



# SOLANO COUNTY

## Legislative Committee Meeting

Committee  
Supervisor Erin Hannigan (Chair)  
Supervisor John M. Vasquez

Staff  
Michelle Heppner

May 6, 2019  
1:30 p.m.

Solano County Administration Center  
Sixth Floor Conference Center, Room 6003  
675 Texas Street  
Fairfield, CA 94533

## AGENDA

- i. **Introductions** (*Attendees*)
- ii. **Public Comment** (*Items not on the agenda*)
- iii. **Federal Legislative update** (*Paragon Government Relations*)
  - Fiscal Year 2020 Appropriations Update
  - Markup of Labor HSS Bill
  - Infrastructure
  - Representative Harder announces Water Bill
  - House Natural Resources Committee considers Carcieri "Clean Fix"
- iv. **Update from Solano County Legislative Delegation** (*Representative and/or staff*)
- v. **State Legislative Update** (*Karen Lange*)

**(Potential) State Action Items:**

Probation

- [AB 901](#) ([Gipson](#) D) Juveniles
- [SB 284](#) ([Beall](#) D) Juvenile Justice, County support of wards

Veterans

- [AB 55](#) ([Garcia](#) D) An act to add Section 972.3 to, and to repeal and add Section 972.1 of, the Military and Veterans Code, relating to veterans, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

- vi. **California Welfare Directors Association budget requests** (*Health and Social Services*)
- vii. **Update on IHSS potential action** (*Health and Social Services*)
- viii. **Future Scheduled Meetings:** May 20, 2019
- ix. **Adjourn**

**ASSEMBLY BILL**

**No. 901**

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**Introduced by Assembly Member Gipson**

February 20, 2019

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An act to amend Sections 236, 258, 601, and 654 of the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

AB 901, as introduced, Gipson. Juveniles.

Existing law permits a probation department to engage in activities designed to prevent juvenile delinquency, including rendering direct and indirect services to persons in the community. Under existing law, a probation department is not limited to providing services only to those persons who are on probation and under supervision, but is authorized to provide these services to any juveniles in the community.

This bill would only authorize a probation department to render direct and indirect services to those persons in the community who are on probation and subject to supervision under the jurisdiction of the juvenile court system, as specified.

Existing law places a person who is between 12 and 17 years of age within the jurisdiction of the juvenile court for certain offenses, including, among others, that the person habitually refuses to obey the reasonable and proper orders or directions of their parents or is habitually truant, as specified. Existing law authorizes a juvenile court to adjudge a person under these circumstances to be a ward of the court. Existing law authorizes a peace officer or school administrator to issue a notice to appear to a minor who is within the jurisdiction of the juvenile court pursuant to this provision.

This bill would delete the authority of the juvenile court to adjudge a person who is between 12 and 17 years of age as a ward of the court based on truancy, and the authority of a school administrator to issue a notice to appear to a minor under these provisions. Prior to issuing notices to appear under these provisions, the bill would instead require peace officers to refer any minor under their jurisdiction to community-based diversion, if reasonably available. To the extent the bill would impose new duties on peace officers, the bill would impose a state-mandated local program. The bill would make conforming changes to related provisions.

Existing law authorizes a probation officer who, after investigation of an application for a petition or any other investigation the probation officer is authorized to make, concludes that a minor is within the jurisdiction of the juvenile court, or will probably soon be within that jurisdiction, to, in lieu of filing a petition to declare a minor a dependent child of the court or a ward of the court, or requesting that a petition be filed by the prosecuting attorney to declare a minor a ward of the court, as specified, with consent of the minor and the minor's parent or guardian, delineate specific programs of supervision for the minor, not to exceed 6 months, and attempt to adjust the situation that brings the minor within the jurisdiction of the court or creates the probability that the minor will soon be within that jurisdiction. Existing law requires the program of supervision to require the parents or guardians of the minor to participate with the minor in counseling or education programs.

This bill would delete the authority of a probation officer to take the above-described actions when the probation officer concludes that a minor is probably within the jurisdiction of the juvenile court, and would instead authorize a probation officer, in lieu of requesting that a petition be filed by the prosecuting attorney to declare a minor a ward of the court, as specified, to delineate specific programs of supervision for the minor, not to exceed 6 months, and attempt to adjust the situation that brings the minor within the jurisdiction of the court. The bill would instead require the program of supervision to encourage the parents or guardians of the minor to participate with the minor in counseling or education programs.

The bill would also declare the intent of the Legislature that certain local entities work closely with each other, minors, and the parents or guardians of minors to create coordinated diversion opportunities in their counties.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. In enacting this act, it is the intent of the  
2 Legislature that cities and counties work closely with minors,  
3 parents or guardians of minors, school districts, community  
4 partners, and system officials to create coordinated diversion  
5 opportunities in their counties.

