(I).

“Restitution orders” are assessed in every case in which a victim has suffered economic loss as a result of the defendant’s conduct. The court shall require that the defendant make restitution to the victim or victims in an amount established by court order, based on the amount of loss claimed by the victim or victims or any other showing to the court. Interest may be assessed on **“restitution orders”** at the rate of 10% per annum pursuant to PC 1202.4(f)(3)(G). Pursuant to PC 1203.1(I), if the court orders restitution to be made to the victim, the entity collecting the restitution may add a fee to cover the actual administrative cost of collection, but not to exceed 15 percent of the total amount ordered to be paid. The amount of the fee shall be set by the board of supervisors if it is collected by the county and the fee collected shall be paid into the general fund of the county treasury for the use and benefit of the county. The amount of the fee shall be set by the court if it is collected by the court and the fee collected shall be paid into the Trial Court Operations Fund or account established by GC 77009 for the use and benefit of the court.

“State and local penalties” are PC 1464, GC 70372, GC 76000, GC 76000.5, GC 76104.6, and GC 76104.7. These code sections are levied upon every fine, penalty, or forfeiture imposed and collected by the courts for all criminal offenses, including, but not limited to, all offenses involving a violation of the Vehicle Code or any local ordinance adopted pursuant to the Vehicle Code.

“State surcharge” is an amount equal to 20% that is levied on the **“total base fine”** pursuant to PC 1465.7 and distributed to the State General Fund.

Terminology

“Total base fine” is the sum of the “base fine” plus the “base fine enhancements”. It is the starting point to which the State and local penalties, the 2% deposit for automation, and the state surcharge are calculated upon.

“2% deposit for automation” is a distribution pursuant to GC 68090.8, and not an additional “fine” or “fee”. GC 68090.8 requires that 2% of all fines, penalties, and forfeitures collected in criminal cases, be remitted to the State Trial Court Improvement Fund (Improvement Modernization Fund) to finance court administrative automation projects.

The phrase **“X dollars for every ten dollars (\$10), or part of ten dollars (\$10)”** is commonly used in many code sections that outline “penalties”, “additional penalties”, and “penalty assessments”. To calculate the proper dollar amount, take the base fine and divide by 10. If the number is a whole number, then it is used to calculate the penalty. If the number is not a whole number, then it is rounded up to the next whole number and then used to calculate the penalty.

For example, GC 76104.7(a) states: “Except as otherwise provided in this section, in addition to the penalty levied pursuant to Section 76104.6, there shall be levied an additional state-only penalty of four dollars (\$4) for every ten dollars (\$10), or part of ten dollars (\$10), in each county upon every fine, penalty, or forfeiture imposed and collected by the courts for all criminal offenses, including all offenses involving a violation of the Vehicle Code or any local ordinance adopted pursuant to the Vehicle Code.”

1. To calculate this penalty with a base fine of \$30, take the base fine and divide by 10, which gives a factor of 3. Take the factor of 3 and multiply it by the \$4 assessed for every \$10 or part of \$10 assessed in this code section, which equals \$12.

Answer: \$12 is the amount to be collected on a \$30 base fine for this code section.

2. If the base fine was instead \$31, take the base fine and divide by 10, which gives a factor of 3.1. Take the factor of 3.1 and round up to 4 (always round up to the next whole number). Take the factor of 4 and multiply it by the \$4 assessed for every \$10 or part of \$10 assessed in this code section, which equals \$16.

Answer: \$16 is the amount to be collected on a \$31 base fine for this code section.

Table 3 — Specific Fine and Forfeiture Distributions

Table 3 includes fines and forfeitures that have a specific charge and/or distributions to a specific party, fund, or purpose. If a fine or a part of a fine is distributed pursuant to PC 1463.001, the details of the distribution are shown in Table 1.

For example, F&G 12009 is a fine assessed on illegal abalone fishing. The money collected from any fine or forfeiture imposed or collected is specifically distributed 50% to the Abalone Restoration and Preservation Account and 50% to the county treasury of the county in which the violation occurred.

