

Study J-1400

March 7, 2002

**Memorandum 2002-18****Statutes Made Obsolete by Trial Court Restructuring  
(Comments on Tentative Recommendation):  
Reenacted Sections**

---

Memorandum 2002-14 and Memorandum 2002-17 note a number of statutes that will require reenactment because the chapters or articles in which they are located are otherwise being repealed. A draft of the statutes that would be preserved by reenactment is attached to this memorandum as an Exhibit.

Respectfully submitted,

Lynne Urman  
Staff Counsel

Exhibit

---

**STATUTES MADE OBSOLETE BY TRIAL COURT RESTRUCTURING  
REENACTED SECTIONS**

**Gov't Code § 69916 (added). Marshal of Merced County Superior Court**

SEC. \_\_\_\_ . Section 69916 is added to the Government Code, to read:

69916. There shall be one marshal of the Merced County Superior Court. When a vacancy occurs in the office, a majority of the superior court judges shall appoint the marshal and the marshal shall serve at their pleasure.

**Comment.** The first sentence of Section 69916 continues the first sentence of the first paragraph of former Section 73796, replacing a reference to the municipal court with a reference to the superior court.

The second sentence continues the second paragraph of former Section 73796, omitting a reference to the municipal court as obsolete.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 73796 that are not continued, see the Comment to former Article 12.5 (commencing with former Section 73790).

**Gov't Code §§ 71141-71146 (added). Election and term of office of municipal court judge**

SEC. \_\_\_\_ . Article 4 (commencing with Section 71141) is added to Chapter 6 of Title 8 of the Government Code, to read:

Article 4. Election and Term of Office of Municipal Court Judge

**Gov't Code § 71141. Time of election of municipal court judge**

71141. Judges of the municipal court shall be elected at the general state election next preceding the expiration of the term for which the incumbent has been elected.

**Comment.** Section 71141 continues former Section 71141 without change. For election of a municipal court judge who became a superior court judge through trial court unification, see Section 70211.

For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code § 71143. Application of Elections Code provisions**

71143. The provisions of the Elections Code relating to the nomination and election of judicial officers apply to the judges of municipal courts.

**Comment.** Section 71143 continues former Section 71143 without change. For election of a municipal court judge who became a superior court judge through trial court unification, see Section 70211.

For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code § 71144. Time of qualification**

71144. No judge shall be deemed to have qualified before the date fixed for the commencement of the judge's term of office.

**Comment.** Section 71144 continues former Section 71144 without substantive change. For election of a municipal court judge who became a superior court judge through trial court unification, see Section 70211.

For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code § 71145. Term of office of municipal court judge**

71145. The term of office of judges of municipal courts is six years from and including the first Monday of January after the January 1st next succeeding their election. Judges shall hold office until their successors are elected and qualify, but the office shall be deemed to be vacant upon the expiration of the fixed term for the purpose of selecting a successor.

**Comment.** Section 71145 continues former Section 71145 without change. For election of a municipal court judge who became a superior court judge through trial court unification, see Section 70211.

For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code § 71145.1. Term of office of first judge of municipal court**

71145.1. Notwithstanding any provision to the contrary, the term of any judge who was elected as one of the first judges of a municipal court with two judges established under the Municipal Court Act of 1925, and who automatically succeeded to the office of judge of the municipal court which superseded such municipal court to which such judge was elected, shall be six years from the date upon which the judges' term of office commenced unless such term expires in a year when no general state election is held, in which case, the judge shall continue to hold office until a successor is elected at the general state election next succeeding the expiration of the judge's term, and until such successor qualifies.

**Comment.** Section 71145.1 continues former Section 71145.1 without substantive change. For election of a municipal court judge who became a superior court judge through trial court unification, see Section 70211.

For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code § 71146. Sunset date**

71146. This article shall remain in effect only until January 1, 2008, and as of that date is repealed, unless a later enacted statute deletes or extends that date.