6 SEC. 2. Section 236 of the Welfare and Institutions Code is  
7 amended to read:

8 236. Notwithstanding any other ~~provision of law~~, probation  
9 departments may engage in activities designed to prevent juvenile  
10 delinquency. These activities ~~include rendering~~ *are limited to*  
11 *providing* direct and indirect services to persons in the community.  
12 ~~Probation departments shall not be limited to providing services~~  
13 ~~only to those persons on probation being supervised under Section~~  
14 ~~330 or 654, but may provide services to any juveniles in the~~  
15 ~~community. 602, 654, 654.2, 725, or 790.~~

16 SEC. 3. Section 258 of the Welfare and Institutions Code is  
17 amended to read:

18 258. (a) Upon a hearing conducted in accordance with Section  
19 257, and upon either an admission by the minor of the commission  
20 of a violation charged, or a finding that the minor did in fact  
21 commit the violation, the judge, referee, or juvenile hearing officer  
22 may do any of the following:

- 23 (1) Reprimand the minor and take no further action.
- 24 (2) Direct that the probation officer undertake a program of  
25 supervision of the minor for a period not to exceed six months, in  
26 addition to or in place of the following orders.
- 27 (3) Order that the minor pay a fine up to the amount that an  
28 adult would pay for the same violation, unless the violation is

1 otherwise specified within this section, in which case the fine shall  
 2 not exceed two hundred fifty dollars (\$250). This fine may be  
 3 levied in addition to or in place of the following orders and the  
 4 court may waive any or all of this fine, if the minor is unable to  
 5 pay. In determining the minor’s ability to pay, the court shall not  
 6 consider the ability of the minor’s family to pay.

7 (4) Subject to the minor’s right to a restitution hearing, order  
 8 that the minor pay restitution to the victim, in lieu of all or a portion  
 9 of the fine specified in paragraph (3). The total dollar amount of  
 10 the fine, restitution, and any program fees ordered pursuant to  
 11 paragraph (9) shall not exceed the maximum amount which may  
 12 be ordered pursuant to paragraph (3). This paragraph shall not be  
 13 construed to limit the right to recover damages, less any amount  
 14 actually paid in restitution, in a civil action.

15 (5) Order that the driving privileges of the minor be suspended  
 16 or restricted as provided in the Vehicle Code or, notwithstanding  
 17 Section 13203 of the Vehicle Code or any other provision of law,  
 18 when the Vehicle Code does not provide for the suspension or  
 19 restriction of driving privileges, that, in addition to any other order,  
 20 the driving privileges of the minor be suspended or restricted for  
 21 a period of not to exceed 30 days.

22 (6) In the case of a traffic related offense, order the minor to  
 23 attend a licensed traffic school, or other court approved program  
 24 of traffic school instruction pursuant to Chapter 1.5 (commencing  
 25 with Section 11200) of Division 5 of the Vehicle Code, to be  
 26 completed by the juvenile within 60 days of the court order.

27 (7) Order that the minor produce satisfactory evidence that the  
 28 vehicle or its equipment has been made to conform with the  
 29 requirements of the Vehicle Code pursuant to Section 40150 of  
 30 the Vehicle Code if the violation involved an equipment violation.

31 (8) (A) Order that the minor perform community service work  
 32 in a public entity or any private nonprofit entity, for not more than  
 33 50 hours over a period of 60 days, during times other than ~~his or~~  
 34 ~~her~~ *the minor’s* hours of school attendance or employment. Work  
 35 performed pursuant to this paragraph shall not exceed 30 hours  
 36 during any 30-day period. The timeframes established by this  
 37 paragraph shall not be modified except in unusual cases where the  
 38 interests of justice would best be served. When the order to work  
 39 is made by a referee or a juvenile hearing officer, it shall be  
 40 approved by a judge of the juvenile court.

1 For

2 (B) For purposes of this paragraph, a judge, referee, or juvenile  
3 hearing officer shall not, without the consent of the minor, order  
4 the minor to perform work with a private nonprofit entity that is  
5 affiliated with any religion.

6 (9) In the case of a misdemeanor, order that the minor participate  
7 in and complete a counseling or educational program, or, if the  
8 offense involved a violation of a controlled substance law, a drug  
9 treatment program, if those programs are available. Fees for  
10 participation shall be subject to the right to a hearing as the minor's  
11 ability to pay and shall not, together with any fine or restitution  
12 order, exceed the maximum amount that may be ordered pursuant  
13 to paragraph (3).

14 (10) Require that the minor attend a school program without  
15 unexcused absence.