The following apply to the fines and forfeitures in Table 3:

- State and local penalties
- 2% deposit for automation
- State surcharge

**Table 3
Specific Fine and Forfeiture Distributions**

CODE SECTION	VIOLATION/SITUATION	DISTRIBUTION	APPLICABLE FUND	FUND USE/SPECIAL PROVISION	PRIORITY OF INSTALLMENT PAYMENTS	
F&G 12008.1 – Endangered or Threatened Species <i>Effective September 13, 2016</i>	The import, export, taking, possession, purchase, or sale of any endangered, threatened, or candidate species, or any part or product thereof, as specified in F&G 2080 or F&G 2085, subject to fine of \$25,000 to \$50,000 for each violation.	50% to the State.	Endangered Species Permitting Account within the State Fish and Game Preservation Fund.	To administer and implement F&G 2050-2115.5.	3	
		50% to the County where the violation occurred.	Not specified.	Reimbursement of costs incurred by district attorney or city attorney in investigating and prosecuting the violation. Any excess may be expended in accordance with F&G 13103.		
F&G 12157 – Forfeiture of Items Used in Violation of Fish & Game Code <i>Effective September 13, 2016</i>	Proceeds from the sale of any device or apparatus, or as specified in F&G 12157, vehicle used in committing violation of the Fish & Game Code which may be subject to forfeiture upon conviction, except as specified. Proceeds from the sale of any device, apparatus, or vehicle used in committing violation of F&G 12008, F&G 12008.1, or PC 597(c), which shall be subject to forfeiture upon conviction, except as specified.	To the holder of valid liens on the forfeited property, the payment of the amount owed on the lien.	Not specified.	To compensate the lienholder for his or her interest in the property.	3	
		To the State.	State Fish and Game Preservation Fund.	Protection and preservation of birds, mammals, reptiles, and fish.		
PC 308 — Tobacco Products; Civil/Criminal Penalty <i>Note: Prosecution may not occur if civil penalties have been levied under B&P 22958 for the same offense.</i> <i>Amended June 9, 2016</i>	(a) Person, firm, or corporation furnishes or sells tobacco products to persons under 21 years of age, except for active duty military personnel who are 18 years of age or older. (b) Person, firm, or corporation that sells or deals in tobacco does not post a copy of this act in the place of business.	25% of each civil and criminal penalty collected to the agency bringing the successful action (city attorney, county counsel, or district attorney).	Not specified.	Not specified.	3	
		Remaining 75%:				
		If civil penalty, to the City or County.	Not specified.	Not specified.		
		If criminal penalty.	See PC 1463.001 (Table 1).	See PC 1463.001 (Table 1).		
		See PC 1463.001 (Table 1).	See PC 1463.001 (Table 1).	See PC 1463.001 (Table 1).		

Table 5 — Restitution Distributions

Table 5 includes the distribution for general adult restitution fines and orders which have been consolidated into PC 1202.4, and general juvenile restitution fines and orders which have been consolidated into W&I 730.6.

The state penalty (PC 1464) does not apply to restitution fines pursuant to PC 1202.4, as stated in PC 1202.4(e) and W&I 730.6(f). However, the 2% deposit for automation (GC 68090.8) does apply to these restitution fines.

Interest is allowed on “restitution orders” at the rate of 10% per annum (PC 1202.4(f)(3)(G)), but not on “restitution fines”. However, pursuant to PC 1202.4(l), the board of supervisors may impose a fee not to exceed 10% of the fine to cover the actual administrative costs of collecting the fine. Pursuant to PC 1203.1(l), if the court orders restitution to be made to the victim, the entity collecting the restitution may add a fee to cover the actual administrative cost of collection, but not to exceed 15% of the total amount ordered to be paid. The amount of the fee shall be set by the board of supervisors if it is collected by the county and the fee collected shall be paid into the general fund of the county treasury for the use and benefit of the county. The amount of the fee shall be set by the court if it is collected by the court and the fee collected shall be paid into the Trial Court Operations Fund or account established by Section 77009 of the Government Code for the use and benefit of the court.

The defendant shall pay to the clerk of the court or the collecting agency a fee for the processing of installment accounts, however PC 1205(f) states that does not apply to restitution fines and restitution orders.

The table below summarizes the difference in application between restitution fines and orders:

	Fines	Orders
State Penalty	No	No
2% Automation	Yes	No
Interest	No	Yes
Fee – County Administrative Costs	Yes, up to 10% of the fine	Yes, up to 15% of the total amount ordered to be paid
Fee – Court Installment Payments	No	No

