



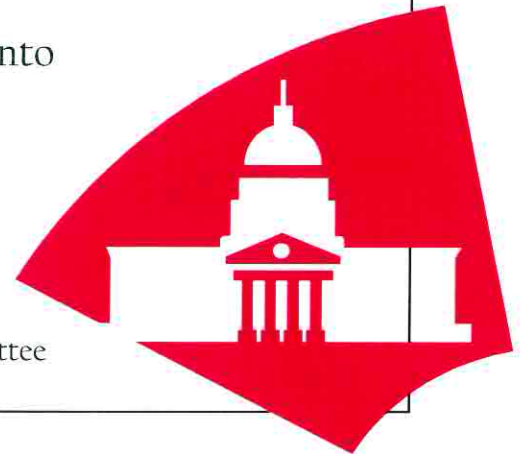
CALIFORNIA ASSOCIATION OF
CLERKS AND ELECTIONS OFFICIALS

2011

SUMMARY OF
LEGISLATION
AFFECTING COUNTY CLERKS

December 8, 2011
Hyatt Regency Sacramento

Presented by
County Clerk Legislative Committee



2011 Chaptered Bill Analysis

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Ventura County: David Valenzuela; Sheila Harmon

2011 Chaptered Bill Analysis

Bill Number: AB 75

Chapter Number: 269

Author: Assembly Member Jerry Hill

Topic: Documents: notaries public: solicitations

Impact: Informational

Summary: This bill revises current provisions of laws pertaining to solicitations and public notaries, and authorizes the Secretary of State (SOS) to refuse to perform a service or refuse a filing based on a reasonable belief that the service or filing is fraudulent, as specified.

Effect: A thumbprint for proof of execution in a Notary journal is no longer permitted. The certificate for proof of execution has been changed substantially. The duties of a Notary Public regarding presumptions of dishonor, certificates of dishonor and acceptance and payment demands of foreign and inland bills of exchange etc. Any deposition, affidavit, oath or affirmation is to be signed in the notary public's own handwriting.

Actions Required: None

Presenters: Wardell House, Santa Clara County

Notes: This bill is informational and does not create a duty or obligation for County Clerks. This bill modifies the duties and obligations of notary publics and gives the Secretary of State's Office the option of refusing to perform a service or filing based on their reasonable belief that the service or filing is fraudulent.

2011 Chaptered Bill Analysis

Bill Number:	AB 182
Chapter Number:	96
Author:	Assembly Member Davis
Topic:	Political Reform Act of 1974: Statement of Economic Interests
Impact:	Informational
Summary:	Extends the Form 700 Electronic Pilot program until December 31, 2012
Effect:	Amends and repeals Section 87500.1 of the Government Code, relating to the Political Reform Act of 1974
Actions Required:	None
Presenter:	David Valenzuela, Ventura County
Notes:	N/A

2011 Chaptered Bill Analysis

Bill Number: AB 214

Chapter Number: 287

Author: Assembly Member Davis

Topic: Professional photocopiers

Impact: Significant

Summary: Existing law provides for the registration and regulation of professional photocopiers. Existing law requires the issuance of an identification card by the county clerk for each professional photocopier and imposes an additional \$10 payment for each additional card. Under existing law, additional cards for employees of professional photocopiers are issued upon the payment of \$10. AB 214 authorizes both of those additional types of cards to be issued upon the payment of an **amount sufficient to cover the regulatory costs associated with the issuance of those cards**. Also requires the identification card for an employee of a professional photocopier or a partnership or corporation to **contain a photograph of the employee**. By imposing additional duties on county clerks, the bill would impose a state-mandated local program.

Effect: To amend Sections 22453 and 22457 of the Business & Professions Code, relating to Professional Photocopier ID cards as follows:

B&P 22453. An applicant shall pay a fee of one hundred seventy-five dollars (\$175) to the county clerk at the time he or she files an application for registration. An additional fee *
* * for each card in an amount sufficient to cover the
reasonable regulatory costs associated with the issuance of
additional cards, as determined by the county clerk, shall be
paid to the county clerk for each additional card of
identification.

2011 Chaptered Bill Analysis

Bill Number: AB 214 Continued

Effect Continued: B&P 22457. (a) The county clerk shall maintain a register of professional photocopiers, assign a number to each professional photocopier, and issue an identification card to each one. Additional cards for employees of professional photocopiers shall be issued upon the payment of * * * a fee for each card in an amount sufficient to cover the reasonable regulatory costs associated with the issuance of additional cards, as determined by the county clerk. Upon renewal of registration, the same number shall be assigned, provided there is no lapse in the period of registration.

