



Probation

COUNTY OF TULARE

AGENDA ITEM

BOARD OF SUPERVISORS

LARRY MICARI
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

EDDIE VALERO
District Four

DENNIS TOWNSEND
District Five

AGENDA DATE: March 18, 2025

Public Hearing Required	N/A
Scheduled Public Hearing w/Clerk	N/A
Published Notice Required	N/A
Advertised Published Notice	N/A
Meet & Confer Required	N/A
Budget Transfer (Aud 308) attached	N/A
Personnel Resolution attached	N/A
Agreement(s) attached	N/A

CONTACT PERSON: Muriel Tubillo PHONE: 5596089232

SUBJECT: Cease Collecting Restitution Fines

REQUEST(S):

That the Board of Supervisors:

1. Authorize the Probation Department to cease collection of restitution fines for both the adult and juvenile population occurring 10 years after the date of imposition, in accordance with the provisions of Assembly Bill 1186 effective January 1, 2025; and
2. Direct the Probation Department to discharge accountability of restitution fines occurring 10 years after the date of imposition in the amount of \$6,842,350.85 through December 31, 2024 and thereafter discharge accountability of uncollectible fines monthly, in accordance with the provisions of Assembly Bill 1186 effective January 1, 2025.

SUMMARY:

Assembly Bill (AB) 1186, signed into law on September 28, 2024, makes significant changes to restitution fines for both the adult and juvenile population. Upon being convicted of a crime, the existing law requires a court to order the defendant to pay restitution to the victim/s and to additionally pay a restitution fine. Existing law also requires minors who are adjudged wards of the Court to pay restitution fines.

Effective January 1, 2025, AB 1186 amends Penal Code Sections 1465.9, including Welfare & Institutions Code (WIC) Sections 223.2 and 730.6. This bill also repeals WIC Sections 1752.81 and 1752.82, as it pertains to restitution fines as follows:

· This bill makes the outstanding balance of any restitution fines unenforceable and uncollectible 10 years after the date of imposition.

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· This bill eliminates the restitution fines for minors adjudged wards of the Court, and any outstanding restitution fines are uncollectible 10 years after the date of imposition.

Tulare County Probation Department is no longer authorized to collect restitution fines occurring 10 years after the date of imposition, thereby requesting the Board to authorize the Department to cease collection of restitution fines and to direct the Department to discharge the accountability of the restitution fines occurring 10 years after the date of imposition. The total amount discharged through December 31, 2024, is \$6,842,350.85 and thereafter monthly.

FISCAL IMPACT/FINANCING:

Restitution fines are collected by the Department and then remitted to the California Victim Compensation Board. A total of 10% of the restitution fines collected statewide will be shared by collecting counties as revenue to offset the collection costs. With the passage of AB 1186, this revenue will be reduced. As the revenue is dependent upon the amount collected in restitution fines and as that collection is sporadic, there is no estimate of revenue loss at this time. The Department will absorb the revenue lost this current fiscal and subsequent fiscal years. No additional net County Cost to the General Fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic business plan includes the Organizational Performance Initiative to continuously improve organizational effectiveness and fiscal stability. The approval of this item helps fulfill this initiative by providing for the stability of county operations through periods of economic fluctuations imposed by State legislature.

ADMINISTRATIVE SIGN-OFF:

/s/Kelly M. Vernon

Kelly M. Vernon

Chief Probation Officer

Cc: County Administrative Office

Attachments: None