**Table 5
Restitution Distributions**

CODE SECTION	VIOLATION/SITUATION	DISTRIBUTION	APPLICABLE FUND	FUND USE/SPECIAL PROVISION	PRIORITY OF INSTALLMENT PAYMENTS
PC 2085.5(a), (b) — Restitution Fine; Deduction From Prisoner Wages <i>Name changed to California Victim Compensation Board June 27, 2016</i>	Prisoner owes a restitution fine imposed under GC 13967(a), PC 1202.4(b), or W&I 730.6(b)	A minimum of 20% or the balance owing, up to 50% of wages and trust account deposits, to the California Victim Compensation Board .	Restitution Fund.	Credited against the balance owed on the fine.	3
		10% administrative fee retained by the Department of Corrections and Rehabilitation or agency designated by the county board of supervisors from wages and trust account deposits. A fee not to exceed 10% of the amount collected may be imposed by the agency designated by the county board of supervisors to cover actual administrative cost for collection, upon the prisoner’s release from custody. 5% administrative fee retained by the Department of Corrections and Rehabilitation or agency designated by the county board of supervisors from settlements and trial awards.	Special account of the department or agency.	To reimburse administrative and support costs of the program. The department or agency may either retain excess funds for future reimbursement or transfer all or part of the excess to the Restitution Fund.	
PC 2085.5(c) — Restitution Order; Deduction From State Prisoner Wages <i>Name changed to California Victim Compensation Board June 27, 2016</i>	State prisoner owes a restitution order imposed under GC 13967(c), PC 1202.4(f), or W&I 730.6(h)	A minimum of 20% or the balance owing, up to 50% of wages and trust account deposits, either:	Restitution Fund.	Repayment of assistance given by fund to victim.	1
			California Victim Compensation Board , for direct payment to the victim.	To compensate for losses incurred.	
		10% administrative fee retained by the Department of Corrections and Rehabilitation from wages and trust account deposits. 5% administrative fee retained by the Department of Corrections and Rehabilitation from settlements and trial awards.	Special account of the department.	To reimburse administrative and support costs of the program. The department may either retain excess funds for future reimbursement or transfer all or part of the excess to the Restitution Fund.	

**Table 5
Restitution Distributions**

CODE SECTION	VIOLATION/SITUATION	DISTRIBUTION	APPLICABLE FUND	FUND USE/SPECIAL PROVISION	PRIORITY OF INSTALLMENT PAYMENTS
PC 2085.5(d) — Restitution Order; Deduction From County Prisoner Wages <i>Name changed to California Victim Compensation Board June 27, 2016</i>	Prisoner in a county jail owes a restitution order imposed under GC 13967(c), PC 1202.4(b), or W&I 730.6(h)	A minimum of 20% or the balance owing, up to 50% of wages and trust account deposits, either:	Restitution Fund.	Repayment of assistance given by fund to victim.	1
			California Victim Compensation Board , for direct payment to the victim.	To compensate for losses incurred.	
			To the victim directly.	To compensate for losses incurred.	
		10% administrative fee retained by the agency designated by the county board of supervisors from wages and trust account deposits. A fee not to exceed 10% of the amount collected may be imposed by the agency designated by the county board of supervisors to cover actual administrative cost for collection, upon the prisoner’s release from custody. 5% administrative fee retained by the agency designated by the county board of supervisors from settlements and trial awards.	Special account of the agency.	To reimburse administrative and support costs of the program. The agency may either retain excess funds for future reimbursement or transfer all or part of the excess to the Restitution Fund.	
PC 2085.5(g) — Restitution Fine; Parolee <i>Name changed to California Victim Compensation Board June 27, 2016</i>	Parolee owes a restitution fine imposed under GC 13967(a), PC 1202.4(b), or W&I 730.6(b)	The department or county agency designated by the county board of supervisors shall transfer the collected amount to the California Victim Compensation Board .	Restitution Fund.	Credited against the balance owed on the fine.	3
		10% of the amount transferred to the California Victim Compensation Board retained by the Department of Corrections and Rehabilitation or agency designated by the county board of supervisors for administration from moneys collected. 5% administrative fee retained by the Department of Corrections and Rehabilitation or agency designated by the county board of supervisors from settlements and trial awards.	Special account of the department or agency.	To reimburse administrative and support costs of the program. The department or agency may either retain excess funds for future reimbursement or transfer all or part of the excess to the Restitution Fund.	

