



Board Agenda Item 33

DATE: June 21, 2022

TO: Board of Supervisors

SUBMITTED BY: Paul Nerland, County Administrative Officer

SUBJECT: Authorize the County Administrative Officer to allocate backfill funds generated by AB 1869

RECOMMENDED ACTION(S):

Authorize the County Administrative Officer to allocate backfill funds distributed to the County by the State of California for revenue loss due to repeal of certain administrative County fees, as required by AB 1869, with 80.77% to the Probation Department (\$1,463,218) and 19.23% to the Public Defender's Office (\$348,368), based on each department's percentage of total revenue loss (\$1,811,586).

AB 1869 eliminated certain fees charged by counties to individuals arrested, prosecuted, or convicted of a crime. AB 1869 requires a report be submitted by each county to the State of California by May 1, 2022, showing the loss of revenue resulting from the passage of this legislation. The State has provided counties backfill funds due to the loss of revenue. The recommended action will authorize the distribution of backfill funds in the amount of \$1,811,586 to the Probation Department and Public Defender's Office based on each department's percentage of total revenue loss, as shown in Exhibit "A". This item is countywide.

ALTERNATIVE ACTION(S):

There are no viable alternative actions for this item.

FISCAL IMPACT:

AB 1869 was passed in 2020, which repealed 23 different criminal administrative fees previously charged by local governments to individuals arrested, prosecuted, or convicted of a crime. Due to the passage of this legislation, the Probation Department and Public Defender's Office has lost an average of \$1,117,827.67 combined per year based on three years of revenue collection (2017-2019). AB 1869 set aside \$65 million annually from fiscal years 2021-22 through 2025-26 to backfill counties for estimated lost revenue. The State has allocated \$1,811,586.49 in backfill funds to Fresno County for FY 2021-22.

DISCUSSION:

AB 1869 required the Board of Supervisors of each county submit a report to the State showing the loss of revenue resulting from the passage of AB 1869. Staff submitted the Fiscal Loss of Revenue Report to your Board on April 19, 2022 for approval, before submitting to the State. Your Board approved that Revenue Report. Based on the report approved by your Board and submitted to the State, the State has allocated \$1,811,586.49 in backfill funds to Fresno County for FY 2021-22. Based on revenue loss, Staff has determined the percentages of the total allocated amount that each department is due. As shown in Exhibit "A", the Probation Department will be allocated 80.77% of the backfill funds, and the Public Defender's Office

will be allocated 19.23%.

REFERENCE MATERIAL:

BAI #30 April 19, 2022

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit "A" - Revenue Loss Percentage by Department
On file with the Clerk - Fiscal Loss of Revenue Report

CAO ANALYST:

Salvador Espino