(b) The identification card shall be a card not less than 3 1/4 inches by 2 inches, and shall contain at the top the title, "Professional Photocopier" followed by the registrant's name, address, registration number, date of expiration, and county of registration. It shall also contain a photograph of the registrant in the lower left corner. The identification card for a partnership or corporation registration shall be issued in the name of the partnership or corporation, and shall not contain a photograph. The identification card for an employee of a professional photocopier or a partnership or corporation shall contain a photograph of the employee in the lower left corner.

(c) The identification card for an employee of a professional photocopier or a partnership or corporation shall be issued in the name of the employee and include "Employee of: [insert name of the professional photocopier or the partnership or corporation]."

Possible evaluation of costs to produce the identification cards resulting a adjustment.

Additional wording on the Employee Identification Card to note "employee of a professional photocopier or the partnership or corporation" (currently just says employee of partnership or corporation).

Actions Required: Staff training on employee cards re: photograph required and inserting name of professional photocopier, etc.

Cost evaluation for card production and issuance.

Presenter: Monique Blakeley, Los Angeles County

2011 Chaptered Bill Analysis

Bill Number:	AB 433
Chapter Number:	718
Author:	Assembly Member Lowenthal
Topic:	Birth Certificates: Issuance
Impact:	Informational
Summary:	Authorizes a person who has undergone clinically appropriate treatment for the purpose of gender transition to file a petition in any superior court to recognize the change in gender and if applicable, a name change and request for a new birth certificate. This bill would also make the physician's affidavit conclusive proof of gender change if it contains specified language.
Effect:	Amending Sections 103425, 103430 and 103435 of the Health and Safety Code, relating to vital records.
Actions Required:	None
Presenter:	Donna Allred, Sacramento County
Notes:	N/A

2011 Chaptered Bill Analysis

Bill Number:	AB 887
Chapter Number:	719
Author:	Assembly Member Atkins
Topic:	Relating to Gender
Impact:	Informational
Summary:	Makes technical changes to various provisions by refining the definition of gender to also mean a person's gender identity and gender expression as meaning a person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth.
Effect:	Amending Section 51 of Civil Code, to amend Sections 200, 210.2, 210.7, 220, 32228, 47605.6, 51007, 66260.6, 66260.7, and 66270 of the Education Code, to amend Sections 12920, 12921, 12926, 12930, 12931, 12935, 12940, 12944, 12949, 12955, 12955.8, 12956.1, and 12956.2 of the Government Code, to amend Sections 676.10, 10140, 10140.2, and 12693.28 of the Insurance Code, to amend Section 3600 of the Labor Code, and to amend Sections 186.21, 42256, 42285, 3053.4, and 11410 of the Penal Code, relating to gender.
Actions Required:	None
Presenter:	Donna Allred, Sacramento County
Notes:	N/A

2011 Chaptered Bill Analysis

Bill Number:	AB 1053
Chapter Number:	402
Author:	Assembly Member Gordon
Topic:	Local Government Penalties and Fees
Impact:	Major
Effect:	Amends Sections 100425, 100430, 103625 of the Health & Safety Code, to amend Section 903.14 of the Welfare & Institution Code
Actions Required:	<ol style="list-style-type: none">1. Increases the base fees for obtaining death, fetal death or birth certificates by \$9.00. Requires the fee increase to be applied incrementally, imposing a net fee increase of \$5.00 on January 1, 2012, and additional \$2.00 fee increases on January 1, 2013, and January 1, 2014.<ol style="list-style-type: none">a. January 1, 2012 – Actual increase will only be \$2.00 as the California Department of Public Health (CDPH) had previously raised the base fee to \$6.00 in accordance with H&S 100430 (see attached).b. January 1, 2013- Fee increase will be \$2.00c. January 1, 2014 – Fee increase will be \$2.00d. January 1, 2018 – Fee for birth certificates to the general public goes down \$2.00 due to the sunset of AB 52 "Umbilical Cord Blood Collection Program".2. Specifies that the issuing agency retains 85% of the base-fee revenues solely to support activities related to the issuance of certified copies of vital records, and transmits 15% of the fee to the State Registrar.3. Requires, after January 1, 2014, that the new statutory base fee must be adjusted annually by the percentage change printed in the Budget Act for those items appropriating funds to the Dept. of Public Health and that the actual dollar fee or charge for birth and death certificates shall be rounded to the nearest whole dollar.
Presenter:	Terri Lipscomb, Alameda County De Ana Thompson, San Bernardino County

2011 Chaptered Bill Analysis

Bill Number: AB 1053 Continued

Summary:

