



25-LDM-06

March 16, 2026

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RE: Legislatively Determined Mandates

Criminal Fee Repeal and Formerly Fee-Supported Activities
(Assembly Bill 1869; Statutes 2020, Chapter 92 and Each State-Mandated Activity
Identified Therein)

Dear Director Stephenshaw and Executive Director Gmur:

Rural County Representatives of California (RCRC), a statewide association of California's rural counties, hereby requests to initiate a Joint Request for Legislatively Determined Mandate (LDM) pursuant to Government Code section 17573 regarding the above-captioned statutes and state-mandated activities.

Assembly Bill 1869 repealed counties' longstanding authority to charge fees for various activities related to the criminal justice process,¹ while simultaneously appropriating state funds to backfill counties' lost revenues for five years (in the amount of \$65,000,000 per year). Under current law, that backfill ends in the 2025-26 fiscal year,² and counties will thus first incur increased cost to implement Assembly Bill 1869 and each of the criminal justice activities identified therein on July 1, 2026, making a test claim timely. For purposes of clarity and avoidance of doubt, the scope of the mandate for which a Joint Request is proposed includes both Assembly Bill 1869 itself (which provides a "higher level of service"

¹ As described in the Assembly Floor Analysis dated August 31, 2020, "[t]he administrative fees that will be repealed are:

1) Government Codes 27712 (public defense fee), 27753 (cost of counsel), 29550(c) (criminal justice administration fee), 29550(f) (administrative screening fee and citation processing fee), 29550.1 (criminal justice administration fee), 29550.2 (county booking fee), 29550.3 (city booking fee), and
2) Penal Codes 1203 (interstate compact supervision), 1203.016(g) (adult home detention administrative fee), 1203.018(j)(electronic monitoring administrative fee), 1203.1b (probation department investigation/progress report fee), 1203.1e (parole supervision fee), 1208.2(b) (program administrative fee), 1210.15 (continuous electronic monitoring fee), 3010.8 (parole continuous electronic monitoring fee), 4024.2(e)(work furlough administrative fee), 6266 (work furlough program fee), 987.4 (minor public defense fee), 987.5 (public defense registration fee), and 987.8 (public defense fee)."

² Government Code section 29953. This backfill is not included in the Governor's Proposed Budget for 2026-27. (See < <https://ebudget.ca.gov/2026-27/pdf/GovernorsBudget/8000/9210.pdf>>.)

to the public by making previously costly services available for free³) and each of the individual legally mandated or practically compelled criminal justice activities identified in Assembly Bill 1869 (for which, regardless of the original enactment dates, counties will first incur increased costs upon removal of the backfill in 2026⁴). We are looking forward to working with the Department to follow the process set forth in Section 17573 to develop a Joint Request for presentation to the Legislature.

By copy of this letter to the Commission on State Mandates, RCRC requests acknowledgement that the statute of limitations to file a test claim is tolled as of the date of this notice pursuant to Government Code section 17573, subdivision (b). While this matter is pending, RCRC or the Department shall notify the Commission of actions taken as set forth below, in accordance with subdivision (g) of Section 17573:

- Provide the Commission with a copy of any communications regarding development of a joint request under this section and a copy of a joint request when it is submitted to the Legislature.
- Notify the Commission of the date of (A) the Legislature's action on a joint request in the Budget Act, or (B) the Department's decision not to submit a joint request.

Please do not hesitate to contact us if you have any questions, or would like to schedule a meeting to discuss the next steps in the LDM process.

Very truly yours,

ARTHUR J. WYLENE, General Counsel
Rural County Representatives of California



cc: Hon. Laura Richardson, Chair, Senate Budget Subcommittee No. 5
Hon. James Ramos, Chair, Assembly Budget Subcommittee No. 6

³ "Courts of Appeal have found a reimbursable 'higher level of service' concerning an existing 'program' when a state law or executive order mandates not merely some change that increases the cost of providing services, but an increase in the actual level or quality of governmental services provided." (*San Diego Unified School Dist. v. Commission on State Mandates* (2004) 33 Cal.4th 859, 877.)

⁴ (See *Child Physical Abuse and Neglect Exams*, 24-TC-05 Decision (Feb. 13, 2026), at pp. 40-41 ["Had the claimant been seeking reimbursement for the costs of the exams that previously were paid from the victim's private insurance or from the victim directly, *its option was to plead Penal Code section 11171, as originally added by Statutes 2002, chapter 249 (SB 580) and the 2023 test claim statute*, based on the date the claimant first incurred increased costs in 2024 as a result of the 2023 test claim statute"].)

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On March 18, 2026, I served the:

- **Current Mailing List dated March 17, 2026**
- **Notice of Receipt of Letter of Intent to Initiate a Joint Request for a Legislatively Determined Mandate and Tolling of the Statute of Limitations issued March 18, 2026**
- **Letter of Intent to Initiate a Joint Request for a Legislatively Determined Mandate filed by the Rural County Representatives of California (RCRC) filed March 16, 2026**

Criminal Fee Repeal and Formerly Fee-Supported Activities, 25-LDM-06
Statutes 2020, Chapter 92 (AB 1869)
Rural County Representatives of California, Requester

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on March 18, 2026 at Sacramento, California.



Jill Magee
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 3/17/26

Claim Number: 25-LDM-06

Matter: Criminal Fee Repeal and Formerly Fee-Supported Activities

Requester: Rural County Representatives of California

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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