

ORDINANCE NO. 10485 (NEW SERIES)

AN ORDINANCE TO AMEND SECTION 92 OF ARTICLE V OF THE SAN DIEGO COUNTY ADMINISTRATIVE CODE, RELATING TO RESTITUTION COLLECTIONS PURSUANT TO PENAL CODES 1202.45, 2085.5, 2085.6 AND 2085.7

The Board of Supervisors of the County of San Diego Ordains as follows:

Section 1. The Board of Supervisors finds and determines that the Auditor and Controller, Office of Revenue and Recovery is to serve as the collection agency for restitution orders, restitution fines and revocation restitution fines pursuant to Penal Code sections 1202.45, 2085.5, 2085.6 and 2085.7. The amendments made by this ordinance will allow the Auditor and Controller to work in conjunction with the Sheriff and Probation to access inmate accounts as allowed by law for the purpose of deducting appropriate restitution fines and orders.

Section 2. Section 92 of Article V of the San Diego County Administrative Code related to "Auditor and Controller" is hereby amended to read as follows:

SEC. 92 . REVENUE AND RECOVERY FUNCTIONS OF THE DEPARTMENT.

The Department will provide professional collections and revenue recovery services which will serve all levels of County Government to maximize the recovery of moneys due and owing. The Deputy Chief Administrative Officer/Auditor & Controller shall review and make recommendations upon all budget requests for collection of accounts receivable which may be assigned to the Department. In carrying out these functions, the Department shall perform such functions as may be assigned to it including the following:

- (a) The billing and collections of moneys for health care provided by the Health and Human Services Agency. This includes recovery from State and Federal subsidized programs.
- (b) The billing and collection of costs for the support and maintenance of minors placed by order of the Juvenile Court in any of the County Juvenile Probation Facilities or out of home placements.
- (c) The billing and collection on welfare frauds and overpayments.
- (d) The billing and collection of General Relief repayments. Further, the Deputy Chief Administrative Officer/Auditor & Controller is authorized to defer billing, or compromise and settle a General Relief account when investigation reveals that such action is in the best interest of the County.
- (e) The processing, maintenance and recovery on Grants of Liens in favor of the County.
- (f) Act on behalf of the Chief Probation Officer to collect fines, restitution, costs of probation supervision, costs of pre-sentence investigation, and other associated fees and costs.

(g) Screen felony and misdemeanor defendants who request court-appointed attorneys to determine whether they can afford to pay for their own legal defense in lieu of County paid services.

(h) Enforce recovery on accounts receivable for all County departments when directed to do so by the Chief Administrative Officer and the Board or by agreement between the Office of Revenue and Recovery and County departments.

(i) The billing and collection of fines and fees for State or court agencies by signed agreement between the Office of Revenue and Recovery and the agency.

(j) The collection of restitution orders, restitution fines and revocation restitution fines from offenders pursuant to Penal Codes 1202.45, 2085.52085.6, and 2085.7.

APPROVED AS TO FORM AND LEGALITY

COUNTY COUNSEL

BY MARK DAY, SENIOR DEPUTY COUNTY COUNSEL

Meeting Date: 05/02/17 (14)

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 2nd day of May, 2017.



DIANNE JACOB
Chairwoman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Gaspar, Roberts, Horn

ATTEST my hand and the seal of the Board of Supervisors this 2nd day of May, 2017.

DAVID HALL
Clerk of the Board of Supervisors

By 
Diana Lopez, Deputy



Ordinance No.10485 (N.S.)

05/02/17 (14)