- This bill increases the \$3.00 base fee for the issuance of death, fetal death or birth certificate by \$9.00. By January 1, 2014 the total base fee for a death, fetal death or birth certificate will be \$12.00 which will more accurately reflect the true costs of providing this service.
- Requires the \$9.00 increase to be applied incrementally over a three year period.
 - \$5.00 increase over the \$3.00 base fee which will make the base fee \$8.00 on January, 1, 2012; *(Due to the \$3.00 increase already implemented by the state in 1994 which made the current base fee \$6.00 (see note below*)* **Recorders will only need to increase the current base fee of \$6.00 by \$2.00 which will reflect the \$8.00 base fee on January 1, 2012).**
 - An additional \$2.00 increase on the \$8.00 base fee which will make the base fee \$10.00 on January 1, 2013.
 - A final additional \$2.00 increase on the base fee of \$10.00 which will make the base fee \$12.00 on January 1, 2014.
 - **(Recorders are required to implement the fee increase incrementally based on the above listed timetable.)**

***NOTE: H&S Section 100430.2 the base amount to be adjusted shall be the statutory base amount of the fee or charge plus the sum of the prior adjustments to the statutory base amount. Whenever the statutory base amount is amended, the base amount shall be the new statutory base amount plus the sum of adjustment to the new statutory base amount calculated subsequent to the statutory base amendment.** *The State Department of Public Health in accordance with 100430 has already increased the base fee of \$ 3.00 by \$3.00 in 1994; which made the current base fee \$6.00. Recorders are only required to Increase the base fee by\$2.00 instead \$5.00 because the \$3.00 increase the state implemented is allowing for the adjustment of \$2.00 required by January 1, 2014. This leaves a balance of \$6.00 to be increases incrementally over the next three years.*

- The Issuing agency retains 85% of the base fee revenue solely to support activities related to the issuance of certified copies of vital records, and transmits 15% of the fee to the state Registrar.
- After January 1, 2014 the new statutory base fee must be adjusted annually by the percentage change printed in the Budget Act for those items appropriating funds to the Dept of Public Health and that the actual dollar fee or charge for death, death fetal and birth certificates shall be rounded to the nearest whole dollar. **(State will do this and we will increase based on their fee schedule as provided to Recorders)**
- Increases the registration fee for use of public defender services by juveniles from a maximum fee of \$25.00 to a maximum of \$50.00 **(No effect on Recorders)**

Please see sample fee schedules. (Disclaimer) 4 samples attached.

2011 Chaptered Bill Analysis

DISCLAIMER

This Vital Record Fee Schedule was revised for training demonstration purposes only to show how the fee will increase over the next three years as well as the breakdown of the fee allocation percentages. The California Department of Public Health did not review, participate, issue, provide or distribute this document for official business use.

All questions can be forwarded to De Ana M. Thompson at deana.thompson@arc.sbcounty.gov

2011 Chaptered Bill Analysis

Sample #1, Page 1 Fee Schedule of Current Fees

I. CERTIFIED COPIES, SEARCHES, AND CERTIFICATION OF NO PUBLIC RECORD

(Search/No Record fees are the same as copy fees – Health and Safety (H&S) Code, Section 103650)

	Fee	Allocation	
BIRTH - General Public			
H&S Code, § 103625(b) and H&S Code, § 100430	\$6.00	\$5.10 <u>\$.90</u>	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 <u>\$1.35</u>	Retained by issuing agency (55%) To State Registrar each month (45%)
H&S Code, § 103525.5 ¹²	\$1.00	\$0.35 <u>\$0.65</u>	Retained by issuing agency To State Registrar each month
Surcharge: Welfare & Institutions (W&I) Code, § 18966 and H&S Code, § 103625(b) ¹	\$4.00	\$ 0.40 <u>\$ 3.60</u>	Retained by issuing agency (10%) To County Children's Trust Fund (90%)
H&S Code, § 103625(b) ¹⁶	\$2.00	\$ 2.00	To Umbilical Cord Blood Collection Program (100%)
Total Fee	\$16.00		
BIRTH - Government Agency			
H&S Code, § 103625(b) and H&S Code, § 100430	\$6.00	\$5.10 <u>\$.90</u>	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 <u>\$1.35</u>	Retained by issuing agency (55%) To State Registrar each month (45%)
H&S Code, § 103525.5 ¹²	\$1.00	\$0.35 <u>\$0.65</u>	Retained by issuing agency To State Registrar each month
Total Fee	\$10.00		
DEATH – Government Agency & General Public			
H&S Code, § 103625(a) and H&S Code, § 100430	\$6.00	\$5.10 <u>\$.90</u>	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 <u>\$1.35</u>	Retained by issuing agency (55%) To State Registrar each month (45%)
H&S Code, § 103525.5 ¹²	\$1.00	\$0.35 <u>\$0.65</u>	Retained by issuing agency To State Registrar each month
Surcharge: Penal Code, § 14251 ¹⁰	\$2.00	\$0.10 <u>\$1.90</u>	Retained by issuing agency (5%) To Department of Justice Missing Persons DNA Data Base Fund (95%)
Total Fee	\$12.00		

