

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

RESOLUTION TO ASSESS PENALTIES)
TO MAINTAIN THE EMERGENCY) RESOLUTION NO. _____
MEDICAL SERVICES FUND,)
COMMONLY REFERRED TO AS)
THE MADDY EMS FUND)
_____)

WHEREAS, California Health and Safety Code Chapter 2.5 Section 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, Senate Bill 1236 (Padilla) which sunsets on January 1, 2014, was signed by the Governor to provide for additional funding of the Maddy EMS Fund by amending Government Code Section 76000.5, and authorizing the county board of supervisors to elect to levy additional penalties upon established fines, penalties and forfeitures collected by the courts for specified criminal offenses;

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 76000.5 additional revenues will be deposited into the Maddy EMS Fund to increase funding for emergency medical care services and to support to the EMS system;
3. Pursuant to Government Code Section 76000.5(a)(1) for the purpose of supporting emergency medical services as provided in Health and Safety Code Sections 1797.98a -1797.98h, in addition to the penalties set forth in Section 76000, the county shall levy an additional penalty in the amount of two dollars

(\$2) for every ten dollars (\$10), or part of ten dollars (\$10), upon every fine, penalty, or forfeiture imposed and collected by the courts for all criminal offenses, including violations of Division 9 (commencing with Section 23000) of the Business and Professions Code relating to the control of alcoholic beverages, and all offenses involving a violation of the Vehicle Code or any local ordinance adopted pursuant to the Vehicle Code except for restitution fines, parking offenses, penalties authorized by Penal Code Section 1464, and the state surcharge authorized by Penal Code Section 1465.7;

4. These penalties shall be collected together with and in the same manner as the amounts established by Section 1464 of the Penal Code and be deposited in the Maddy EMS Fund maintained by the Auditor-Controller;
5. 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);
6. In accordance with Health and Safety Code Section 1797.98a, the monies collected pursuant to this Resolution shall be utilized to provide funding throughout the county to support physicians and surgeons providing emergency care; hospitals providing disproportionate trauma and emergency medical care services; the EMS System; pediatric trauma care; and related administrative costs;
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, 2009 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 _____, 2008, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

COUNTY OF SANTA BARBARA

By _____
Chair, Board of Supervisors

ATTEST:
MICHAEL F. BROWN
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 _____
Mark A. Paul