16 (11) If the offense is a misdemeanor committed between 10  
17 p.m. and 6 a.m., require that the minor be at ~~his or her~~ *the minor's*  
18 legal residence at hours to be specified by the juvenile hearing  
19 officer between the hours of 10 p.m. and 6 a.m., except for a  
20 medical or other emergency, unless the minor is accompanied by  
21 ~~his or her~~ *the minor's* parent, guardian, or other person in charge  
22 of the minor. The maximum length of an order made pursuant to  
23 this paragraph shall be six months from the effective date of the  
24 order.

25 (12) Make any or all of the following orders with respect to a  
26 violation of the Fish and Game Code which is not charged as a  
27 felony:

28 (A) That the fishing or hunting license involved be suspended  
29 or restricted.

30 (B) That the minor work in a park or conservation area for a  
31 total of not to exceed 20 hours over a period not to exceed 30 days,  
32 during times other than ~~his or her~~ *the minor's* hours of school  
33 attendance or employment.

34 (C) That the minor forfeit, pursuant to Section 12157 of the Fish  
35 and Game Code, any device or apparatus designed to be, and  
36 capable of being, used to take birds, mammals, fish, reptiles, or  
37 amphibia and that was used in committing the violation charged.  
38 The judge, referee, or juvenile hearing officer shall, if the minor  
39 committed an offense that is punishable under Section 12008 or

1 12008.1 of the Fish and Game Code, order the device or apparatus  
 2 forfeited pursuant to Section 12157 of the Fish and Game Code.  
 3 (13) If the violation charged is of an ordinance of a city, county,  
 4 or local agency relating to loitering, curfew, or fare evasion on a  
 5 public transportation system, as defined by Section 99211 of the  
 6 Public Utilities Code, or is a violation of Section 640 or 640a of  
 7 the Penal Code, make the order that the minor shall perform  
 8 community service for a total time not to exceed 20 hours over a  
 9 period not to exceed 30 days, during times other than ~~his or her~~  
 10 *the minor's* hours of school attendance or employment.  
 11 ~~(b) If the minor is before the court on the basis of truancy, as~~  
 12 ~~described in subdivision (b) of Section 601, all of the following~~  
 13 ~~procedures and limitations shall apply:~~  
 14 ~~(1) The judge, referee, or juvenile hearing officer shall not~~  
 15 ~~proceed with a hearing unless both of the following have been~~  
 16 ~~provided to the court:~~  
 17 ~~(A) Evidence that the minor's school has undertaken the actions~~  
 18 ~~specified in subdivisions (a), (b), and (c) of Section 48264.5 of the~~  
 19 ~~Education Code. If the school district does not have an attendance~~  
 20 ~~review board, as described in Section 48321 of the Education Code,~~  
 21 ~~the minor's school is not required to provide evidence to the court~~  
 22 ~~of any actions the school has undertaken that demonstrate the~~  
 23 ~~intervention of a school attendance review board.~~  
 24 ~~(B) The available record of previous attempts to address the~~  
 25 ~~minor's truancy.~~  
 26 ~~(2) The court is encouraged to set the hearing outside of school~~  
 27 ~~hours, so as to avoid causing the minor to miss additional school~~  
 28 ~~time.~~  
 29 ~~(3) Pursuant to paragraph (1) of subdivision (a) of Section 257,~~  
 30 ~~the minor and his or her parents shall be advised of the minor's~~  
 31 ~~right to refuse consent to a hearing conducted upon a written notice~~  
 32 ~~to appear.~~  
 33 ~~(4) The minor's parents shall be permitted to participate in the~~  
 34 ~~hearing.~~  
 35 ~~(5) The judge, referee, or juvenile hearing officer may continue~~  
 36 ~~the hearing to allow the minor the opportunity to demonstrate~~  
 37 ~~improved attendance before imposing any of the orders specified~~  
 38 ~~in paragraph (6). Upon demonstration of improved attendance, the~~  
 39 ~~court may dismiss the case.~~

1 ~~(6) Upon a finding that the minor violated subdivision (b) of~~  
2 ~~Section 601, the judge, referee, or juvenile hearing officer shall~~  
3 ~~direct his or her orders at improving the minor's school attendance.~~  
4 ~~The judge, referee, or juvenile hearing officer may do any of the~~  
5 ~~following:~~

6 ~~(A) Order the minor to perform community service work, as~~  
7 ~~described in Section 48264.5 of the Education Code, which may~~  
8 ~~be performed at the minor's school.~~

9 ~~(B) Order the payment of a fine by the minor of not more than~~  
10 ~~fifty dollars (\$50), for which a parent or legal guardian of the minor~~  
11 ~~may be jointly liable. The fine described in this subparagraph shall~~  
12 ~~not be subject to Section 1464 of the Penal Code or additional~~  
13 ~~penalty pursuant to any other law. The minor, at his or her~~  
14 ~~discretion, may perform community service, as described in~~  
15 ~~subparagraph (A), in lieu of any fine imposed under this~~  
16 ~~subparagraph.~~

