

DEPARTMENT: Sheriff

BY: Brian Muller  
PHONE: 966-3615

**RECOMMENDED ACTION AND JUSTIFICATION:** Request adoption of a County Resolution pursuant to California Penal Code Section 853.7a authorizing the courts of Mariposa County to impose an assessment fee of fifteen dollars (\$15) upon every person who violates a written promise to appear or other court order as described in code section 853.7a. The resolution shall authorize the clerk of the court to deposit the monies collected into an account established by the auditor's office. Pursuant to California Penal Code Section 853.7a, the money shall be used to develop, operate, modernize and maintain an automated county warrant system.

**BACKGROUND AND HISTORY OF BOARD ACTIONS:** None

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:** Continue to use budgeted county funds to pay for the operation, modernization and maintenance of the existing automated warrant system currently utilized by the sheriff's office.

Financial Impact? ( ) Yes ( ) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded		
Amount in Budget: \$ _____	List Attachments, number pages consecutively _____	
Additional Funding Needed: \$ _____	One page copy of California Vehicle Code section _____	
Source:	853.7a. _____	
Internal Transfer _____	_____	
Unanticipated Revenue _____ 4/5's vote	_____	
Transfer Between Funds _____ 4/5's vote	_____	
Contingency _____ 4/5's vote	_____	
( ) General ( ) Other	_____	

**CLERK'S USE ONLY:**  
Res. No.: 03-267 Ord. No. \_\_\_\_\_  
Vote - Ayes: 5 Noes: \_\_\_\_\_  
Absent: \_\_\_\_\_  
\_\_\_\_\_) Approved  
( ) Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.  
Date: \_\_\_\_\_  
Attest: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California  
By: \_\_\_\_\_  
Deputy

**COUNTY ADMINISTRATIVE OFFICER:**  
 Requested Action Recommended  
 No Opinion  
Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
CAO: RJA

**PC§ 853.7a. Penalty Assessment**

(a) In addition to the fees authorized or required by any other provision of law, a county may, by resolution of the board of supervisors, require the courts of that county to impose an assessment of fifteen dollars (\$15) upon every person who violates his or her written promise to appear or a lawfully granted continuance of his or her promise to appear in court or before a person authorized to receive a deposit of bail, or who otherwise fails to comply with any valid court order for a violation of any provision of this code or local ordinance adopted pursuant to this code. This assessment shall apply whether or not a violation of Section 853.7 is concurrently charged or a warrant of arrest is issued pursuant to Section 853.8.

(b) The clerk of the court shall deposit the amounts collected under this section in the county treasury. All money so deposited shall be used exclusively for the development and operation of an automated county warrant system. If sufficient funds are available after appropriate expenditures to develop, modernize, and maintain the automated warrant system, a county may use the balance to fund a warrant service task force for the purpose of serving all bench warrants within the county.

(Amended by Stats. 2002, Ch. 148, Sec. 1. Effective 1/1/2003.)