**Table 5
Restitution Distributions**

CODE SECTION	VIOLATION/SITUATION	DISTRIBUTION	APPLICABLE FUND	FUND USE/SPECIAL PROVISION	PRIORITY OF INSTALLMENT PAYMENTS
PC 2085.5(h) — Restitution Order; Parolee <i>Name changed to California Victim Compensation Board June 27, 2016</i>	Parolee owes a restitution order imposed under GC 13967(c), PC 1202.4(a)(3), or W&I 730.6(h)	Moneys collected toward payment of restitution order may be distributed as follows: 10% of the amount transferred to the California Victim Compensation Board retained by the Department of Corrections and Rehabilitation or agency designated by the county board of supervisors for administration from moneys collected. 5% administrative fee retained by the Department of Corrections and Rehabilitation or agency designated by the county board of supervisors from settlements and trial awards.	Restitution Fund.	Repayment of assistance given by fund to victim.	1
			To the California Victim Compensation Board , for direct payment to the victim.	To compensate for losses incurred.	
			To the victim directly.	To compensate for losses incurred.	
PC 2085.6(a) — Restitution Fine; Released Prisoner <i>Name changed to California Victim Compensation Board June 27, 2016</i>	Released prisoner owes a restitution fine imposed under GC 13967(a), PC 1202.4(b), or W&I 730.6(b).	The department or county agency designated by the county board of supervisors shall transfer the collected amount to the California Victim Compensation Board . A fee not to exceed 10% of the amount collected may be imposed by the county board of supervisors to cover actual administrative cost for collecting the restitution fine.	Restitution Fund.	Credited against the balance owed on the fine.	3
			General Fund.	To cover administrative costs.	
PC 2085.6(b) — Restitution Order; Released Prisoner <i>Name changed to California Victim Compensation Board June 27, 2016</i>	Released prisoner owes a restitution order imposed under GC 13967(c), PC 1202.4(f), or W&I 730.6(h).	The agency designated by the county board of supervisors may distribute moneys collected toward payment of restitution order as follows: A fee not to exceed 10% of the amount collected may be imposed by the county board of supervisors to cover actual administrative cost for collecting the restitution order.	To the California Victim Compensation Board for deposit in Restitution Fund.	Credited against the balance owed on the order.	1
			To the victim directly.	To compensate for losses incurred.	
			County General Fund.	To cover administrative costs.	

**Table 5
Restitution Distributions**

CODE SECTION	VIOLATION/SITUATION	DISTRIBUTION	APPLICABLE FUND	FUND USE/SPECIAL PROVISION	PRIORITY OF INSTALLMENT PAYMENTS
W&I 1752.81(b) — Restitution Fine; Deduction From Funds of Inmate of Division of Juvenile Facilities Facility <i>Name changed to California Victim Compensation Board June 27, 2016</i>	Juvenile ward owes a restitution fine imposed under GC 13967(a), PC 1202.4(b), or W&I 730.6(b)	The balance owing, up to 50% of trust account deposits, to the California Victim Compensation Board.	Restitution Fund.	Credited against the balance owed on the fine.	3
		10% administrative fee retained by the Division of Juvenile Facilities from trust account deposits.	Special account of the division.	To reimburse administrative and support costs of the program. The division may either retain excess funds for future reimbursement or transfer all or part of the excess to the Restitution Fund.	
W&I 1752.81(c) — Restitution Order; Deduction From Funds of Inmate of Division of Juvenile Facilities Facility <i>Name changed to California Victim Compensation Board June 27, 2016</i>	Juvenile ward owes a restitution order imposed under GC 13967(c), PC 1202.4(f), or W&I 730.6(h)	The balance owing, up to 50% of trust account deposits, either :	To the victim	To compensate for losses incurred.	1
		Or, if the person owed restitution has filed an application with the Victims of Crime Program:, either:	Restitution Fund.	Repayment of assistance given by fund to victim.	
		10% administrative fee retained by the Division of Juvenile Facilities from trust account deposits.	California Victim Compensation Board, for direct payment to the victim.	To compensate for losses incurred.	
W&I 1752.81(d) – Restitution Fine or Order; Deduction from Damages Awarded by Trial or Settlement to Inmate of Division of Juvenile Facilities Facility <i>Name changed to California Victim Compensation Board June 27, 2016</i>	Juvenile ward owes a restitution fine or order imposed under GC 13967, PC 1202.4, PC 1203.04, W&I 729.6, W&I 730.6, or W&I 731.1.	Any damages awarded to a ward in connection with civil action brought against any federal, state, or local jail or correctional facility, or any official or agent thereof:			
		Reasonable attorney’s fees and litigation costs	To the ward’s attorney.	Reasonable attorney’s fees and litigation costs associated with civil action, upon approval by the court	
		The balance owing:			
		If the ward owes a restitution order:	To the victim.	To compensate for losses incurred	1
		If the ward owes a restitution fine, to the California Victim Compensation Board.	Restitution Fund.	Credited against the balance owed on the fine.	3
The balance of the award, if any:	To the ward.	Not specified			
5% administrative fee retained by the Division of Juvenile Facilities from settlements and trial awards.	Special account of the division.	To reimburse administrative and support costs of the program. The division may either retain excess funds for future reimbursement or transfer all or part of the excess to the Restitution Fund.			