17 ~~(C) Order a combination of community service work described~~  
18 ~~in subparagraph (A) and payment of a portion of the fine described~~  
19 ~~in subparagraph (B).~~

20 ~~(D) Restrict driving privileges in the manner set forth in~~  
21 ~~paragraph (5) of subdivision (a). The minor may request removal~~  
22 ~~of the driving restrictions if he or she provides proof of school~~  
23 ~~attendance, high school graduation, GED completion, or enrollment~~  
24 ~~in adult education, a community college, or a trade program. Any~~  
25 ~~driving restriction shall be removed at the time the minor attains~~  
26 ~~18 years of age.~~

27 ~~(e)~~

28 ~~(b) (1) The judge, referee, or juvenile hearing officer shall retain~~  
29 ~~jurisdiction of the case until all orders made under this section~~  
30 ~~have been fully complied with.~~

31 ~~(2) If a minor is before the judge, referee, or juvenile hearing~~  
32 ~~officer on the basis of truancy, jurisdiction shall be terminated~~  
33 ~~upon the minor attaining 18 years of age.~~

34 ~~SEC. 4. Section 601 of the Welfare and Institutions Code is~~  
35 ~~amended to read:~~

36 ~~601. (a) Any minor between 12 years of age and 17 years of~~  
37 ~~age, inclusive, who persistently or habitually refuses to obey the~~  
38 ~~reasonable and proper orders or directions of his or her *their*~~  
39 ~~parents, guardian, or custodian, or who is beyond the control of~~  
40 ~~that person, or who is a minor between 12 years of age and 17~~

1 years of age, inclusive, when ~~he or she~~ *they* violated any ordinance  
 2 of any city or county of this state establishing a curfew based solely  
 3 on age is within the jurisdiction of the juvenile court which may  
 4 adjudge the minor to be a ward of the court.

5 ~~(b) If a minor between 12 years of age and 17 years of age,~~  
 6 ~~inclusive, has four or more truancies within one school year as~~  
 7 ~~defined in Section 48260 of the Education Code or a school~~  
 8 ~~attendance review board or probation officer determines that the~~  
 9 ~~available public and private services are insufficient or~~  
 10 ~~inappropriate to correct the habitual truancy of the minor, or to~~  
 11 ~~correct the minor's persistent or habitual refusal to obey the~~  
 12 ~~reasonable and proper orders or directions of school authorities,~~  
 13 ~~or if the minor fails to respond to directives of a school attendance~~  
 14 ~~review board or probation officer or to services provided, the minor~~  
 15 ~~is then within the jurisdiction of the juvenile court which may~~  
 16 ~~adjudge the minor to be a ward of the court. However, it is the~~  
 17 ~~intent of the Legislature that a minor who is described in this~~  
 18 ~~subdivision, adjudged a ward of the court pursuant solely to this~~  
 19 ~~subdivision, or found in contempt of court for failure to comply~~  
 20 ~~with a court order pursuant to this subdivision, shall not be held~~  
 21 ~~in a secure facility and shall not be removed from the custody of~~  
 22 ~~the parent or guardian except for the purposes of school attendance.~~

23 ~~(e)~~  
 24 ~~(b) To the extent practically feasible, a minor who is adjudged~~  
 25 ~~a ward of the court pursuant to this section shall not be permitted~~  
 26 ~~to come into or remain in contact with any minor ordered to~~  
 27 ~~participate in a truancy program, or the equivalent thereof, pursuant~~  
 28 ~~to Section 602.~~

29 ~~(d)~~  
 30 ~~(c) Any peace officer or school administrator may issue a notice~~  
 31 ~~to appear to a minor who is within the jurisdiction of the juvenile~~  
 32 ~~court pursuant to this section. *Before issuing a notice to appear*~~  
 33 ~~*under this subdivision, a peace officer shall refer a minor who is*~~  
 34 ~~*within the jurisdiction of this section to community-based diversion*~~  
 35 ~~*if that diversion is reasonably available.*~~

36 SEC. 5. Section 654 of the Welfare and Institutions Code is  
 37 amended to read:

38 654. In any case in which a probation officer, after investigation  
 39 of an application for a petition or any other investigation ~~he or she~~  
 40 ~~the probation officer~~ is authorized to make, concludes that a minor