**Comment.** Section 71146 is added to ensure that Sections 71141-71145.1 are repealed once they become obsolete.

Article 5. Filling of Vacancies

**Gov't Code §§ 71180-71181 (added). Filling of vacancies**

SEC. \_\_\_\_\_. Article 5 (commencing with Section 71180) is added to Chapter 6 of Title 8 of the Government Code, to read:

**Gov't Code § 71180. Vacancy in office of municipal court judge**

71180. (a) Any vacancy in the office of judge of a municipal court shall be filled by appointment by the Governor, but no vacancy shall be deemed to exist in any office before the time fixed in Sections 71080, 71082, and 71083 for the selection of the judges of that court and the time fixed by law for their qualification. The appointee shall hold office for the remainder of the unexpired term of his or her predecessor and until his or her successor is elected and qualifies.

If the office to which any person so appointed was not previously occupied, he or she shall hold office until his or her successor is elected at the general state election next succeeding the occurrence of the vacancy and qualifies. No successor to the appointee shall be elected at any election held within 10 months of the date of the occurrence of the vacancy.

(b) If a vacancy in the office of judge of a municipal court occurs between the last day candidacy declaration papers may be filed and the June direct primary election and that vacancy occurs because of the appointment of the incumbent judge to another office by the Governor, or because the incumbent has resigned, retired, died, or been removed from office in accordance with subdivision (b) or (c) of Section 18 of Article VI of the California Constitution, and if one or more qualified persons other than the incumbent have filed candidacy declaration papers for the office, no vacancy shall be deemed to exist for purposes of subdivision (a), and the election for the office of judge shall be postponed until the next November statewide election.

If the Governor appoints the incumbent judge to another office within 68 days of the June direct primary election, and, as a result, the elections officer does not have sufficient time to remove the candidates' names from the ballot, the June direct primary election for the office shall not be deemed to have been held. At the next November statewide election, the candidate who receives the most votes shall be elected.

In order for a person's name to appear on the ballot at the next November statewide election the person shall file nomination documents in accordance with Article 2 (commencing with Section 8020) of Chapter 1 of Part 1 of Division 8 of the Elections Code. No previously filed documents shall satisfy this subdivision. Qualified persons who did not file nomination documents for the June direct primary election, as well as qualified persons who filed nomination documents for the June direct primary election, shall be permitted to file nomination documents for the November statewide election.

Persons who had previously paid the filing fee at the time of filing nomination documents for the June direct primary election shall not be required to pay a filing fee for the November statewide election.

**Comment.** Section 71180 continues former Section 71180 without substantive change. For election of a municipal court judge who became a superior court judge through trial court unification, see Section 70211.

For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code § 71181. Sunset date**

71181. This article shall remain in effect only until January 1, 2008, and as of that date is repealed, unless a later enacted statute deletes or extends that date.

**Comment.** Section 71181 is added to ensure that Section 71180 is repealed once it becomes obsolete.

**Gov't Code §§ 72709-72713 (added). Los Angeles County**

SEC. \_\_\_\_ . Chapter 9 (commencing with Section 72709) is added to Title 8 of the Government Code, to read:

Chapter 9. Los Angeles County

**§ 72709. Payment of official reporters' salaries and benefits**

72709. The salaries and benefits of official reporters shall be paid from the reporters' salary fund.

**Comment.** Section 72709 continues the provisions of former Section 72709 that apply to the reporters' salary fund.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 72709 that are not continued, see the Comment to former Chapter 9 (commencing with former Section 72600).

**§ 72710. Payment of fees and benefits of official reporters pro tempore**

72710. On order of the court the per diem fees and benefits of official reporters pro tempore shall be paid from the reporters' salary fund.

**Comment.** Section 72710 continues the provisions of former Section 72710 that apply to the reporters' salary fund.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 72710 that are not continued, see the Comment to former Chapter 9 (commencing with former Section 72600).

**§ 72711. Reporting and transcription fees**

72711. (a) Fees for reporting services payable by law by the parties to proceedings in the court to official reporters or official reporters pro tempore shall be paid to the clerk of the court, who shall deposit them in the reporters' salary fund.

(b) Fees for transcription of testimony and proceedings in the court shall be paid by the parties to official reporters and official reporters pro tempore as otherwise provided by law, and in all cases where by law the court may direct the payment of transcription fees out of the Trial Court Operations Fund, the fee on order of the court shall be paid from the reporters' salary fund, except fees for transcription of testimony and proceedings in felony cases, which shall be paid from the Trial Court Operations Fund.