2011 Chaptered Bill Analysis

Sample #1, Page 2 Fee Schedule of Current Fees

I. CERTIFIED COPIES, SEARCHES, AND CERTIFICATION OF NO PUBLIC RECORD (Cont.) (Search/No Record fees are the same as copy fees – Health and Safety (H&S) Code, Section 103650)

	Fee	Allocation	
FETAL DEATH – Government Agency & General Public			
H&S Code, § 103625(a) and H&S Code, § 100430	\$6.00	\$5.10 <u>\$.90</u>	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 <u>\$1.35</u>	Retained by issuing agency (55%) To State Registrar each month (45%)
Total Fee	\$9.00		
STILL BIRTH			
H&S Code, § 103040.1(f) ¹⁴			
Total Fee	Varies per county		Retained by issuing agency (100%)
MARRIAGE - General Public			
H&S Code, § 103625(c) and H&S Code, § 100430	\$6.00	\$5.10 <u>\$.90</u>	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 <u>\$1.35</u>	Retained by issuing agency (55%) To State Registrar each month (45%)
Surcharge: H&S Code, § 103625(c) and Family Code, § 1852 ⁶	\$4.00	\$0.40 <u>\$3.60</u>	Retained by issuing agency (10%) To Family Law Trust Fund (90%)
H&S Code, § 103525.5 and Family Code, § 506 ¹⁵	\$1.00	\$0.35 <u>\$0.65</u>	Retained by issuing agency (35%) To State Registrar each month (65%)
Total Fee	\$14.00		
MARRIAGE - Government Agency			
H&S Code, § 103625(c) and H&S Code, § 100430	\$6.00	\$5.10 <u>\$.90</u>	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 <u>\$1.35</u>	Retained by issuing agency (55%) To State Registrar each month (45%)
H&S Code, § 103525.5 ¹⁵	\$1.00	\$0.35 <u>\$0.65</u>	Retained by issuing agency (35%) To State Registrar each month (65%)
Total Fee	\$10.00		

2011 Chaptered Bill Analysis

Sample #2, Page 1 Fee Schedule Effective January 1, 2012

I. CERTIFIED COPIES, SEARCHES, AND CERTIFICATION OF NO PUBLIC RECORD

(Search/No Record fees are the same as copy fees – Health and Safety (H&S) Code, Section 103650)

	Fee	Allocation	
BIRTH - General Public			
H&S Code, § 103625(b) and H&S Code, § 100430	\$8.00	\$6.80 \$1.20	Effective January 1, 2012, increase of \$2.00 H&S 103625(b) and 100430 Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 \$1.35	Retained by issuing agency (55%) To State Registrar each month (45%)
H&S Code, § 103525.5 ¹²	\$1.00	\$0.35 \$0.65	Retained by issuing agency To State Registrar each month
Surcharge: Welfare & Institutions (W&I) Code, § 18966 and H&S Code, § 103625(b) ¹	\$4.00	\$ 0.40 \$ 3.60	Retained by issuing agency (10%) To County Children's Trust Fund (90%)
H&S Code, § 103625(b) ¹⁶	\$2.00	\$ 2.00	To Umbilical Cord Blood Collection Program (100%)
Total Fee	\$18.00		
BIRTH - Government Agency			
H&S Code, § 103625(b) and H&S Code, § 100430	\$8.00	\$6.80 \$1.20	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 \$1.35	Retained by issuing agency (55%) To State Registrar each month (45%)
H&S Code, § 103525.5 ¹²	\$1.00	\$0.35 \$0.65	Retained by issuing agency To State Registrar each month
Total Fee	\$12.00		
DEATH – Government Agency & General Public			
H&S Code, § 103625(a) and H&S Code, § 100430	\$8.00	\$6.80 \$1.20	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 \$1.35	Retained by issuing agency (55%) To State Registrar each month (45%)
H&S Code, § 103525.5 ¹²	\$1.00	\$0.35 \$0.65	Retained by issuing agency To State Registrar each month
Surcharge: Penal Code, § 14251 ¹⁰	\$2.00	\$0.10 \$1.90	Retained by issuing agency (5%) To Department of Justice Missing Persons DNA Data Base Fund (95%)
Total Fee	\$14.00		

2011 Chaptered Bill Analysis

Sample #2, Page 2 Fee Schedule Effective January 1, 2012

I. CERTIFIED COPIES, SEARCHES, AND CERTIFICATION OF NO PUBLIC RECORD (Cont.) (Search/No Record fees are the same as copy fees – Health and Safety (H&S) Code, Section 103650)

	Fee	Allocation	
FETAL DEATH – Government Agency & General Public			
H&S Code, § 103625(a) and H&S Code, § 100430	\$8.00	\$6.80 \$1.20	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 <u>\$1.35</u>	Retained by issuing agency (55%) To State Registrar each month (45%)
Total Fee	\$11.00		

