

LEGISLATIVE DIGEST

[Administrative Code - Trial Courts Courthouse Construction Fund - Termination of Penalties for Court Construction]

Ordinance amending the Administrative Code to delete the Trial Courts Courthouse Construction Fund; and to reduce amounts that the City previously added to court-imposed penalties, fines, or forfeitures in San Francisco to support the acquisition, rehabilitation, construction, and financing of courtrooms or courtroom buildings.

Existing Law

State law authorizes the City to establish a courthouse construction fund for the purpose of assisting in the acquisition, rehabilitation, construction, and financing of courtrooms or courtroom buildings. State law requires the City to place certain surcharges on court filing fees and court-imposed fines, penalties, and forfeitures into the courthouse construction fund. Implementing this State law, the Board of Supervisors has established the Trial Courts Courthouse Construction Fund (the "Fund").

Under State law, the Board has authorized the collection of an additional penalty of \$7 for every \$10 or fraction thereof on certain court-imposed fines, penalties, and forfeitures, and has required the Treasurer to deposit one cent of each \$7 to be placed into the Fund. The Board also has authorized an additional penalty of \$2.50 for every parking offense where a parking penalty, fine, or forfeiture is imposed by the courts in San Francisco, and has required the Treasurer to deposit that surcharge into the Fund as well.

Under State law, any amount remaining in the Fund must be transferred to the State after the final payment of the bonded indebtedness for any court facility that is paid from the Fund. The City's bond indebtedness on the Civic Center Courthouse concluded on April 1, 2021, triggering the requirement for the City to transfer any remaining monies in the Fund. No money currently remains in the Fund.

Amendments to Current Law

The proposed ordinance would eliminate the Trial Courts Courthouse Construction Fund. The proposed ordinance would also reduce the \$7 additional penalty on court-imposed fines, penalties, and forfeitures by one cent, so that the additional penalty will be \$6.99. And the proposed ordinance would reduce the \$2.50 additional penalty on parking penalty, fine, or forfeiture by \$1.50, so that the additional penalty will be \$1. These reductions are required by State law.

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