

Department of Finance		Fund: 0910
STATE OF CALIFORNIA MANUAL OF STATE FUNDS		PAGE 1 Renumbered From:
<u>Legal Title</u> Condemnation Deposits Fund		
<u>Legal Citation/Authority</u> Chapter 100, Statutes of 2003 (AB 853) Government Code section 16429 Code of Civil Procedure sections 1230.010-1240.700		
<u>Fund Classification</u> <u>GAAP Basis</u> Fiduciary/Agency Funds	<u>Fund Classification</u> <u>Legal Basis</u> Nongovernmental/Trust and Agency Funds-- Non-Federal	
<u>Purpose</u> The fund consists of all money deposited in the State Treasury pursuant to Title 7 (commencing with section 1230.010) of Part 3 of the Code of Civil Procedure and all interest earned or other increment derived from its investment. The amount required to be deposited represents the estimated amount of compensation to be awarded in condemnation proceedings. The State Treasurer pays the amount deposited in such manner and time as the court, or a judge thereof, may order or decree.		
<u>Administering Agency/Organization Code</u> State Treasurer's Office/Org 0950		
<u>Major Revenue Source</u> Court-ordered deposits from plaintiffs in condemnation proceedings. Interest from investments.		
<u>Disposition of Fund (upon abolishment)</u> Pursuant to Government Code 16346, in the absence of language that identifies a successor fund, any balance remaining in this fund upon abolishment, shall be transferred to the General Fund.		
<u>Appropriation Authority</u> Section 16429 of the Government Code provides that "The State Treasurer shall pay out the money deposited by a plaintiff in such manner and at such times as the court of a judge thereof may, by order or decree, direct."		
<u>State Appropriations Limit</u> Always Excluded – Revenues in this fund are not proceeds of taxes and even after transfer, will never become proceeds of taxes because the major revenue source is derived from a Trust and Agency Fund (Non-Federal).		

Comments/Historical Information

Chapter 1851, Statutes of 1957 formally created this fund that had previously been accounted for as segregated money in the State Treasury since 1877. Court-ordered deposits in eminent domain proceedings are accounted for in this fund.

Chapters 72, Statutes of 1961 and 1613, Statutes of 1961 allowed the plaintiff to request that the court order the deposit be placed in either the County Treasury or in this fund.

Chapter 1240, Statutes of 1975 added Section 16429 of the Government Code and continued the fund in existence. Chapter 1275, Statutes of 1975 made various amendments to the Code of Civil Procedure regarding condemnation proceedings to clarify the law on eminent domain and incorporate substantive changes recommended by the California Law Revision Commission.