**Table 5
Restitution Distributions**

CODE SECTION	VIOLATION/SITUATION	DISTRIBUTION	APPLICABLE FUND	FUND USE/SPECIAL PROVISION	PRIORITY OF INSTALLMENT PAYMENTS
W&I 1752.82 – Restitution Fine or Order; Deduction from Wages of Inmate of Division of Juvenile Facilities Facility <i>Name changed to California Victim Compensation Board June 27, 2016</i> <i>Note: Division of Juvenile Facilities formerly known as Youth Authority; name changed July 1, 2005 per W&I 1703</i>	Juvenile ward owes a restitution fine or order imposed under GC 13967(c), PC 1202.4(f), or W&I 730.6(h)	A reasonable amount, not to exceed 50% of the ward’s wages:			1
		If the ward owes a restitution order and upon request of the victim:	To the victim.	To compensate for losses incurred.	
		If the ward owes a restitution order and the victim has died, cannot be located, or has not requested payment:	Division of Juvenile Facilities.	To be held until one year after the discharge of the ward, for payment to the victim.	
		If restitution is not collected one year after ward is discharged:	California Victim Compensation Board.	For deposit into the Restitution Fund.	
		If the ward owes a restitution fine:	Restitution Fund.	Credited against the balance owed on the fine.	3
		Administrative costs to be retained by the Division of Juvenile Facilities.	Not specified.	To reimburse the costs of administering the program.	

Table 6 — Penalty and Assessment Distributions

Table 6 includes penalties and assessments which are subject to the 2% deposit for automation. The lists below are not all-inclusive lists.

2% deposit for automation (GC 68090.8) **applies to:**

- 1) The state penalty (PC 1464)¹
- 2) The local additional penalty (GC 76000)
- 3) The state court construction penalty (GC 70372)
- 4) The Proposition 69 DNA Identification Penalty (GC 76104.6)
- 5) The DNA Additional Penalty Assessment (GC 76104.7)

2% deposit for automation (GC 68090.8) **does not apply to:**

- 1) 20% state surcharge (PC 1465.7)
- 2) The conviction assessment (GC 70373)

GC 76000.10² is an additional penalty of four dollars (\$4) that shall be imposed upon every conviction for a violation of the Vehicle Code or a local ordinance adopted pursuant to the Vehicle Code, except parking offenses subject to Article 3 (commencing with Section 40200) of Chapter 1 of Division 17 of the Vehicle Code.

The state construction penalty assessment is levied pursuant to GC 70372(a) in an amount equal to \$5 for every \$10 or forfeiture imposed and collected by the courts for all criminal offenses, including, but not limited to, all offenses involving a violation of a section of the Fish and Game Code, the Health and Safety Code, or the Vehicle Code or any local ordinance adopted pursuant to the Vehicle Code. Per GC 70372(b), the state construction penalty assessment is also levied upon every parking fine, forfeiture, and penalty in the amount of \$4.50.

Pursuant to GC 70375, on the June 30th following any transfer of court facilities ownership from the county to the State (Judicial Council), the local penalty (GC 76000) will be reduced by the percentage of the square footage transferred to the State to the county's total square footage of court facilities plus an amount sufficient to service any bonded indebtedness on the court facilities. If all of the county's courthouse facilities are transferred and there is no remaining bonded indebtedness, the local penalty pursuant to GC 76000 will be reduced from \$7 for each \$10 (for most counties) to the amount specified in GC 76000(e).

¹ Although the 34% of the proof of correction fee (VC 40611) is included in the state portion (70%) of the PC 1464 distribution, the 2% deposit for automation does not apply because it is a fee and not a fine, penalty, or forfeiture.

² GC 76000.10 is not separated from the "total bail" amount in VC 42007 for traffic school cases.

**Table 6
Penalty and Assessment Distribution**

CODE SECTION	VIOLATION/SITUATION	DISTRIBUTION	APPLICABLE FUND	FUND USE/SPECIAL PROVISION	PRIORITY OF INSTALLMENT PAYMENTS
LC 2699 — Labor Code Private Attorneys General Act of 2004; Unfair Labor Practice Civil Penalties <i>Amended June 27, 2016</i>	Civil penalties for various LC violations, where aggrieved employee, as defined, brings civil action against employer, if the Labor and Workforce Development Agency or its subdivisions do not bring action and the person sued employs one or more employees.	75% to the State Labor and Workplace Development Agency.	Not specified.	Upon appropriation, for the enforcement of labor laws and for education of employers and employees about their rights and responsibilities under this code.	3
	If the person sued does not employ one or more employees.	25% to the aggrieved employee.	N/A	N/A	
	In both cases if aggrieved employee prevails, reasonable costs.	100% to the State Labor and Workplace Development Agency.	Not specified.	Same as above.	
		To the aggrieved employee.	N/A	N/A	

Table 8 — Civil Fine and Penalty Distributions

Table 8 includes administrative or civil penalties and fines. Because they are not criminal, state and local penalties (PC 1464, GC 70372, GC 76000, GC 76104.6, and GC 76104.7), the 2% deposit for automation (GC 68090.8), and the state surcharge (PC 1465.7) do not apply to the fines and penalties in this table.

