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**SB-418 Claims against the state: appropriation.** (2019-2020)

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**Senate Bill No. 418**

**CHAPTER 147**

An act relating to the payment of claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[ Approved by Governor July 30, 2019. Filed with Secretary of State July 30, 2019. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 418, Portantino. Claims against the state: appropriation.

Existing law requires the Attorney General, when there is not a sufficient appropriation for the payment of certain claims, settlements, or judgments, to report the claims, settlements, and judgments to the chairperson of either the Senate Committee on Appropriations or the Assembly Committee on Appropriations, who is then required to introduce legislation appropriating necessary funds for payment.

This bill would appropriate the sum of \$27,051,363 from the General Fund to the Attorney General to pay a specified postjudgment award, fee award, and settlement claims in cases against the state in accordance with a listed schedule. The bill would require any funds appropriated in excess of the amounts actually required for the payment of these claims to revert to the General Fund within 45 days after final payment is made.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: yes Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** (a) The sum of twenty-seven million fifty-one thousand three hundred sixty-three dollars (\$27,051,363) is hereby appropriated from the General Fund to the Attorney General to be allocated in accordance with the following schedule:

- (1) The sum of five million six hundred twenty-three thousand dollars (\$5,623,000) to pay the settlement claims for 45 government claims included in the first group of individual claimants in the Erskine Fire Claims.
- (2) The sum of twenty million one hundred thousand dollars (\$20,100,000) to pay the settlement claims for the 38 insurance companies' subrogation claims in the Erskine Fire Claims.
- (3) The sum of one million three hundred twenty-eight thousand three hundred sixty-three dollars (\$1,328,363) to pay the fee award in *Jerry B. Epstein, et al. v. Arnold Schwarzenegger, et al.* (Superior Court of California, County of San Francisco, Case No. CGC-10-505436).

(b) Any funds appropriated in excess of the amounts actually required for the payment of these claims shall revert to the General Fund within 45 days after final payment is made.

**SEC. 2.** This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to pay judgment and settlement claims against the state and end hardship to claimants as quickly as possible, it is necessary for this act to take effect immediately.