



## Why is Your Fine So Much?



### Penalties and Assessments

#### **What is Penalty Assessment?**

It is an amount added to base bail and base fines on infraction, misdemeanor and felony offenses. The current penalty assessment (eff. January 1, 2009) is \$26 for each \$10 or portion \$10 of fine or bail as set by the California State Legislature. The \$26 Penalty Assessment is charged pursuant to Penal Code Sec 1464 and Government Codes 76000, 70372, 76104.6, 76104.7 and 76000.5.

In addition to the penalty assessments, effective August 10, 2009, the court security fee was increased to \$30.00 for each infraction, misdemeanor and felony violations resulting in a conviction pursuant to PC 1465.8. Effective Jan 1, 2009, an assessment in the amount of \$30 for each misdemeanor or felony and \$35 for each infraction has been added for each conviction (GC 70373). There is also a 20% State Surcharge, effective since Sept 20, 2002 imposed on the base bail or base fine amount. This 20% may **not** be used to calculate the Penalty Assessment per each \$10 of fine. These penalties are also included in the calculation for traffic school.

#### **What is Night Court Assessment?**

Pursuant to Vehicle Code Sec 42006, in addition to the Penalty Assessment, one dollar (\$1) is collected for violation of any section of the Vehicle Code or local ordinance adopted pursuant to the Vehicle Code.

#### **Example of fine amount for vehicle code:**

Base fine amt (\$25)	\$25.00
Penalty Assess (\$78)	30.00
	21.00
	15.00
	6.00
	6.00
State Surcharge 20%	5.00
Court Security Fee	30.00
Conviction Assess Fee	35.00
Night Court Fee	1.00
Total Fine	\$174.00

#### **Where the money goes:**

Court automation 2%, County Funds 15%, City Funds 83%

State penalty fund (PC 1464)

County penalty fund (GC 76000)

To the state court facilities construction fund (GC 70372)

DNA Identification Fund (GC 76104.6 and GC 76104.7)

County Emergency Medical Services (GC 76104)

State Gen Fund (PC 1465.7)

To fund security in the trial courts (PC 1465.8)

To fund building/maintaining trial courts (GC 70373(a) (1))

Fund night court operations (VC 42006)

#### **Traffic School**

Traffic School calculation is based on base fine + Penalty Assessment + Security fee + State surcharge + Conviction Assessment + Administrative fee + Costs of traffic school instruction.

**Effective Jan 1, 2009, the Administrative Fee increased (by an additional \$25) from \$24 to \$49.**

#### **Proof of Correction**

Effective Jan 1, 2009, proof of correction on a correctable violation, the fee increased from \$10 per citation to \$25 for each correctable violation.

#### **The Court's Responsibility**

The trial courts are required to follow the laws passed by Legislature and signed by the Governor. They are not responsible for creating those laws. If you are concerned with the amount of your fine, contact your state legislator.