

**COMMISSION ON STATE MANDATES**

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April 22, 2003

Mr. Leonard Kaye  
County of Los Angeles  
Auditor, Controller's Office  
500 W. Temple Street, Room 603  
Los Angeles, CA 90012

*And Affected State Agencies and Interested Parties (see enclosed mailing list)*

**Re: Test Claim Amendment**  
*Crime Victims' Domestic Violence Incident Reports, 02-TC-18*  
County of Los Angeles, Claimant  
Penal Code Section 12028.5  
Statutes 1984, Chapters 901  
Statutes 2001, Chapter 483  
Statutes 2002, Chapters 830, 833, and 377

Dear Mr. Kaye:

Commission staff has reviewed the above-named test claim amendment and determined that it is complete. A copy of the amendment is being provided to affected state agencies and interested parties because of their interest in the Commission's determination. As noted in separate correspondence, this amendment has been severed from the original claim which will be heard as scheduled. Since comments have already been filed on the original test claim, we request that state agency comments be limited to the amendment. The key issues before the Commission are:

- Do the provisions listed above impose a new program or higher level of service within an existing program upon local entities within the meaning of section 6, article XIII B of the California Constitution and costs mandated by the state pursuant to section 17514 of the Government Code?
- Does Government Code section 17556 preclude the Commission from finding that any of the test claim provisions impose costs mandated by the state?

The Commission requests your participation in the following activities concerning this test claim amendment:

- **Informal Conference.** An informal conference may be scheduled if requested by any party. See California Code of Regulations, title 2, section 1183.04 (the regulations).
- **State Agency Review of Test Claim Amendment.** State agencies receiving this letter are requested to analyze the merits of the test claim amendment and to file written comments on the key issues before the Commission. Alternatively, if a state agency chooses not to respond to this request, please submit a written statement of non-response to the Commission. Requests for extensions of time may be filed in accordance with

sections 1183.01 (c) and 1181.1 (g) of the regulations. State agency comments are due 30 days from the date of this letter.

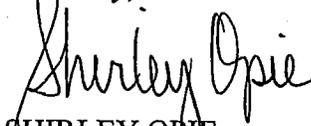
- **Claimant Rebuttal.** The claimant and interested parties may file rebuttals to state agencies' comments under section 1183.02 of the regulations. The rebuttal is due 30 days from the service date of written comments.
- **Hearing and Staff Analysis.** A hearing on the test claim amendment will be set when the draft staff analysis of the claim is being prepared. At least eight weeks before a hearing is conducted, the draft staff analysis will be issued to parties, interested parties, and interested persons for comment. Comments are due at least five weeks prior to the hearing or on the date set by the Executive Director, pursuant to section 1183.07 of the Commission's regulations. Before the hearing, a final staff analysis will be issued.
- **Mailing Lists.** Under section 1181.2 of the Commission's regulations, the Commission will promulgate a mailing list of parties, interested parties, and interested persons for each test claim and provide the list to those included on the list, and to anyone who requests a copy. Any written material filed on that claim with the Commission shall be simultaneously served on the other parties listed on the mailing list provide by the Commission.
- **Dismissal of Test Claims.** Under section 1183.09 of the Commission's regulations, test claims may be dismissed if postponed or placed on inactive status by the claimant for more than one year. Prior to dismissing a test claim, the Commission will provide 150 days notice and opportunity for other parties to take over the claim.

If the Commission determines that a reimbursable state mandate exists, the claimant is responsible for submitting proposed parameters and guidelines for reimbursing all eligible local entities. All interested parties and affected state agencies will be given an opportunity to comment on the claimant's proposal before consideration and adoption by the Commission.

Finally, the Commission is required to adopt a statewide cost estimate of the reimbursable state-mandated program within 12 months of receipt of an amended test claim. This deadline may be extended for up to six months upon the request of either the claimant or the Commission.

Please contact Nancy Patton at (916) 323-8217 if you have any questions.

Sincerely,



SHIRLEY ORDE

Assistant Executive Director

Enclosure: Copy of Test Claim Amendment

# Commission on State Mandates

Original List Date: 5/18/2000  
Last Updated: 4/17/2003  
List Print Date: 04/22/2003  
Claim Number: 99-TC-08  
Issue: Crime Victims' Domestic Violence Incident Reports

Mailing Information: Completeness Determination

## Mailing List

### TO ALL PARTIES AND INTERESTED PARTIES:

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, § 1181.2.)

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