**Comment.** Subdivision (a) of Section 72711 continues the first paragraph of former Section 72711 with revisions to reflect the repeal of Article 3 (commencing with former Section 72700). See Section 68086 (fees for reporting services).

Subdivision (b) continues the second paragraph of former Section 72711, replacing “county treasury” with “Trial Court Operations Fund” to reflect enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Section 69952 (payment from Trial Court Operations Fund).

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 72711 that are not continued, see the Comment to former Chapter 9 (commencing with former Section 72600).

#### **§ 72711.5. Electronic or stenographic recording**

72711.5. The reporting and transcription fees payable pursuant to Section 72711 shall also be payable in the same sums and in the same manner by the parties to proceedings in the court for electronically recording an action or proceeding pursuant to Section 72194.5 or for transcriptions of testimony and proceedings in the court stenographically recorded. The fees shall be paid to the clerk of the court, who shall deposit them in the reporters’ salary fund. In any case where by law the court may direct the payment of a transcription fee out of the Trial Court Operations Fund, on order of the court the fee for transcription of testimony and proceedings in the court electronically recorded shall be paid from the reporters’ salary fund, except fees for transcription of testimony and proceedings in felony cases, which shall be paid from the Trial Court Operations Fund.

**Comment.** Section 72711.5 continues former Section 72711.5, replacing “per diem” with “reporting” for consistency of terminology and “county treasury” with “Trial Court Operations Fund” to reflect enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Section 69952 (payment from Trial Court Operations Fund).

For provisions relating to restatements and continuations of existing law, see Section 2.

#### **§ 72712. Reporters’ salary fund**

72712. There shall be set aside from the revenue of the court a revolving fund in the amount of seven hundred fifty thousand dollars (\$750,000). The fund shall be known as the Reporters’ Salary Fund.

At the time of each monthly distribution of the revenue of the court to the cities within the former Los Angeles Judicial District and to the county within which the district was established, the clerk of the court shall deduct proportionately from their respective total shares such sum as will, when added to the sum then remaining in the fund, equal seven hundred fifty thousand dollars (\$750,000) and deposit it in the fund. Such sum shall include the cost incurred pursuant to Section 72194.5 from electronic recording devices, appurtenant equipment, supplies, recordings and transcriptions produced from electronic recording of testimony and proceedings in the court.

Deductions from the county’s share of the revenue shall be made from that portion of it distributable to the general fund of the county, and deductions from each city’s share shall be made from that portion of it distributable to the general fund of each city.

For the purposes of this section the “revenue” of the court includes all fines, forfeitures, and fees accruing to the cities or the county in misdemeanor cases, except law library fees.

**Comment.** The first paragraph of Section 72712 continues the first paragraph of former Section 72712 without change.

The second paragraph continues the second paragraph of former Section 72712 with revisions to reflect unification of the municipal and superior courts in Los Angeles County pursuant to Article VI, Section 5(e), of the California Constitution, effective January 22, 2000. See Code Civ. Proc. § 38 (judicial district).

The third paragraph continues the third paragraph of former Section 72712, replacing “salary fund of the county” with “general fund of the county” to reflect enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77200 (state funding of trial court operations).

The fourth paragraph continues the fourth paragraph of former Section 72712 without change, except to insert “in misdemeanor cases” to make clear that revenue of the court includes only fines, forfeitures, and fees accruing to the cities or the county in causes of a type within the jurisdiction of the former municipal court of the Los Angeles Judicial District prior to unification.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 72712 that are not continued, see the Comment to former Chapter 9 (commencing with former Section 72600).

#### **§ 72713. Reporters’ salary fund deficiency**

72713. (a) If at any time the reporters’ salary fund is insufficient, on order of the court the amount of the deficiency shall be paid from the Trial Court Operations Fund.

(b) The county treasurer shall be the depository, and the county auditor the disbursing agent, for the reporters’ salary fund.

**Comment.** Subdivision (a) of Section 72713 continues the first paragraph of former Section 72713, replacing “general fund of the county” with “Trial Court Operations Fund” to reflect enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations).

Subdivision (b) continues the second paragraph of former Section 72713 without change, except to insert “reporters’ salary” before “fund” for purposes of clarification.