STILL BIRTH

H&S Code, § 103040.1(f) ¹⁴			
Total Fee	Varies per county		Retained by issuing agency (100%)

MARRIAGE - General Public

H&S Code, § 103625(c) and H&S Code, § 100430	\$6.00	\$5.10 <u>\$.90</u>	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 <u>\$1.35</u>	Retained by issuing agency (55%) To State Registrar each month (45%)
Surcharge: H&S Code, § 103625(c) and Family Code, § 1852 ⁶	\$4.00	\$0.40 <u>\$3.60</u>	Retained by issuing agency (10%) To Family Law Trust Fund (90%)
H&S Code, § 103525.5 and Family Code, § 506 ¹⁵	\$1.00	\$0.35 <u>\$0.65</u>	Retained by issuing agency (35%) To State Registrar each month (65%)
Total Fee	\$14.00		

MARRIAGE - Government Agency

H&S Code, § 103625(c) and H&S Code, § 100430	\$6.00	\$5.10 <u>\$.90</u>	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 <u>\$1.35</u>	Retained by issuing agency (55%) To State Registrar each month (45%)
H&S Code, § 103525.5 ¹⁵	\$1.00	\$0.35 <u>\$0.65</u>	Retained by issuing agency (35%) To State Registrar each month (65%)
Total Fee	\$10.00		

2011 Chaptered Bill Analysis

Sample #3, Page 1 Fee Schedule Effective January 1, 2013

I. CERTIFIED COPIES, SEARCHES, AND CERTIFICATION OF NO PUBLIC RECORD (Search/No Record fees are the same as copy fees – Health and Safety (H&S) Code, Section 103650)

	Fee	Allocation	
BIRTH - General Public			Effective January 1, 2013, increase of \$2.00 H&S 103625(b) and 100430
H&S Code, § 103625(b) and H&S Code, § 100430	\$10.00	\$8.50 \$1.50	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 <u>\$1.35</u>	Retained by issuing agency (55%) To State Registrar each month (45%)
H&S Code, § 103525.5 ¹²	\$1.00	\$0.35 <u>\$0.65</u>	Retained by issuing agency To State Registrar each month
Surcharge: Welfare & Institutions (W&I) Code, § 18966 and H&S Code, § 103625(b) ¹	\$4.00	\$ 0.40 <u>\$ 3.60</u>	Retained by issuing agency (10%) To County Children's Trust Fund (90%)
H&S Code, § 103625(b) ¹⁶	\$2.00	\$ 2.00	To Umbilical Cord Blood Collection Program (100%)
Total Fee	\$20.00		
BIRTH - Government Agency			
H&S Code, § 103625(b) and H&S Code, § 100430	\$10.00	\$8.50 \$1.50	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 <u>\$1.35</u>	Retained by issuing agency (55%) To State Registrar each month (45%)
H&S Code, § 103525.5 ¹²	\$1.00	\$0.35 <u>\$0.65</u>	Retained by issuing agency To State Registrar each month
Total Fee	\$14.00		
DEATH – Government Agency & General Public			
H&S Code, § 103625(a) and H&S Code, § 100430	\$10.00	\$8.50 \$1.50	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 <u>\$1.35</u>	Retained by issuing agency (55%) To State Registrar each month (45%)
H&S Code, § 103525.5 ¹²	\$1.00	\$0.35 <u>\$0.65</u>	Retained by issuing agency To State Registrar each month
Surcharge: Penal Code, § 14251 ¹⁰	\$2.00	\$0.10 <u>\$1.90</u>	Retained by issuing agency (5%) To Department of Justice Missing Persons DNA Data Base Fund (95%)
Total Fee	\$16.00		

2011 Chaptered Bill Analysis

Sample #3, Page 2 Fee Schedule Effective January 1, 2013

I. CERTIFIED COPIES, SEARCHES, AND CERTIFICATION OF NO PUBLIC RECORD (Cont.) (Search/No Record fees are the same as copy fees – Health and Safety (H&S) Code, Section 103650)

	Fee	Allocation	
FETAL DEATH – Government Agency & General Public			
H&S Code, § 103625(a) and H&S Code, § 100430	\$10.00	\$8.50 \$1.50	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 \$1.35	Retained by issuing agency (55%) To State Registrar each month (45%)
Total Fee	\$13.00		
STILL BIRTH			
H&S Code, § 103040.1(f) ¹⁴		Varies per county	Retained by issuing agency (100%)
Total Fee			
MARRIAGE - General Public			
H&S Code, § 103625(c) and H&S Code, § 100430	\$6.00	\$5.10 \$.90	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 \$1.35	Retained by issuing agency (55%) To State Registrar each month (45%)
Surcharge: H&S Code, § 103625(c) and Family Code, § 1852 ⁶	\$4.00	\$0.40 \$3.60	Retained by issuing agency (10%) To Family Law Trust Fund (90%)
H&S Code, § 103525.5 and Family Code, § 506 ¹⁵	\$1.00	\$0.35 \$0.65	Retained by issuing agency (35%) To State Registrar each month (65%)
Total Fee	\$14.00		
MARRIAGE - Government Agency			
H&S Code, § 103625(c) and H&S Code, § 100430	\$6.00	\$5.10 \$.90	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 \$1.35	Retained by issuing agency (55%) To State Registrar each month (45%)
H&S Code, § 103525.5 ¹⁵	\$1.00	\$0.35 \$0.65	Retained by issuing agency (35%) To State Registrar each month (65%)
Total Fee	\$10.00		

