

SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors
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Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: 3/8/04
Department Name: Treasurer - Tax Collector
Department No.: 065
Agenda Date: 3/22/04
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Bernice James, Treasurer - Tax Collector

STAFF CONTACT: Stacey Matson, CPA, Treasury Finance Chief
568-2158

SUBJECT: Proposition 69 DNA Identification Fund Establishment

Recommendation(s):

That the Board of Supervisors:

Authorize the Auditor – Controller to Establish a DNA Identification Fund into which shall be deposited the collected moneys pursuant to GC 76104.6

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with actions required by law or by routine business necessity.

Executive Summary and Discussion:

Proposition 69 was passed by the voters of the State of California on November, 2, 2004. The initiative's passage added Government Code Section 76104.6, which includes the following:

- a) For the purpose of implementing the DNA Fingerprint, Unsolved Crime and Innocence Protection Act, there shall be levied an additional penalty of one dollar for every ten dollars (\$10) or fraction thereof in each County which shall be collected together with and in the same manner as ... every fine, penalty, or forfeiture imposed and collected by the courts for criminal offenses... These monies shall be taken from fines and forfeitures deposited with the County Treasurer ... The Board of Supervisors shall establish in the County Treasury a DNA Identification Fund into which shall be deposited the collected moneys pursuant to this section.”

The establishment of the fund is required and will allow for the moneys collected to be easily identifiable. In the first two calendar years following the passage of the initiative 70% of the amounts collected, including interest, are due to the State and 30% remain with the County. In the third calendar year, the split is 50%

State and 50% County. In the fourth calendar year, and in each calendar year thereafter, the split is 25%/75%, to the State and County, respectively.

Mandates and Service Levels:

GC76104.6 is a new mandate and requires the collection of the monies described above to be used to fund the gathering of DNA samples.

Fiscal and Facilities Impacts:

The fiscal impact to date has been minimal. The amount collected through February 28, 2005 is \$7,299. There are no facilities impacts related to establishing this fund.

Special Instructions:

Concurrence:

Auditor – Controller
County Administrator
County Counsel