

H-12

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 3 OF THE LASSEN COUNTY
CODE PERTAINING TO PROBATION FEES

THE BOARD OF SUPERVISORS OF THE COUNTY OF LASSEN ORDAINS as follows:

Section One:

The Board of Supervisors finds and determines that Probation Department fees, rates and charges must be adjusted to reflect actual expenses incurred by the Probation Department in the administration of various responsibilities and services as well as comport with changes in California Government Code section 27757 which eliminated the assessment of certain fines and fees to juvenile offenders. The amendments made by this ordinance are to address this change.

Section Two:

Section 3.18.110 of the Lassen County Code is amended to read, in its entirety, as follows:

3.18.110 Assessment of probation fees

- (a) The provisions of California Penal Code Section 1203.1b, as amended from time to time, are hereby adopted and shall be operative in the County of Lassen. California Penal Code Section 1203.1b provides that an individual convicted of an offense and granted probation may be ordered by the court to pay reasonable cost of probation and or conducting the presentence investigation and preparing the presentence report, based upon the individual's ability to pay. The Probation Department is hereby given the authority to implement and carry out the provisions of said section.
- (b) The following fees, rates and charges pursuant to this section have been determined to be "reasonable costs of probation supervision" and, when ordered, shall be paid to the Lassen County Treasurer/Tax Collector, Lassen County Office of Recovery and Reimbursement Division. An individual offender over the age of 21 (unless otherwise expressly stated) may be assessed the following:
 - (1) A fee of \$10.00 per test for the cost of administering and conducting court-ordered drug and substance abuse tests, in accordance with Penal Code Section 1203.1ab and Welfare and Institutions Code Section 729.9
 - (2) A fee of \$6.00 per month or the actual third party vendor cost for automated phone reminder check in to be paid by the offender directly to the vendor, in accordance with Penal Code Section 1203.1b(a)
 - (3) A fee of \$25.00 plus any third-party charges, per report, for the cost of background investigations conducted, in accordance with Penal Code Section 11105(e)
 - (4) A fee of \$223.00 per month for the cost of active probation supervision, in accordance with Penal Code Section 1203.1b

- (5) A fee of \$600.00 per report for the cost of conducting and preparing a pre-sentence investigation, in accordance with Penal Code Section 1203.1b
- (6) A fee of \$600.00 per report for the cost of supplemental investigation and report, in accordance with Penal Code Section 1203.1b
- (7) A fee of \$150.00 per report for Post-Termination Petition for Relief, in accordance with Penal Code Section 1203.4(d)
- (8) A fee of \$150.00 per report for the cost of preparing and conducting an Interstate Transfer Application, in accordance with Penal Code Section 1203.1b
- (9) A fee of \$240.00 per report for the cost of processing interjurisdictional transfer request and application, in accordance with Penal Code Section 1203.9(c) and 1203.1b
- (10) A fee of \$300.00 per report for Deferred Entry of Judgement services (misdemeanor offenses), in accordance with Penal Code Section 1001.15(c)
- (11) A fee of \$300.00 per report for Deferred Entry of Judgement services (drug offenses), in accordance with Penal Code Section 1001.16(a)
- (12) A fee of \$500.00 per report for Deferred Entry of Judgement services (felony offenses), in accordance with Penal Code Section 1001.15(a)
- (13) A fee of \$250.00, per approval or approval renewal, for Domestic Violence Batterer's Program Certification and Re-Certification services, in accordance with Penal Code Section 1203.097(c)(5)(B)
- (14) An activation fee of \$25 and a \$10.00 per day fee or the actual third party vendor cost for Global Positioning System Monitoring, in accordance with Penal Code Section 1210.15(a)
- ~~(15) A fee of \$50.00 monthly or \$600.00 annually for Juvenile Probation Supervision, in accordance with Welfare and Institutions Code Section 903.2(a)~~
- ~~(16) A fee of \$50.00 monthly or \$600.00 annually for Juvenile Diversion Probation Supervision, in accordance with Welfare and Institutions Code Section 903.2(a)~~
- ~~(17) A fee of \$50.00 monthly or \$600.00 annually for Juvenile Misdemeanant Diversion Probation Supervision, in accordance with Welfare and Institutions Code Section 903.2(a)~~
- (18) A fee of \$600.00 per report for Juvenile Disposition Investigation and Report services, in accordance with Government Code Section 54985(a)

- (19) A fee of \$15.00 per failure to appear (FTA) or failure to pay (FTP), in accordance with Vehicle Code Section 40508.5
- (20) A fee of \$10.00 per automation assessment, in accordance with Vehicle Code Section 40508.6
- ~~(21) A fee of \$20.00 per day for Juvenile Home Supervision, in accordance with Welfare and Institutions Code 903.2(a)~~
- ~~(22) A fee of \$100.00 per day for Post Notice Custody, in accordance with Welfare and Institutions Code 903.25~~
- ~~(23) A fee of \$30.00 per day for Juvenile Detention Facility Support, in accordance with Welfare and Institutions Code 903~~
- ~~(24) A fee of \$50.00 per day for Juvenile Court Work Program supervision, in accordance with Welfare and Institutions Code 903.2(a)~~
- (c) The following fees, rates and charges pursuant to this section have been determined to be "reasonable costs of the Freedom From Parental Control Investigation" and, when ordered, shall be paid to the Lassen County Treasurer/Tax Collector, Lassen County Office of Recovery and Reimbursement Division:
- (1) A fee of \$900.00 per report for Freedom From Parental Custody and Control, in accordance with Family Code Section 7851.5

Section 3:

This ordinance shall take effect and be in force thirty (30) days after its final adoption. This ordinance shall be published in accordance with the requirements of Government Code section 25124.

The foregoing ordinance was adopted at a regular meeting of the Board of Supervisors of the County of Lassen, State of California, held on the _____ day of _____, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

CHRIS GALLAGHER,
Chairman
Board of Supervisors

ATTEST
JULIE BUSTAMANTE
Clerk of the Board

BY _____
MICHELE YDERRAGA, Deputy Clerk of the Board

I, MICHELE YDERRAGA, Deputy Clerk of the Board of the Board of Supervisors, County of Lassen, do hereby certify that the foregoing ordinance was adopted by the said Board of Supervisors at a regular meeting thereof held on the _____ day of _____, 20____.

Deputy Clerk of the County of Lassen
Board of Supervisors