**Table 8
Civil Fine and Penalty Distributions**

CODE SECTION	VIOLATION/SITUATION	DISTRIBUTION	APPLICABLE FUND	FUND USE/SPECIAL PROVISION
<p>B&P 19318(b) — Violations of Medical Marijuana Regulation and Safety Act by Licensed Persons</p> <p>Effective January 1, 2016</p> <p>Repealed June 27, 2016</p>	<p>Violations of B&P 19300-19360 committed by licensees under the act shall be subject to civil penalties.</p>	<p>If the Attorney General brings the action:</p> <p>100% to the State.</p>	<p>Medical Cannabis Fines and Penalties Account</p>	<p>Upon appropriation, funding enforcement grants related to medical cannabis regulation and other state and local laws applicable to cannabis activities, as well as environmental remediation.</p>
		<p>If a district attorney or county counsel brings the action:</p> <p>100% to the County.</p>	<p>Not specified.</p>	<p>Not specified.</p>
		<p>If a city attorney or city prosecutor brings the action:</p> <p>100% to the City.</p>	<p>Not specified.</p>	<p>Not specified.</p>
		<p>If a city attorney brings the action, but the case is adjudicated in superior court in another city or unincorporated county:</p> <p>50% to the City.</p>	<p>Not specified.</p>	<p>Not specified.</p>
		<p>50% to the County.</p>	<p>Not specified.</p>	<p>Not specified.</p>
		<p>To the State.</p>	<p>Medical Cannabis Fines and Penalties Account of the Medical Cannabis Regulation and Safety Act Fund.</p>	<p>Upon appropriation, funding enforcement grants related to medical cannabis regulation and other state and local laws applicable to cannabis activities, as well as environmental remediation.</p>
		<p>B&P 19360(a) — Engaging in Commercial Cannabis Activity Without a License</p> <p>Amended June 27, 2016</p>	<p>Engaging in commercial cannabis activity without a license and associated unique identifiers, subject to civil penalties up to twice the amount of the license fee for each violation.</p>	
<p>B&P 19360(b) — Violations of Medical Cannabis Regulation and Safety Act by Licensed Persons</p> <p>Amended June 27, 2016</p>	<p>Violations of B&P 19300-19360 committed by licensees under the act shall be subject to civil penalties.</p>	<p>If the Attorney General brings the action:</p> <p>100% to the State.</p>	<p>Medical Cannabis Fines and Penalties Account of the Medical Cannabis Regulation and Safety Act Fund.</p>	<p>Upon appropriation, funding enforcement grants related to medical cannabis regulation and other state and local laws applicable to cannabis activities, as well as environmental remediation.</p>
		<p>If a district attorney or county counsel brings the action:</p> <p>100% to the County.</p>	<p>Not specified.</p>	<p>Not specified.</p>
		<p>If a city attorney or city prosecutor brings the action:</p> <p>100% to the City.</p>	<p>Not specified.</p>	<p>Not specified.</p>
		<p>If a city attorney brings the action, but the case is adjudicated in superior court in another city or unincorporated county:</p> <p>50% to the City.</p>	<p>Not specified.</p>	<p>Not specified.</p>
		<p>50% to the County.</p>	<p>Not specified.</p>	<p>Not specified.</p>