1 is within the jurisdiction of the juvenile court or will probably soon  
2 be within that jurisdiction; *court*, the probation officer may, in lieu  
3 of filing a petition to declare a minor a dependent child of the court  
4 or a minor or a ward of the court under Section 601 or requesting  
5 that a petition be filed by the prosecuting attorney to declare a  
6 minor a ward of the court under subdivision (e) of Section 601.3  
7 or Section 602 and with consent of the minor and the minor's  
8 parent or guardian, delineate specific programs of supervision for  
9 the minor, for not to exceed six months, and attempt thereby to  
10 adjust the situation that brings the minor within the jurisdiction of  
11 the court or creates the probability that the minor will soon be  
12 within that jurisdiction. *court*. This section does not prevent the  
13 probation officer from filing a petition or requesting the prosecuting  
14 attorney to file a petition at any time within the six-month period  
15 or a 90-day period thereafter. If the probation officer determines  
16 that the minor has not involved himself or herself *participated* in  
17 the specific programs within 60 days, the probation officer shall  
18 immediately file a petition or request that a petition be filed by the  
19 prosecuting attorney. However, when in the judgment of the  
20 probation officer the interest of the minor and the community can  
21 be protected, the probation officer shall make a diligent effort to  
22 proceed under this section.

23 The program of supervision of the minor undertaken pursuant  
24 to this section may call for the minor to obtain care and treatment  
25 for the misuse of, or addiction to, controlled substances from a  
26 county mental health service or other appropriate community  
27 agency.

28 The program of supervision shall ~~require~~ *encourage* the parents  
29 or guardians of the minor to participate with the minor in  
30 counseling or education programs, including, but not limited to,  
31 parent education and parenting programs operated by community  
32 colleges, school districts, or other appropriate agencies designated  
33 by the court if the program of supervision is pursuant to the  
34 procedure prescribed in Section 654.2.

35 Further, this section shall authorize the probation officer with  
36 consent of the minor and the minor's parent or guardian to provide  
37 the following services in lieu of filing a petition:

38 (a) Maintain and operate sheltered-care facilities, or contract  
39 with private or public agencies to provide these services. The  
40 placement shall be limited to a maximum of 90 days. Counseling

1 services shall be extended to the sheltered minor and ~~his or her~~ *the*  
 2 *minor's* family during this period of diversion services. The minor's  
 3 parents may be required to make full or partial reimbursement for  
 4 the services rendered to the minor's family, but not for the services  
 5 rendered to the minor, during the diversion process. Referrals for  
 6 sheltered-care diversion may be made by the minor, ~~his or her~~ *the*  
 7 *minor's* family, schools, any law enforcement agency, or any other  
 8 private or public social service agency.

9 (b) Maintain and operate crisis resolution homes, or contract  
 10 with private or public agencies offering these services. Residence  
 11 at these facilities shall be limited to 20 days during which period  
 12 individual and family counseling shall be extended to the minor  
 13 and ~~his or her~~ *the minor's* family. Failure to resolve the crisis  
 14 within the 20-day period may result in the minor's referral to a  
 15 sheltered-care facility for a period not to exceed 90 days. Referrals  
 16 shall be accepted from the minor, ~~his or her~~ *the minor's* family,  
 17 schools, law enforcement or any other private or public social  
 18 service agency. The minor's parents may be required to reimburse  
 19 the county for the cost of services rendered to the minor's family,  
 20 but not for the cost of services rendered to the minor, at a rate to  
 21 be determined by the county board of supervisors.

22 (c) Maintain and operate counseling and educational centers,  
 23 or contract with private and public agencies, societies, or  
 24 corporations whose purpose is to provide vocational training or  
 25 skills. The centers may be operated separately or in conjunction  
 26 with crisis resolution homes to be operated by the probation officer.  
 27 The probation officer shall be authorized to make referrals to the  
 28 appropriate existing private or public agencies offering similar  
 29 services when available.

30 At the conclusion of the program of supervision undertaken  
 31 pursuant to this section, the probation officer shall prepare and  
 32 maintain a followup report of the actual program measures taken.

33 SEC. 6. If the Commission on State Mandates determines that  
 34 this act contains costs mandated by the state, reimbursement to  
 35 local agencies and school districts for those costs shall be made  
 36 pursuant to Part 7 (commencing with Section 17500) of Division  
 37 4 of Title 2 of the Government Code.

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AMENDED IN SENATE APRIL 9, 2019

**SENATE BILL**

**No. 284**

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**Introduced by Senator Beall**  
**(~~Coauthor: Senator Portantino~~)**  
**(Coauthors: Senators Portantino and Wieckowski)**  
(Coauthors: Assembly Members Chiu, Gipson, and McCarty)

February 13, 2019

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An act to amend Section 912 of the Welfare and Institutions Code, relating to juveniles.

LEGISLATIVE COUNSEL'S DIGEST

SB 284, as amended, Beall. Juvenile justice: county support of wards.

Existing law generally requires a county from which a person is committed to the Department of Corrections and Rehabilitation, Division of Juvenile Justice, to pay to the state an annual rate of \$24,000 while the person remains under the direct supervision of the division or remains cared for and supported at the expense of the division.