For provisions relating to restatements and continuations of existing law, see Section 2.

#### **Gov’t Code §§ 73390-73396 (added). Kings County**

SEC. \_\_\_\_ . Article 3 (commencing with Section 73390) is added to Chapter 10 of Title 8 of the Government Code, to read:

### Article 3. Kings County

#### **§ 73390. Kings County Municipal Court**

73390. This article applies to the municipal court for the County of Kings. The court referred to in this article shall be the successor of the court to be established by the consolidation of the Corcoran, Hanford, and Lemoore Judicial Districts by the Board of Supervisors of the County of Kings, and it shall be known as the Kings County Municipal Court.

**Comment.** Section 73390 continues former Section 73390 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73396. Municipal court facilities**

73396. Facilities for the court shall be maintained in the Cities of Hanford, Corcoran, Lemoore, and (if incorporated pursuant to Section 73391.5) Avenal, and in such other locations within the County of Kings as are designated by the board of supervisors. The court shall hold sessions at each facility as business requires. At the direction of the court, arraignment of criminal defendants who are in custody at the Kings County Jail facility shall be held in the court facility located in Hanford.

**Comment.** Section 73396 continues former Section 73396 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 73560-73561 (added). Monterey County**

SEC. \_\_\_\_ . Article 7 (commencing with Section 73560) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 7. Monterey County

**§ 73560. Monterey County Municipal Court District**

73560. This article applies to the Monterey County Municipal Court District, which encompasses the entire County of Monterey.

**Comment.** Section 73560 continues former Section 73560 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73561. Municipal court facilities**

73561. Facilities for the court shall be maintained in the Cities of Salinas and Monterey and at court facilities provided elsewhere in accordance with law. The court shall determine the nature and frequency of sessions held at court locations.

**Comment.** Section 73561 continues former Section 73561 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 73640-73648 (added). El Cajon Judicial District**

SEC. \_\_\_\_ . Article 9 (commencing with Section 73640) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 9. El Cajon Judicial District

**§ 73640. El Cajon Judicial District**

73640. This article applies to the municipal court established in a district embracing the Judicial District of El Cajon.

**Comment.** Section 73640 continues former Section 73640 without change. For provisions relating to restatements and continuations of existing law, see Section 2.



**§ 73642. Benefits for judges of the El Cajon Judicial District**

73642. (a) In addition to any other compensation and benefits, each judge of the municipal court shall receive the same life insurance, accidental death and dismemberment insurance, comprehensive annual physical examinations, executive flexible benefits plan (except that if deferred compensation is selected, no adjustment based on retirement tier shall apply), and dental and vision insurance as provided by the County of San Diego for the classification of chief administrative officer. Changes in these benefits shall be effective on the same date as those for the classification of chief administrative officer.

(b) Subject to approval by the board of supervisors, each judge of the municipal court shall receive one or more of the following benefits: the same long-term disability insurance as provided by the County of San Diego for the classification of chief administrative officer or retiree health benefits whereby each judge of the municipal court serving on or after October 1, 1987, who retires from the municipal court on or after January 1, 1989, shall receive the same amount of insurance premium for retiree health benefits under the Public Employees' Medical and Hospital Care Act (Part 5 (commencing with Section 22751) of Title 2) that the state provides to retired superior court judges under that act.

**Comment.** Section 73642 continues former Section 73642 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73648. Sessions within the El Cajon Judicial District**

73648. The municipal court shall hold sessions at such location, or locations, within the El Cajon Judicial District as the Board of Supervisors of the County of San Diego may designate.

**Comment.** Section 73648 continues former Section 73648 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 73660-73666 (added). Humboldt County**

SEC. \_\_\_\_ . Article 9.5 (commencing with Section 73660) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 9.5. Humboldt County

**§ 73660. Humboldt County Municipal Court District**

73660. There is in the County of Humboldt a single municipal court district known as the Humboldt County Municipal Court District.

**Comment.** Section 73660 continues former Section 73660 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73661. Municipal court facilities**

73661. In order that the citizens of the county may have convenient access to the court, the location of permanent court facilities and locations where sessions of the

court may be held other than in the county seat shall be as determined by the board of supervisors.