**Table 8
Civil Fine and Penalty Distributions**

CODE SECTION	VIOLATION/SITUATION	DISTRIBUTION	APPLICABLE FUND	FUND USE/SPECIAL PROVISION
<p align="center">B&P 22958 — Tobacco Products; Sale to Persons Under 21</p> <p><i>Note: Civil penalties may not be imposed if prosecution under PC 308 has occurred for the same offense.</i></p> <p align="center"><i>Effective June 9, 2016</i></p>	<p>Person, firm, or corporation furnishes or sells tobacco products to persons under 21 years of age, except for active duty military personnel who are 18 years of age or older; or who advertises or causes to be advertised a tobacco product on an outdoor billboard.</p> <p>Violations subject to civil penalties from \$400 to \$6,000, as specified.</p>	To the State.	Sale of Tobacco to Minors Control Account.	To administer and enforce B&P 22950-22964.
	<p>Person, firm, or corporation that sells or deals in tobacco does not post a notice in the place of business stating that sale of tobacco products to persons under 21 years of age is illegal.</p> <p>Violations subject to civil penalties of \$200 for first offense and \$500 for each subsequent offense.</p>	To the State.	Sale of Tobacco to Minors Control Account.	To administer and enforce B&P 22950-22964.
<p align="center">B&P 22963 – Sale or Distribution of Tobacco Products to Persons Under 21 via Postal or Delivery Service</p> <p align="center"><i>Effective June 9, 2016</i></p>	<p>Violations of B&P 22963 subject to civil penalties from \$1,000 to \$10,000, as specified</p>	To the State.	Sale of Tobacco to Minors Control Account.	To administer and enforce B&P 22950-22964.
<p align="center">CC 1789.37 – Engaging in the Business of Cashing Checks Without a Permit</p> <p align="center"><i>Amended June 27, 2016</i></p>	<p>An owner of a check cashing business who engages in the business of check cashing without a current and valid permit.</p>	50% to the State Treasury.	Not specified.	Not specified.
	<p>Violations subject to civil penalties of not more than \$1,000 for first offense; not more than \$5,000 for second offense.</p>	50% to the city treasurer, if the offense occurred in a city, otherwise to the treasurer of the county where the prosecution was conducted.	Not specified.	Not specified

**Table 8
Civil Fine and Penalty Distributions**

CODE SECTION	VIOLATION/SITUATION	DISTRIBUTION	APPLICABLE FUND	FUND USE/SPECIAL PROVISION
F&G 1615 – Violation of Fish and Wildlife Protection and Conservation Laws; Civil Penalties <i>Amended September 13, 2016</i>	Violations of F&G 1600-1617 subject to a civil penalty of not more than \$25,000 for each violation.	50% to the State.	State Fish and Game Preservation Fund	To cover the costs of legal actions or for any other law enforcement purpose related to the protection of propagation of fish and game.
		50% to the County in which the action is prosecuted.	County Fish and Wildlife Propagation Fund.	Protection, conservation, propagation, and preservation of fish and wildlife
WC 1845 – Failure to Comply with Cease and Desist Order; Civil Penalties <i>Amended June 27, 2016</i>	Failure to comply with cease and desist orders issued by State Water Resources Control Board pursuant to WC 1825-1851 subject to civil penalties as follows:	To the State.	Water Rights Fund.	Upon appropriation by the Legislature, for expenditure by the State Board of Equalization or the State Water Resources Control Board pursuant to WC 1552.
	If the violation occurs in a critically dry year preceded by two or more consecutive below normal, dry, or critically dry years or during a period for which the Governor has issued a proclamation of a state of emergency, the sum of \$10,000 for each day in which the violation occurs.			
	If the violation is not during conditions described above, \$1,000 for each day in which the violation occurs.			
WC 1847 – Unauthorized Diversion or Use of Water for Cannabis Cultivation; Civil Penalties <i>Effective June 27, 2016</i>	Violations of B&P 19331-19333 or F&G 13149, as specified, subject to civil penalties of \$500, plus \$250 for each day the violation continues if not corrected within 30 days of having the violation called to the violator’s attention, plus \$2,500 for each acre-foot of water diverted or used in violation.	To the State.	Water Rights Fund.	Upon appropriation by the Legislature, for expenditure by the State Board of Equalization or the State Water Resources Control Board pursuant to WC 1552.

Table 9 — Civil Fee Distributions

Table 9 reflects civil fees which are civil filing and reporting fees, and other fees not related to criminal conduct. The Uniform Civil Fees and Standard Fee Schedule Act of 2005 (Chapter 75, Statutes of 2005) establishes a uniform schedule of civil filing and other civil fees. Government Code section 68085.1(b) requires each superior court to deposit all fees and fines listed in subdivision (a), as soon as practicable after collection and on a regular basis, into a bank account established by the Administrative Office of the Courts (AOC), now known as the Judicial Council (JC). The Judicial Council will further distribute portions of these fees to the county, trial courts, and to the SCO for distribution to the proper State funds.