This bill would increase that annual rate to \$125,000 if the offense on which the commitment is based, had it been filed in a court of criminal jurisdiction at the time of adjudication, had a maximum aggregate sentence of fewer than 7 years or if the offense on which the commitment is based occurred when the person was 15 years of age or younger.

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 912 of the Welfare and Institutions Code  
2 is amended to read:

3 912. (a) (1) A county from which a person is committed to  
4 the Department of Corrections and Rehabilitation, Division of  
5 Juvenile Justice, shall pay to the state an annual rate of twenty-four  
6 thousand dollars (\$24,000) while the person remains in an  
7 institution under the direct supervision of the division, or in an  
8 institution, boarding home, foster home, or other private or public  
9 institution in which the person is placed by the division, and cared  
10 for and supported at the expense of the division, as provided in  
11 this subdivision. This subdivision applies to a person who is  
12 committed to the division by a juvenile court on or after July 1,  
13 2012.

14 (2) The Department of Corrections and Rehabilitation, Division  
15 of Juvenile Justice, shall present to the county, not more frequently  
16 than monthly, a claim for the amount due to the state under this  
17 subdivision, which the county shall process and pay pursuant to  
18 Chapter 4 (commencing with Section 29700) of Division 3 of Title  
19 3 of the Government Code.

20 (b) A county from which a person is committed to the  
21 Department of Corrections and Rehabilitation, Division of Juvenile  
22 Justice, on or after July 1, 2018, shall pay to the state an annual  
23 rate of twenty-four thousand dollars (\$24,000) for the time the  
24 person remains in an institution under the direct supervision of the  
25 division, or in an institution, boarding home, foster home, or other  
26 private or public institution in which the person is placed by the  
27 division, and cared for and supported at the expense of the division,  
28 as provided in this subdivision. A county shall not pay the annual  
29 rate of twenty-four thousand dollars (\$24,000) for a person who  
30 is 23 years of age or older. This subdivision applies to a person  
31 committed to the division by a juvenile court on or after July 1,  
32 2018.

33 (c) (1) A county from which a person is committed to the  
34 Department of Corrections and Rehabilitation, Division of Juvenile  
35 Justice, on or after January 1, 2020, shall pay to the state the  
36 following rate for the time the person remains in an institution  
37 under the direct supervision of the division, or in an institution,  
38 boarding home, foster home, or other private or public institution

1 in which the person is placed by the division, and cared for and  
2 supported at the expense of the division, as provided in this  
3 subdivision:

4 (A) If the offense on which the commitment is based, had it  
5 been filed in a court of criminal jurisdiction at the time of  
6 adjudication, had a maximum aggregate sentence of fewer than  
7 seven years, the annual rate is one hundred twenty-five thousand  
8 dollars (\$125,000).

9 (B) If the offense on which the commitment is based occurred  
10 when the person was 15 years of age or younger, the annual rate  
11 is one hundred twenty five thousand dollars (\$125,000).

12 (C) If the offense on which the commitment is based occurred  
13 when the person was 16 years of age or older and, had it been filed  
14 in a court of criminal jurisdiction at the time of adjudication, had  
15 a maximum aggregate sentence of 7 years or more, the annual rate  
16 is twenty-four thousand dollars (\$24,000).

17 (2) This subdivision applies to a person committed to the  
18 division by a juvenile court on or after January 1, 2020.

19 (d) Consistent with Article 1 (commencing with Section 6024)  
20 of Chapter 5 of Title 7 of Part 3 of the Penal Code, the Board of  
21 State and Community Corrections shall collect and maintain  
22 available information and data about the movement of juvenile  
23 offenders committed by a juvenile court and placed in ~~any~~ *an*  
24 institution, boarding home, foster home, or other private or public  
25 institution in which they are cared for, supervised, or both, by the  
26 division or the county while they are on parole, probation, or  
27 otherwise.

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AMENDED IN ASSEMBLY MARCH 6, 2019

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

**ASSEMBLY BILL**

**No. 55**

**Introduced by Assembly Member Eduardo Garcia**  
*(Coauthors: Assembly Members Gallagher, Grayson,*  
*Boerner Horvath, Mathis, and Voepel)*

*(Coauthors: Senators Archuleta, Chang, Jones, Nielsen, and Wilk)*

December 3, 2018

An act to add Section 972.3 to, and to repeal and add Section 972.1 of, the Military and Veterans Code, relating to veterans, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 55, as amended, Eduardo Garcia. Department of Veterans Affairs: veterans' services.

Existing law requires the Department of Veterans Affairs to disburse funds, appropriated to the department for the purpose of supporting county veterans service officers pursuant to the annual Budget Act, on a pro rata basis, to counties that have established and maintain a county veterans service officer in accordance with the staffing level and workload of each county veterans service officer under a formula based upon performance developed by the department.