**Comment.** Section 73661 continues former Section 73661 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73665. Consolidation of marshal and sheriff offices**

73665. (a) Effective January 1, 1999, the Sheriff of Humboldt County shall assume the duties and responsibilities of the Humboldt County Marshal and the office of the marshal shall be consolidated with the office of sheriff.

Upon the effective date of the consolidation there shall be established within the Humboldt County Sheriff's Department a unit designated as the Court Security Services Division. The Sheriff of Humboldt County shall be responsible for the management and operation of this division, in accordance with this article.

(b) Neither this article nor any provision hereof, shall be deemed in any manner to limit or otherwise impair the power vested by all other laws in the Superior Court of Humboldt County to secure proper provision of court-related services.

(c) This section shall remain in effect only until January 1, 2018, and as of that date is repealed unless a later enacted statute, which is enacted before January 1, 2018, deletes or extends that date. The repeal of this section does not affect any right or benefit to which a person was entitled on the date of repeal.

**Comment.** Subdivision (a) of Section 73665 continues the first paragraph and the first two sentences of the second paragraph of subdivision (a) of former Section 73665.

Subdivision (b) continues subdivision (b) of former Section 73665, omitting the reference to Section 68073.

Subdivision (c) is new.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 73665 that are not continued, see the Comment to former Article 9.5 (commencing with former Section 73660).

**§ 73666. Employees of marshal's office**

73666. (a) Permanent employees of the marshal's office on the effective date of consolidation under this article shall be deemed qualified, and no other qualifications shall be required for employment or retention. Probationary employees of the marshal's office on the effective date of a consolidation under this article shall retain their probationary status and rights, and shall not be deemed to have transferred so as to require serving a new probationary period.

(b) County service of employees of the marshal's office on the effective date of the consolidation under this article, shall be counted toward seniority in the consolidated office, and all time spent in the same, equivalent, or higher classification shall be counted toward classification seniority.

(c) No provision of this section shall be deemed to restrict the authority of the sheriff to discipline any employee in accordance with county personnel policies, and memoranda of understanding, or rules, regulations, and procedures otherwise applicable, and except as otherwise expressly provided in this section, the

discretion of the sheriff to assign, promote, direct, and control employees formerly assigned to the marshal's office shall not be deemed in any manner restricted by virtue of the abolition or consolidation.

(d) This section shall remain in effect only until January 1, 2018, and as of that date is repealed unless a later enacted statute, which is enacted before January 1, 2018, deletes or extends that date. The repeal of this section does not affect any right or benefit to which a person was entitled on the date of repeal.

**Comment.** Subdivisions (a)-(c) of Section 73666 continue subdivisions (a)-(c) of former Section 73666 without change.

Subdivision (d) is new.

For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 73698-73698.6 (added). Fresno County**

SEC. \_\_\_\_ . Article 10.5 (commencing with Section 73698) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 10.5. Fresno County

**§73698. Central Valley Municipal Court District**

73698. This article applies to the Central Valley Municipal Court District of Fresno County. The court referred to in this article shall become operative upon the consolidation of the Coalinga, Firebaugh, Fowler-Caruthers, Kerman, Kingsburg-Riverdale, Parlier-Selma, Reedley-Dunlap, and Sanger Judicial Districts by the Board of Supervisors of the County of Fresno.

**Comment.** Section 73698 continues former Section 73698 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73698.6. Municipal court facilities**

73698.6. Facilities for the court shall be maintained in the Cities of Coalinga, Firebaugh, Fowler, Kerman, Kingsburg, Parlier, Selma, Reedley, and Sanger, and the communities of Caruthers and Riverdale; and in such other locations within the County of Fresno as are designated by the board of supervisors. The court shall hold sessions at each facility as business requires. At the direction of the court, arraignment of criminal defendants who are in custody at the Fresno County Detention Facility shall be held at the court facility located at the Fresno County Detention Facility.

**Comment.** Section 73698.6 continues former Section 73698.6 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 73730-73732 (added). Imperial County**

SEC. \_\_\_\_ . Article 11.5 (commencing with Section 73730) is added to Chapter 10 of Title 8 of the Government Code, to read:

## Article 11.5. Imperial County

### **§ 73730. Imperial County Municipal Court**

73730. There is hereby created a municipal court district which embraces the entire County of Imperial. This article applies to the municipal court established within the district, which shall be known as the Imperial County Municipal Court.

