

RESOLUTION OF THE BOARD OF SUPERVISORS OF  
THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

RESOLUTION TO MAINTAIN THE ) RESOLUTION NO. \_\_\_\_\_  
EMERGENCY MEDICAL SERVICES )  
FUND COMMONLY REFERRED TO )  
AS THE MADDY EMS FUND )  
\_\_\_\_\_ )

**WHEREAS**, California Health and Safety Code Chapter 2.5 Sections 1797.98a-1797.98g, identifies that a “Maddy Emergency Medical Services (EMS) Fund” may be established in each county within California upon adoption of a resolution by each county’s Board of Supervisors; and

**WHEREAS**, the intent of the Maddy EMS Fund is to partially compensate health care providers for emergency medical services for the uninsured and medically indigent and to ensure this population has continued access to emergency medical care, and to support the Emergency Medical Services system, as provided in Health and Safety Code, Section 1797.98a; and

**WHEREAS**, the Santa Barbara County Board of Supervisors established a Maddy EMS Fund within the County by adopting Resolution No. 04-307 on November 2, 2004 to provide Santa Barbara County a means to collect additional penalties, fines or forfeitures; and

**WHEREAS**, Assembly Bill 1900 (Nava) expired on January 1, 2011 which provided Santa Barbara a mechanism to collect fines and penalty assessment and deposit these assessment funds into the County’s Maddy EMS Fund; and

**WHEREAS**, Assembly Bill 412 Williams would reenact those provisions that were repealed on January 1, 2011, until January 1, 2014; and

**WHEREAS**, Assembly Bill 412 would require the Board of Supervisors for Santa Barbara County, to adopted a resolution to implement these provisions, and to report to the Legislature whether, and to the extent that, any actions are taken by Santa Barbara County to implement alternative local sources of Funding; and

**WHEREAS**, Assembly Bill 412 makes specified findings and declarations that the special legislation contained in the act is necessarily applicable only to Santa Barbara County; and

**WHEREAS**, the Governor has allowed Assembly Bill 412 to become law on January 1, 2012 to amend Government Code Section 76104.1 and Vehicle Code Section 42007.5 providing Santa Barbara County the necessary mechanism to collect penalty assessments on criminal offenses to support the Maddy EMS Fund until January 1, 2014.

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. The foregoing recitals are adopted as part of the Resolution;
2. The County Board of Supervisors recognizes that by adopting the penalties authorized by Government Code Section 76104.1 necessary revenues will be deposited into the Maddy EMS Fund to pay for emergency medical services and support the EMS system;
3. The Auditor-Controller shall maintain in the County treasury a separate trust fund known as the Maddy EMS Fund pursuant to Health and Safety Code Sections 1797.98a-1797.98g;
4. Pursuant to Government Code Section 76104.1(a), in Santa Barbara County, an additional penalty of five dollars (\$5.00) for every ten dollars (\$10.00) of base fine, or fraction thereof, shall be imposed on fines, penalties, or forfeitures collected for criminal offenses but shall not include penalty assessments involving a violation of the Vehicle Code other than penalty assessments under Vehicle Code Sections 23103.5, 23136, 23140, 23152, and 23153 related to reckless driving and driving under the influence of drugs or alcohol; in addition, restitution fines, parking offenses, penalties authorized by Penal Code Section 1464 and the state surcharge authorized by Penal Code Section 1465.7 are exempted from this penalty assessment;
5. These penalties shall be collected together with and in the same manner as the amount established by Section 1464 of the Penal Code and be deposited in the Maddy EMS Fund maintained by the County Auditor-Controller;
6. The monies in the Maddy EMS Fund shall be payable to the Public Health Department only for the purposes and in the manner specified in Government Code Section 76104(e);
7. Any interest earned on the Maddy EMS Fund shall be re-deposited therein by the County Auditor-Controller;
8. The Clerk of the Board of Supervisors is instructed to transmit, on the next business day following adoption of this resolution, a copy of the resolution to the clerk of each court in the county;
9. This Resolution shall become effective on January 1, 2012 once adopted by the Board of Supervisors.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

CHAIR, BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA

By: \_\_\_\_\_

ATTEST:  
CHANDRA L. WALLAR  
CLERK OF THE BOARD

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
DENNIS MARSHALL  
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING FORM:  
ROBERT GEIS  
AUDITOR-CONTROLLER

By: \_\_\_\_\_  
Deputy County Counsel

By \_\_\_\_\_  
Deputy