This bill would define a workload unit for purposes of these provisions to mean a specific claim activity that is used to allocate subvention funds to counties, which is approved by the department, and performed by county veterans service officers. The bill would appropriate on an annual basis the sum of ~~\$7,000,000~~ *\$11,000,000* from the General Fund to the Department of Veterans Affairs to be available for allocation to

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counties to fund the activities of county veterans service officers, as specified. The bill would also delete obsolete provisions and would make conforming changes.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3. Appropriation: yes. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) Since 2001, the ongoing conflicts in the Middle East and  
4 Africa have created a new generation of veterans who may be  
5 eligible for federal veterans benefits because of their war service  
6 and their physical and mental conditions.

7 (b) Californians make up to 10 percent of the federal military  
8 forces used in these conflicts. Furthermore, the California National  
9 Guard and California-based reserve units have contributed  
10 significantly to these current conflicts.

11 (c) Many of the more than 400,000 returning California veterans  
12 are not aware of the federal and state benefits that are available to  
13 them.

14 (d) Additionally, it is estimated that in California there are  
15 hundreds of thousands of veterans, as well as their widows or  
16 widowers, who are unaware that they may be eligible for pensions  
17 from the federal government based upon their, or their spouses',  
18 past military service in World War II, Korea, Vietnam, or the Gulf  
19 War.

20 (e) California's county veterans service officers are the initial  
21 local point of contact for claimants accessing the United States  
22 Department of Veterans Affairs.

23 (f) California's veteran benefits delivery model is similar to  
24 many other states with a close partnership between the California  
25 Department of Veterans Affairs and the county veterans services  
26 officers who are the "boots on the ground" and act as the distributed  
27 network for outreach, claim initiation, and development.

28 ~~(h)~~

29 (g) A California Department of Veterans Affairs report to the  
30 Legislature in 2007 titled "Strategies to Improve California's

1 Utilization of Veteran Benefits” noted that in comparison to Florida  
2 and Texas, states with comparable veterans populations, California  
3 could increase federal benefits into the state if it put more trained,  
4 professional veteran service representatives in the field. This  
5 finding was also supported by independent research.

6 ~~(i)~~

7 (h) Performance metrics gathered when county veterans service  
8 officer funding was first authorized shows a direct correlation  
9 between increased state funding for new hires and increased  
10 monetary benefits for veterans.

11 ~~(j)~~

12 (i) The cost of maintaining county veterans service officers are  
13 shared from county general funds and state reimbursement to the  
14 counties. In 1997, in order to track performance, the Legislature  
15 enacted, and the Governor signed into law, Senate Bill 608, which  
16 required the California Department of Veterans Affairs to annually  
17 report the amount of monetary benefits paid to veterans by the  
18 federal government that were attributable to the assistance of  
19 county veterans service officers. Senate Bill 608 also required the  
20 Department of Finance to consider an increase in the annual budget  
21 for county veterans service officers of up to \$5 million, if approved  
22 in the annual budget process. In 2009, the Legislature enacted, and  
23 the Governor signed into law, Senate Bill 419, which raised this  
24 amount to \$11 million, if approved in the annual budget process.

25 ~~(k)~~

26 (j) As a result of this annual reporting, by the end of 2016, it  
27 was determined that from 1995 to 2016, inclusive, the state had  
28 cumulatively budgeted \$58.2 million for its share of the cost of  
29 the county veterans service officers. As a result of this investment,  
30 county veterans service officers were able to assist local veterans  
31 in obtaining \$5.4 billion in new federal moneys. This is a return  
32 of about \$93 for every \$1 the state allocates to county veterans  
33 service officers. Furthermore, the \$5.4 billion only reflects the  
34 actual monetary benefits qualified for in a given year. The monetary  
35 benefits qualified for in prior years are not tracked, yet the veterans  
36 and their dependents may continue to receive those benefits for  
37 the rest of their lives. Added to this stellar return on the state’s  
38 investment, but not counted in the annual reporting, are the  
39 Medi-Cal cost avoidance savings incurred as a result of county

1 veterans service officers qualifying and shifting veterans away  
 2 from Medi-Cal and into the appropriate federal veterans program.

3 ~~(j)~~

4 (k) County veterans service officers accomplished all of this  
 5 without ever reaching the allowable state budget allocation of \$11  
 6 million, set in 2009. To date, county veterans service officers have  
 7 not received more than \$5.6 million per year from the state.

