

## Why is Your Bail or Fine So Much?

### Penalties and Assessments

**What is a Penalty Assessment?** It is an amount added to the base bail and base fine amounts on infraction, misdemeanor and felony offenses. The current penalty assessment (effective November 1, 2010), is \$28.00 for every \$10.00 of the base amount or portion thereof as set forth by the California State Legislature. The \$28.00 penalty assessment is charged pursuant to Penal Code 1464 and Government Codes 76000, 70372, 76104.6, 76104.7 and 76000.5.

In addition to the penalty assessments above, the following amounts are added to your base bail or base fine amounts:

- Pursuant to Penal Code 1465.7, there is a 20% State Surcharge imposed on the base bail or base fine amount. This 20% is not included in the base fine used to calculate the penalty assessments above.
- Pursuant to Penal Code 1465.8, SBX4 13 & SB 857, there is a \$40.00 court security fee imposed for each infraction, misdemeanor or felony violation resulting in a conviction.
- Pursuant to Government Code 70373, there is a \$30.00 assessment imposed for each misdemeanor or felony conviction and \$35.00 assessment imposed for each infraction conviction.
- Pursuant to Vehicle Code 42006, there is a \$1.00 assessment imposed for violation of any section of the vehicle code or local ordinance adopted pursuant to the Vehicle Code.
- Pursuant to Vehicle Code 40508.6, there is a \$10.00 administrative assessment imposed for administrative costs for maintaining a record of a defendant's prior convictions/notifying Department of Motor Vehicles of the attachment or restriction for all defendant's whose drivers license or automobile registration is attached or restricted.

#### **Example of a Vehicle Code Fine**

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

Base Fine Amount	\$	25	Court Automation 2%, County Funds 15%; City Funds 83%
Penalty Assessments (\$84.00)		30	State Penalty Fund-PC 1464 (\$10.00 for every \$10.00)
		21	County Penalty Fund-GC 76000 (\$7.00 for every \$10.00)
		15	State Court Facilities Const Fund-GC 70372 (\$5.00 for every \$10.00)
		12	DNA Identification Fund-GC 76104.6, GC 76104.7 & ABX3 (\$4.00 for every \$10.00)
		6	County Emergency Medical Services-GC76000.5 (\$2.00 for every \$10.00)
State Surcharge		5	State General Fund-PC 1465.7 (20% of Base Fine)
Court Security Fee		40	Fund Security for Courts-PC 1465.8 (\$20.00), SBX4 13 (\$10.00) & SB 857 (\$10.00)
Conviction Assessment		35	Fund Building/Maintenance for Courts-GC 70373 (\$35.00 per conviction)
Night Court Fee		1	Fund Night Court Operations-VC 42006 (\$1.00 per case)
Administrative Assessment		10	Fund Administrative Costs-Priors/DMV-VC 40508.6 (\$10.00 per case)
Total Fine	\$	200.00	

### Traffic School

The bail/fine amount for traffic school is calculated the same as above plus an Administrative Fee of \$54.00 (Vehicle Code 11205(e) & 42007.1). The school for Traffic School will also charge a fee for the cost of instruction.

### Proof of Correction

Pursuant to Vehicle Code 40611, when submitting proof of correction on a correctable violation, the transaction fee is \$25.00 for each correctable violation.

### The Court's Responsibility

The trial courts are required to follow the laws passed by the 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.