**Table 9
Civil Fee Distributions**

CODE SECTION	VIOLATION/SITUATION	BANK ACCOUNT GC 68085.1	DISTRIBUTION	APPLICABLE FUND	FUND USE/ SPECIAL PROVISION
CCP 683.150 — Application for Renewal of Judgment (See GC 70626) <i>Amended June 27, 2016</i>	\$30 fee for filing an application for renewal of judgment.	Yes	To the State.	Trial Court Trust Fund.	To fund trial court operations.
CCP 724.100 — Issuance of Certificate of Satisfaction of Judgment; Fee (See GC 70626) <i>Amended June 27, 2016</i>	\$25 fee for the issuance of a Certificate of Satisfaction of Judgment if satisfaction of judgment has been entered into the register of actions.	Yes	To the State.	Trial Court Trust Fund.	To fund trial court operations.
CCP 1134 — Filing of Entry of Judgment by Confession; Fee (See GC 70626) <i>Amended June 27, 2016</i>	\$30 in court costs for filing an entry of judgment pursuant to CCP 1134.	Yes	To the State.	Trial Court Trust Fund.	To fund trial court operations.
F&A 31622 — Appeal from Determination of Dangerous Dog (See GC 70626) <i>Amended June 27, 2016</i>	\$30 filing fee for filing an appeal from determination of dangerous dog from a hearing conducted pursuant to F&A 31621.	Yes	To the State.	Trial Court Trust Fund.	To fund trial court operations.

**Table 9
Civil Fee Distributions**

CODE SECTION	VIOLATION/SITUATION	BANK ACCOUNT GC 68085.1	DISTRIBUTION	APPLICABLE FUND	FUND USE/ SPECIAL PROVISION
<p>GC 70626(a) — Miscellaneous \$25 Court Fees</p> <p><i>Amended June 27, 2016</i></p>	<p>\$25 fee for:</p>	<p>Yes</p>	<p>To the State.</p>	<p>Trial Court Trust Fund.</p>	<p>To fund trial court operations \$10 of each fee collected is to be used by the Judicial Council for expenses of the Judicial Council in implementing and administering the civil representation pilot program under GC 68651.</p>
	<p>(1) Issuing a writ of attachment, mandate, execution, sale, possession, prohibition, or enforcing an order of judgment.</p>				
	<p>(2) Issuing an abstract of judgment.</p>				
	<p>(3) Issuing a certificate of satisfaction of judgment under CCP 724.100.</p>				
	<p>(4) Certifying a copy of any paper, record or proceeding on file in court clerk office.</p>				
	<p>(5) Taking an affidavit, except in criminal cases or adoption proceedings.</p>				
	<p>(6) Acknowledgement of any deed or other instrument, including the certificate.</p>				
	<p>(7) Recording or registering license or certificate, or issuing any certificate in connection with a license, required by law, for which a charge is not otherwise prescribed.</p>				
<p>(8) Issuing certificate for which the fee is not otherwise fixed.</p>					

**Table 9
Civil Fee Distributions**

CODE SECTION	VIOLATION/SITUATION	BANK ACCOUNT GC 68085.1	DISTRIBUTION	APPLICABLE FUND	FUND USE/ SPECIAL PROVISION
<p>GC 70626(b) — Miscellaneous \$30 Court Fees</p> <p><i>Amended June 27, 2016</i></p>	<p>\$30 fee for:</p>	<p>Yes</p>	<p>To The State.</p>	<p>Trial Court Trust Fund.</p>	<p>To fund trial court operations \$10 of each fee collected is to be used by the Judicial Council for expenses of the Judicial Council in implementing and administering the civil representation pilot program under GC 68651.</p>
	<p>(1) Issuing an order of sale.</p>				
	<p>(2) Receiving and filing abstract of judgment rendered by another court (except under CCP 704.750 or 708.160).</p>				
	<p>(3) Filing confession of judgment under CCP 1134.</p>				
	<p>(4) Filing an application for renewal of judgment under CCP 683.150.</p>				
	<p>(5) Issuing a commission to take disposition in another state or place under CCP 2026.010 or issuing a subpoena to take a deposition in this state for a proceeding in another jurisdiction under CCP 2029.300.</p>				
	<p>(6) Filing and entering an award under the Workers' Compensation Law, LC 3200-6002.</p>				
	<p>(7) Filing an affidavit of publication of notice of dissolution of partnership.</p>				
	<p>(8) Filing an appeal on potentially dangerous or vicious dog under F&A 31622.</p>				
	<p>(9) Filing an affidavit under PRO 13200 and issuance of one certified copy of the affidavit.</p>				
<p>(10) Filing and indexing other papers for which a charge is not provided, other than papers filed in actions or special proceedings, official bonds, or certificates of appointment.</p>					

**Table 9
Civil Fee Distributions**

CODE SECTION	VIOLATION/SITUATION	BANK ACCOUNT GC 68085.1	DISTRIBUTION	APPLICABLE FUND	FUND USE/ SPECIAL PROVISION
PRO 13201 — Filing Fee Affidavit for Real Property of Small Value (see GC 70626) <i>Amended June 27, 2016</i>	\$30 filing fee for an affidavit under PRO 13200 and issuance of one certified copy of the affidavit.	Yes	To the State.	Trial Court Trust Fund.	To fund trial court operations.