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September 9, 2013
COMMISSION ON
STATE MANDATES

JOHN CHIANG
California State Controller
Division of Accounting and Reporting

September 9, 2013

Ms. Heather Halsey
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Re: Mandate Redetermination Request, 13-MR-01
Fire Safety Inspections of Care Facilities, (01-TC-16)
Health and Safety Code Section 13235(a); as added or amended by
Statutes 1989, Chapter 993; Statutes 2009, Chapter (ABX4 12)
California Department of Finance, Requester

Dear Ms. Halsey:

The State Controller's Office (SCO) reviewed the Department of Finance's request to adopt a new test claim decision to supersede the prior decision on the above-named matter. The SCO agrees that the activities previously determined to be reimbursable in the Statement of Decision adopted on March 29, 2006, cease to be reimbursable in compliance with Government Code sections 17570, subdivision (b), and 17556, subdivision (d).

Health and Safety Code section 13235, subdivision (a), was amended by Chapter 12, Statutes of 2009, Fourth Extraordinary Session (ABX4 12), enacted on July 28, 2009. The amendment authorized local fire authorities or the State Fire Marshall to charge fees to cover their costs for pre-inspections of prospective community care facilities. Therefore, the state's liability has been modified based on this change in law.

Should you have any questions regarding these matters, please contact Travis White at (916) 323-0734 or e-mail twhite@sco.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "JAL", written over a white background.

JAY LAL, Manager
Local Reimbursements Section