**Comment.** Section 73730 continues former Section 73730 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

### **§ 73732. Municipal court facilities**

73732. Facilities for the court shall be maintained, at or near the county seat and at court facilities provided elsewhere as determined by ordinance adopted by the board of supervisors. The court shall determine the nature and frequency of sessions held at additional court locations designated by the board of supervisors.

**Comment.** Section 73732 continues former Section 73732 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

### **Gov't Code §§ 73750-73758 (added). Madera County**

SEC. \_\_\_\_ . Article 11.6 (commencing with Section 73750) is added to Chapter 10 of Title 8 of the Government Code, to read:

## Article 11.6. Madera County

### **§ 73750. Madera County Municipal Court District**

73750. There is in the County of Madera, on and after the effective date of this section, a single municipal court district known as the Madera County Municipal Court District.

**Comment.** Section 73750 continues former Section 73750 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

### **§ 73756. Municipal court facilities**

73756. Facilities for the district shall be maintained at the court facilities provided within each division. The presiding judge shall determine the nature and frequency of sessions held at the court facilities within each division.

**Comment.** Section 73756 continues subdivision (a) of former Section 73756 without change. For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 73756 that are not continued, see the Comment to former Article 11.6 (commencing with former Section 73750).

### **§ 73757. Consolidation of court-related services**

73757. (a) In Madera County the majority of the judges of the superior court have voted to consolidate court services and security functions in the office of the Sheriff of Madera County.

(b) The sheriff's functions shall include, but not be limited to, providing all bailiff functions for the unified superior court in Madera County, and all other duties imposed by law upon deputy sheriffs and peace officers generally.

(c) The sheriff shall be responsible for the service of all writs, notices, and other processes issued by any court or other competent authority. Nothing in this section shall be construed as limiting the responsibility or authority of a private person or registered process server from serving process or notices in the manner prescribed by law, nor shall it limit the authority of the sheriff or any other peace officer to serve warrants of arrest or other process specifically directed by any court to the sheriff or any other peace officer.

(d) Each elected marshal holding office in Madera County as of January 1, 2000, shall become an employee of the Madera County Sheriff's Department in the position of Sheriff's Bailiff, as of that date and each elective position of Marshal of the Madera County Municipal Court District is abolished as of that date. Each marshal transferring to the sheriff's department pursuant to this section shall be compensated at not less than the EL-10 step of Salary Range 43 (table B). No transferring marshal shall lose peace officer status or be demoted or otherwise be adversely affected by the consolidation of court-related services accomplished by this section. Each transferring marshal employed in the position of Sheriff's Bailiff shall be deemed duly qualified for that position and no other qualifications shall be required for that employment or retention in that position. Any transferring marshal wishing to transfer to another position shall meet the qualifications of a peace officer as required by subdivision (a) of Section 832 of the Penal Code and any other requirements of the Madera County civil service system. For purposes of establishing seniority within the class of Sheriff's Bailiff, each transferring marshal shall be credited with the marshal's total years of services to Madera County as a constable and marshal.

(e) This section shall remain in effect only until January 1, 2018, and as of that date is repealed unless a later enacted statute, which is enacted before January 1, 2018, deletes or extends that date. The repeal of this section does not affect any right or benefit to which a person was entitled on the date of repeal.

**Comment.** Subdivisions (a)-(d) of Section 73757 continue subdivisions (a)-(d) of former Section 73757 without change.

Subdivision (e) is new.

For provisions relating to restatements and continuations of existing law, see Section 2.

#### **§ 73758. Transportation of prisoners**

73758. The Sheriff of Madera County shall be responsible for the transportation of prisoners held in the county's adult correctional facility to and from necessary court appearances, medical and dental trips, and transfers to or from local, state, or federal correctional facilities. To meet this responsibility, the Sheriff of Madera County shall contract with the county department of corrections, pursuant to

Section 831.6 of the Penal Code, to provide these transportation services by qualified personnel of the county department of corrections.

**Comment.** Section 73758 continues former Section 73758 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 73770-73771 (added). Marin County**

SEC. \_\_\_\_ . