

Department of Finance		Fund: 3138
STATE OF CALIFORNIA MANUAL OF STATE FUNDS		PAGE 1 Renumbered From:
<u>Legal Title</u> Immediate and Critical Needs Account, State Court Facilities Construction Fund		
<u>Legal Citation/Authority</u> Chapter 12, Statutes of 2011 (SB 82) Government Code Sections: 70371-70374 (General Provisions) Government Code Section 70371.5(a) (Fund Creation)		
<u>Fund Classification</u> <u>GAAP Basis</u> Governmental/Special Revenue Funds	<u>Fund Classification</u> <u>Legal Basis</u> Governmental/Other Governmental Cost Funds	
<u>Purpose</u> The proceeds of the fund shall be used for any of the following: <ol style="list-style-type: none"> (1) The planning, design, construction, rehabilitation, renovation, replacement, or acquisition of court facilities. (2) Repayment for moneys appropriated for leases of court facilities pursuant to the issuance of lease-revenue bonds. (3) Payment for lease or rental of court facilities, including those made for facilities in which one or more private sector participants undertake some of the risks associated with the financing design, construction, or operations of the facility. <p>It is the intent of the legislature that the money in the Immediate and Critical Needs Account of the State Court Facilities Construction Fund shall be used in part to pay the debt service of lease revenue bonds, notes, bond anticipation notes, or other appropriate financial instruments used to pay for the costs referred to in the items listed above in the amount of up to five billion dollars (\$5,000,000,000). The total bonded indebtedness shall not exceed that amount for which fine and fee revenues may fully satisfy the debt service.</p>		
<u>Administering Agency/Organization Code</u> Judicial Branch/Org 0250		
<u>Major Revenue Source</u> Various fees and penalties		
<u>Disposition of Fund (upon abolishment)</u> Pursuant to Government Code section 68085.45 (a), upon retirement of any bonded indebtedness that may be incurred in connection with immediate and critical trial court projects, any moneys remaining in, or that would otherwise be payable into, the Immediate and Critical Needs Account of the State Court Facilities Construction Fund, shall be transferred to the Controller for deposit into the State Trial Court Operations Trust Fund.		
<u>Appropriation Authority</u> Upon appropriation by the Legislature, with the following exclusion, per Government Code section 70371.5(c), notwithstanding Section 13340, until July 1, 2012, the Immediate and Critical Needs Account		

is hereby continuously appropriated only for the purposes of acquiring real property and completing preliminary plans.

State Appropriations Limit

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 fines and penalties.

Comments/Historical Information

Chapter 311, Statutes of 2008 (SB 1407) created this fund.