

COMMISSION ON STATE MANDATES

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May 28, 1999

Mr. Leonard Kaye, Esq.
County of Los Angeles
Auditor-Controller's Office
500 W. Temple Street, Room 603
Los Angeles, California 90012

And Affected Parties and State Agencies (See Enclosed Mailing List)

Re: *Domestic Violence Arrests and Victim Assistance, CSM 98-TC-14*
County of Los Angeles, Claimant
Statutes of 1998, Chapter 698 Amending Penal Code Sections 264.2
and 13701, and Statutes of 1998, Chapter 701 Amending Penal Code Sections
13701 and 13519

Dear Mr. Kaye:

The Commission on State Mandates determined that the subject test claim submittal is complete. The test claim initiates the process for the Commission to consider whether the provisions of the chapters listed above impose a reimbursable state mandated program upon local entities. The state agencies addressed via the mailing list are receiving a copy of this test claim because they may have an interest in the Commission's determination of this test claim.

The key issues before the Commission are:

- Do the subject statutes, executive orders, standards and procedures result in a new program or higher level of service within an existing program upon local entities within the meaning of section 6, article XIII B of the California Constitution and section 17514 of the Government Code? If so, are there costs associated with the mandate that are reimbursable?
- Do any of the provisions of Government Code section 17556 preclude the Commission from finding that the provisions of the subject statutes impose a reimbursable state mandated program upon local entities?

The Commission requests your participation in the following activities concerning this test claim:

- **Informal Conference.** No informal conference has been scheduled. One may be scheduled if requested by any interested party. See Title 2, CCR section 1183.04 (the regulations).

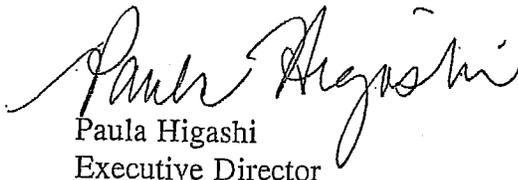
- **State Agency Review of Test Claim.** By June 28, 1999, state agencies receiving this letter are requested to analyze the merits of the test claim and to file written responses, opposition, or recommendations on its validity under the provisions of Government Code sections 17500 through 17630 and section 1183.02 of the regulations. Alternatively, if a state agency chooses not to respond to this request, please submit a written statement of non-response to the Commission. Requests for extensions of time may be filed in accordance with section 1183.01 (c) and 1181.1 (g) of the regulations.
- **Claimant Rebuttal.** The claimant and interested parties may file a rebuttal to state agencies' responses, opposition or recommendations regarding the test claim under section 1183.02 of the regulations.
- **Public Hearing.** The public hearing on the test claim is tentatively set for **November 18, 1999**, at 9:30 a.m., in Room 437, State Capitol, Sacramento. State and local representatives may provide testimony at this hearing. A court reporter will tape the proceedings in order to prepare a transcript. Requests for postponement of the hearing may be filed with the executive director in accordance with section 1183.01 of the regulations.

Your participation in the test claim process is important to the determination of whether the claim meets the constitutional and statutory requirements for a reimbursable state mandated program.

Should the Commission determine that a reimbursable state mandate exists, the claimant is responsible for providing proposed parameters and guidelines for reimbursing all eligible local entities. In accordance with the regulations, all interested parties, including affected state agencies will be given an opportunity to comment on the claimant's proposal. Finally, the Commission is required to adopt a statewide cost estimate of the reimbursable state mandated program within 12 months of receipt of a test claim. This deadline may be extended for up to six months upon the request of either the claimant or the Commission.

Please contact Nancy Patton at (916) 323-8217 if you have any questions.

Sincerely,


Paula Higashi
Executive Director

Enclosures

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Commission on State Mandates

Originated:
05/28/1999

Today's Date:
05/28/1999

Mailing List

CSM/SB # 98-TC-14

Claim Title County of Los Angeles

Government Code Section

Chapters 698/98 & 701/98

Issue Domestic Violence Arrests and Victim Assistance

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CSM/SB # 98-TC-14

Claim Title County of Los Angeles

Government Code Section

Chapters 698/98 & 701/98

Issue Domestic Violence Arrests and Victim Assistance

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