2011 Chaptered Bill Analysis

Sample #4, Page 1 Fee Schedule Effective January 1, 2014

I. CERTIFIED COPIES, SEARCHES, AND CERTIFICATION OF NO PUBLIC RECORD (Search/No Record fees are the same as copy fees – Health and Safety (H&S) Code, Section 103650)

	Fee	Allocation	
BIRTH - General Public			
H&S Code, § 103625(b) and H&S Code, § 100430	\$12.00	\$10.20 \$1.80	Effective January 1, 2014, increase of \$2.00 H&S 103625(b) and 100430 Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 \$1.35	Retained by issuing agency (55%) To State Registrar each month (45%)
H&S Code, § 103525.5 ¹²	\$1.00	\$0.35 \$0.65	Retained by issuing agency To State Registrar each month
Surcharge: Welfare & Institutions (W&I) Code, § 18966 and H&S Code, § 103625(b) ¹	\$4.00	\$ 0.40 \$ 3.60	Retained by issuing agency (10%) To County Children's Trust Fund (90%)
H&S Code, § 103625(b) ¹⁶	\$2.00	\$ 2.00	To Umbilical Cord Blood Collection Program (100%)
Total Fee	\$22.00		
BIRTH - Government Agency			
H&S Code, § 103625(b) and H&S Code, § 100430	\$12.00	\$10.20 \$1.80	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 \$1.35	Retained by issuing agency (55%) To State Registrar each month (45%)
H&S Code, § 103525.5 ¹²	\$1.00	\$0.35 \$0.65	Retained by issuing agency To State Registrar each month
Total Fee	\$16.00		
DEATH – Government Agency & General Public			
H&S Code, § 103625(a) and H&S Code, § 100430	\$12.00	\$10.20 \$1.80	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 \$1.35	Retained by issuing agency (55%) To State Registrar each month (45%)
H&S Code, § 103525.5 ¹²	\$1.00	\$0.35 \$0.65	Retained by issuing agency To State Registrar each month
Surcharge: Penal Code, § 14251 ¹⁰	\$2.00	\$0.10 \$1.90	Retained by issuing agency (5%) To Department of Justice Missing Persons DNA Data Base Fund (95%)
Total Fee	\$18.00		

2011 Chaptered Bill Analysis

Sample #4, Page 2 Fee Schedule Effective January 1, 2014

I. CERTIFIED COPIES, SEARCHES, AND CERTIFICATION OF NO PUBLIC RECORD (Cont.) (Search/No Record fees are the same as copy fees – Health and Safety (H&S) Code, Section 103650)

	Fee	Allocation	
FETAL DEATH – Government Agency & General Public			
H&S Code, § 103625(a) and H&S Code, § 100430	\$12.00	\$10.20 \$1.80	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 \$1.35	Retained by issuing agency (55%) To State Registrar each month (45%)
Total Fee	\$15.00		
STILL BIRTH			
H&S Code, § 103040.1(f) ¹⁴			
Total Fee		Varies per county	Retained by issuing agency (100%)
MARRIAGE - General Public			
H&S Code, § 103625(c) and H&S Code, § 100430	\$6.00	\$5.10 \$.90	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 \$1.35	Retained by issuing agency (55%) To State Registrar each month (45%)
Surcharge: H&S Code, § 103625(c) and Family Code, § 1852 ⁶	\$4.00	\$0.40 \$3.60	Retained by issuing agency (10%) To Family Law Trust Fund (90%)
H&S Code, § 103525.5 and Family Code, § 506 ¹⁵	\$1.00	\$0.35 \$0.65	Retained by issuing agency (35%) To State Registrar each month (65%)
Total Fee	\$14.00		
MARRIAGE - Government Agency			
H&S Code, § 103625(c) and H&S Code, § 100430	\$6.00	\$5.10 \$.90	Retained by issuing agency (85%) To State Registrar each month (15%)
H&S Code, § 103625(f) ⁸ and H&S Code, § 100430	\$3.00	\$1.65 \$1.35	Retained by issuing agency (55%) To State Registrar each month (45%)
H&S Code, § 103525.5 ¹⁵	\$1.00	\$0.35 \$0.65	Retained by issuing agency (35%) To State Registrar each month (65%)
Total Fee	\$10.00		

2011 Chaptered Bill Analysis

CALIFORNIA CODES

HEALTH AND SAFETY CODE

100430. (a) (1) The fees or charges for a record search or for the issuance of any license, permit, registration, or any other document pursuant to Section 26832 or 26840 of the Government Code, or Section 102525, 102625, 102670, 102725, 102750, 103040.1, 103050, 103065, 103225, 103325, 103400, 103425, 103450, 103525, 103590, 103625, 103650, 103675, 103690, 103695, 103700, 103705, 103710, 103715, 103720, 103725, or 103735 of this code, may be adjusted annually by the percentage change determined pursuant to Section 100425.