8 ~~(m)~~

9 (l) It is critical that the county veterans service officers receive  
 10 a steady stream of funding because there continues to be a large  
 11 number of underserved veterans and dependents who are not aware  
 12 of the federal benefits available to them as a result of their military  
 13 service. Studies from other states show that increases in county  
 14 veterans service officers result in larger amounts of federal moneys  
 15 to veterans. These new federal moneys and benefits are paid  
 16 directly from the United States Department of Veterans Affairs to  
 17 the qualifying veterans or their dependents and are used in the  
 18 local economy.

19 SEC. 2. Section 972.1 of the Military and Veterans Code is  
 20 repealed.

21 SEC. 3. Section 972.1 is added to the Military and Veterans  
 22 Code, to read:

23 972.1. (a) Funds shall be disbursed each fiscal year on a pro  
 24 rata basis to counties that have established and maintain a county  
 25 veterans service officer in accordance with the staffing level and  
 26 workload *units* of each county veterans service officer under a  
 27 formula based upon performance that shall be developed by the  
 28 Department of Veterans Affairs for these purposes.

29 (b) For the purposes of this section, “workload unit” means a  
 30 specific claim activity that is used to allocate subvention funds to  
 31 counties, which is approved by the department, and performed by  
 32 county veterans service officers.

33 (c) The department shall annually determine the amount of new  
 34 or increased monetary benefits paid to eligible veterans by the  
 35 federal government attributable to the assistance of county veterans  
 36 service officers. The department shall, on or before October 1 of  
 37 each year, prepare and transmit its determination for the preceding  
 38 fiscal year to the Department of Finance and the Legislature. The  
 39 Department of Finance shall review the department’s determination

1 in time to use the information in the annual Budget Act for the  
2 budget of the department for the next fiscal year.

3 (d) The Legislature finds and declares that it is an efficient and  
4 reasonable use of state funds to increase the annual budget for  
5 county veterans service officers up to a total of eleven million  
6 dollars (\$11,000,000) if it is justified by the monetary benefits to  
7 the state's veterans attributable to the effort of these officers.

8 SEC. 4. Section 972.3 is added to the Military and Veterans  
9 Code, to read:

10 972.3. Notwithstanding Section 13340 of the Government  
11 Code, the sum of ~~seven million dollars (\$7,000,000)~~ *eleven million*  
12 *dollars (\$11,000,000)* is hereby appropriated annually from the  
13 General Fund each fiscal year commencing July 1, 2019, to the  
14 Department of Veterans Affairs to be available for allocation to  
15 counties to fund the activities of county veterans service officers  
16 pursuant to subdivision (a) of Section 972.1.

17 SEC. 5. This act is an urgency statute necessary for the  
18 immediate preservation of the public peace, health, or safety within  
19 the meaning of Article IV of the California Constitution and shall  
20 go into immediate effect. The facts constituting the necessity are:

21 In order to provide for uninterrupted continuity of services  
22 critical to the successful reintegration of California's veterans, to  
23 increase California's utilization of veteran benefits at the earliest  
24 possible time, and to ensure veterans' claims for benefits are  
25 processed in a timely manner, it is necessary that this act take effect  
26 immediately.

O

## **CSAC Conference April 24-25, 2019**

Extract from CSAC Health and Human Services Committee meeting agenda on April 24, 2019.

Eileen Cubanski, Director of Budget and Fiscal Policy, California Welfare Directors Association (CWDA) provided an overview of child welfare budget requests that are being led by CWDA in partnership with other affiliates and partner organizations.

**Bringing Families Home.** This \$25 million General Fund request by CWDA, would continue and expand the existing Bringing Families Home (BFH) Program, which provides critical housing related supports to child-welfare involved families and those at risk of homelessness in support of family reunification and family maintenance efforts. This program has already permanently housed over 440 families; with hundreds more in the process of securing needed housing.

**Family Urgent Response System.** This \$15 million investment in 2019-20 and \$30 million ongoing General Fund request also sponsored by CBHDA, will provide foster youth and their caregivers with the immediate support they need during times of emotional crisis, and link youth and families to needed supports and services to help stabilize the situation. The Family Urgent Response System will help fill the gap by providing foster youth and their caregivers with immediate access to trained trauma-informed care experts, resulting in decreased calls to law enforcement.

**Extended Foster Care Program Supports.** This \$50 million General Fund request will provide additional funding to expand social worker capacity within the Extended Foster Care Program, reduce caseloads, and fund housing navigators to aid youth in securing safe and stable housing and provide housing financial assistance.

**Family Stability Funding** – Numerous organizations, also including the Chief Probation Officers of California, are requesting \$43.2 million General Fund to allow counties to maintain critical supports to resource family caregivers. This is an extension of existing funding known as Foster Parent Recruitment, Retention and Support (FPRRS) that has been successful in establishing new recruitment and retention efforts to build the capacity of caregivers to provide a safe and loving environment for foster children and youth.