

RESOLUTION No. 2017- _____

Resolution of the Board of Supervisors of the County of San Benito)
Regarding the Maddy Emergency Medical Services Fund and The)
Intent to Continue to Levy an Additional Penalty Assessment of Two)
Dollars (\$2) For Every Ten Dollars (\$10) Upon Fines, Penalties, and)
Forfeitures Collected For Criminal Offenses and Vehicle Code)
Violations as Specified.)

WHEREAS the San Benito County Board of Supervisors established the Maddy Emergency Medical Services Fund (Maddy Fund) in August of 1989 for the deposit of certain penalty assessments collected pursuant to Section 1464 of the Penal Code;

WHEREAS the San Benito County Board of Supervisors established an additional penalty in July 2009 of two dollars (\$2) for every ten dollars (\$10) or fraction thereof, upon various fines, penalties and forfeitures collected by the courts, pursuant to Government Code Section 76000.5 and Health and Safety Code Section 1797.98a until January 1, 2014;

WHEREAS, Government Code Section 76000.5 and Health and Safety Code Section 1797.98a as amended by Chapter 600 of the Statutes of 2013 originally provided that the County may continue to impose the additional penalty until January 1, 2017;

WHEREAS, SB 867, effective January 1, 2017, amended Government Code Section 76000.5 and Health and Safety Code Section 1797.98a and provides that the County may continue to impose the additional penalty until January 1, 2027;

NOW, THEREFORE, BE IT RESOLVED that pursuant to Government Code 76000.5, on January 1, 2017 and thereafter continuing to January 1, 2027, there shall be levied, in addition to the penalties prescribed by Government Code 76000, an additional penalty assessment of two dollars (\$2) for every ten dollars (\$10) or fraction thereof, which shall be collected, together with and in the same manner as the amounts established by Section 1464 of the Penal Code, upon every fine, penalty, or forfeiture imposed and collected by the courts for 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 parking offenses subject to Article 3 (commencing with Section 40200) of Chapter 1 of Division 17 of the Vehicle Code.

BE IT FURTHER RESOLVED that all such additional assessments collected pursuant to Section 76000.5 of the Government Code shall be transferred to the County Clerk-Auditor-Recorder for deposit into the interest-bearing Maddy Emergency Medical Services Fund, and payments from the Maddy Emergency Medical Services Fund shall be distributed in accordance with Health and Safety Code Section 1797.98a.

BE IT FURTHER RESOLVED that the Clerk of the Board is hereby directed to transmit to the County Clerk-Auditor-Recorder and to the Superior Court of California, County of San Benito, a copy of this Resolution.

The foregoing was passed and adopted by the following vote of the San Benito County Board of Supervisors at its regular meeting held on March 28, 2017:

AYES: SUPERVISORS:

NOES: SUPERVISORS:

ABSENT: SUPERVISORS:

Jamie De La Cruz, Chair
San Benito County Board of Supervisors

ATTEST:

Chase Graves
Clerk of the Board

By: _____

Date: _____

Approved as to Legal Form:

By: _____
Barbara Thompson

Date: _____