(2) The base amount to be adjusted shall be the statutory base amount of the fee or charge plus the sum of the prior adjustments to the statutory base amount. Whenever the statutory base amount is amended, the base amount shall be the new statutory base amount plus the sum of adjustments to the new statutory base amount calculated subsequent to the statutory base amendment. The actual dollar fee or charge shall be rounded to the next highest whole dollar.

(b) Beginning January 1, 1983, the department shall annually publish a list of the actual numerical fee charges as adjusted pursuant to this section. This adjustment of fees and the publication of the fee list shall not be subject to the requirements of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

2011 Chaptered Bill Analysis

Bill Number:	SB 154
Chapter Number:	120
Author:	Senate Member Wolk
Topic:	Marriage Licenses: vital records: fees; domestic violence: Solano County
Impact:	Solano County (Informational all other)
Summary:	<p>Existing law authorizes the Solano County Board of Supervisors, upon making certain findings and declarations, to authorize an increase in fees for marriage licenses and confidential marriage licenses and for certified copies of certain vital records, up to \$2. Existing law authorizes the Solano County Board of Supervisors to make further increases in fees each year, as relating to domestic violence prevention, intervention, and prosecution. Sunsets January 1, 2012.</p> <p>SB 154 repeals the sunset date of January 1, 2012, and extends the operation indefinitely.</p>
Effect:	Amends Section 26840.11 of the Government Code, amends Section 103628 of the Health and Safety Code, amends Section 18309.5 of the Welfare and Institutions Code.
Actions Required:	None
Presenter:	Kathy Wolfe, Santa Cruz County
Notes:	N/A

2011 Chaptered Bill Analysis

Bill Number:	SB 636
Chapter Number:	200
Author:	Senator Corbett
Topic:	Personal Information: Internet disclosure prohibition
Impact:	Informational
Summary:	Makes specified changes in law relating to the disclosure of protected personal information about domestic violence and stalking victims. Provides further protection to individuals participating in the Safe at Home Program by prohibiting their addresses and telephone numbers from being posted on the Internet , and establishing crimes for publishing or failing to remove their identifying information."

Specifically:

1. Prohibits the Secretary of State (SOS) from disclosing the personal information of a "Safe at Home" participant **unless** the participant's certification has been cancelled because false information was used in the application process to avoid detection of illegal activity or apprehension by law enforcement.
2. Prohibits a person, business, or association from knowingly and intentionally posting, displaying, soliciting, selling, or trading on the **Internet** the home address, home telephone number, or image of a program participant or other individual residing at the same address as the participant with the intent to imminently cause great bodily harm to the person or to place the person in reasonable fear for his or her safety.
3. Prohibits a person, business, or association from knowingly and intentionally publicly posting or publicly displaying on the **Internet** the home address or home phone number of a program participant if the participant has made a **written** demand of that person, business, or association to not to disclose his or her information.
4. Provides that a participant whose information is posted or displayed in violation of the above provisions may bring an action for injunctive relief or money damages, as specified.
5. Makes it a misdemeanor for a person to post on the **Internet** the personal information of a program participant, or of a participant's family member, with the **intent** that another person imminently use that information to commit a crime involving violence or a threat of violence against the participant or the program participant's family members who are participating in the program.

2011 Chaptered Bill Analysis

Bill Number: **SB 636 Continued**

6. Makes it a misdemeanor, for activity as in (5), regarding a provider, employee volunteer, or patient of a reproductive health service facility, or other individuals residing at the same address.

Effect: Provides further protection to individuals participating in the Safe at Home Program by prohibiting their addresses and telephone numbers from being posted on the **Internet** and establishing crimes for publishing or failing to remove their identifying information.

Actions Required: None (only if a county publishes personal information on the internet).

Presenter: De Ana M. Thompson, San Bernardino County

Notes: Counties may want to have a plan in place with their vendor to exclude a "Safe at Home" participant's personal identifying information from being available to the general public.

