

**AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA,
REPEALING CHAPTER 2.93 OF THE MONTEREY COUNTY CODE RELATING TO
FEES FOR THE RECOVERY OF THE REASONABLE COSTS OF PROBATION
SERVICES.**

County Counsel Summary

This ordinance repeals Chapter 2.93 of the Monterey County Code, thereby rescinding County authorization to collect fees for certain probation services provided by the Monterey County Probation Department. Existing Chapter 2.93 authorizes the Probation Department to recover the reasonable costs of probation services from juvenile and adult offenders subject to a determination of their ability to pay. Recent changes in state law have repealed the authority to collect these fees for probation services, with the exception of fees for sealing juvenile records, and the County is choosing not to collect the juvenile record sealing fees. Accordingly, this ordinance would repeal Chapter 2.93 in order to update the County Code to conform to changes in state law and to eliminate authorization to collect fees for probation services.

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. PURPOSE

The purpose of this ordinance is to repeal Chapter 2.93 of the Monterey County Code to update the County Code to conform to changes in state law and to eliminate authorization to collect fees for probation services. Chapter 2.93 of the Monterey County Code currently authorizes the Probation Department of the County of Monterey to recover the reasonable costs of probation services from juvenile and adult offenders subject to a determination of ability to pay. Recent legislation (SB 190 (2017), SB 1290 (2020), and AB 1869 (2020)) has amended state law to repeal the authority to collect these fees from juvenile and adult offenders, with the exception of fees for sealing juvenile records, and the County is choosing not to collect the juvenile record sealing fees. Therefore, Chapter 2.93 is no longer necessary.

SECTION 2. Chapter 2.93 of the Monterey County Code is hereby repealed in its entirety.

SECTION 3. This ordinance shall become effective on the thirty-first day following its adoption.

PASSED AND ADOPTED on this day of _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Wendy Root Askew, Chair
Monterey County Board of Supervisors

A T T E S T

VALERIE RALPH
Clerk of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:

/s/ Wendy S. Strimling

WENDY S. STRIMLING
Assistant County Counsel