2011 Chaptered Bill Analysis

Topic: CEQA Document Filing Fees (Fish and Game)

Impact: Major

Summary: Pursuant to Fish and Game Code Section 711.4, the Department shall impose and collect a filing fee to defray the costs of managing and protecting California's vast fish and wildlife resources, including, but not limited to, consulting with other public agencies, reviewing environmental documents, recommending mitigation measures, and developing monitoring programs.

On September 29, 2006 Senate Bill 1535 was passed increasing the amounts of filing fees collected by the Department, and requires the Department to adjust the fees annually pursuant to Fish and Game Code Section 713. The annual fee adjustments are based on changes in the Implicit Price Deflator for State and Local Government Purchases of Goods and Services, as published by the U.S. Department of Commerce.

Effect: The table below contains the CEQA filing fees for 2011, and the adjusted fees that will become effective on 01/01/2012.

The filing fees for CEQA documents are as follows:

CEQA Document	2011 Filing Fee	Filing Fee Effective 01/01/2012
Negative Declaration (ND)	\$2,044.00	\$2,101.50
Mitigated Negative Declaration (MND)	\$2,044.00	\$2,101.50
Environmental Impact Report (EIR)	\$2,839.25	\$2,919.00
Environmental Document pursuant to a Certified Regulatory Program (CRP)	\$965.50	\$992.50
County Clerk Processing Fee	\$50.00	\$50.00

Actions Required: County Clerk's will need to make sure they collect the appropriate fees for all documents received on or after 01/01/2012. See attached.

Presenters: Kenton Owyang, San Francisco County

Notes: November 3, 2011 letter from Department of Fish and Game notifying an adjustment in the environmental filing fees for proposed projects requiring a Negative Declaration (ND) or Environmental Impact Report (EIR) under CEQA. Available on their website at:

http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html

2011 Chaptered Bill Analysis



State of California - The Natural Resources Agency
DEPARTMENT OF FISH AND GAME
1416 9th Street
Sacramento, CA 95814
<http://www.dfg.ca.gov>

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



November 3, 2011

Subject: California Environmental Quality Act (CEQA) Environmental Filing Fees
for 2012

Dear Sir or Madam:

This letter is to notify you of an adjustment in the environmental filing fees for proposed projects requiring a Negative Declaration (ND) or Environmental Impact Report (EIR) under CEQA.

Fish and Game Code (FGC) Section 711.4 requires the Department of Fish and Game (Department) to collect a filing fee to defray the costs of managing and protecting public trust resources for activities related to environmental review pursuant to CEQA. The environmental filing fees pay for important Department activities, including but not limited to consulting and coordinating with other public agencies, reviewing environmental documents, recommending avoidance and mitigation measures to eliminate or reduce project impacts to fish and wildlife, developing mitigation monitoring requirements and carrying out other activities to protect public trust resources under CEQA. Pursuant to FGC Section 713, the filing fee is adjusted annually based on changes to the Implicit Price Deflator for State and Local Government Purchases of Goods and Services as published by the U.S. Department of Commerce. The filing fees for calendar year 2012 are shown in the attached table and are available on the Department's website at: http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html.

While the filing fees have changed for 2012, the process for payment of filing fees has not changed. The fee is due at the time a Notice of Determination (NOD) is filed. Local lead agencies must pay the fee to the appropriate County Clerk when filing a NOD locally (FGC Section 711.4). County Clerks should not accept or post a NOD from a local lead agency, unless it is accompanied by one of the following: (1) the correct Department filing fee payment (see attached table), (2) an Environmental Filing Fee Cash Receipt (FG 753.5a) or Department-approved equivalent showing previous payment of the filing fee for the same document, or (3) a No Effect Determination signed by a Department official which documents that the project will have no effect on fish and wildlife. Because a lead agency typically files its NOD before responsible agencies file their project NODs, payment will normally be required at the time of the lead agency's filing and responsible agencies may submit a copy of an official receipt showing the name of the project and the date and amount of payment. If a receipt showing prior payment of the fee is not provided, the fee must be paid at the time a responsible agency files its NOD. If a required filing fee is not paid for a project, the project will not be operative, vested, or final and any local government permits issued for the project will not be valid (FGC Section 711.4(c)(3)).

Conserving California's Wildlife Since 1870

COUNTY CLERKS LEGISLATIVE COMMITTEE
MEETING SCHEDULE

2012

Month	Date	Time	Location
January	19	10:00 a.m.	Sacramento Co. Recorder's Office
February	16	10:00 a.m.	Sacramento Co. Recorder's Office
March	15	10:00 a.m.	Sacramento Co. Recorder's Office
April	19	10:00 a.m.	Sacramento Co. Recorder's Office
May	17	10:00 a.m.	Sacramento Co. Recorder's Office
June	21	10:00 a.m.	Sacramento Co. Recorder's Office
July	18	TBA	San Diego @ Annual Conference

The Sacramento County Recorder's Office is located at 600 8th Street Sacramento, CA 95814.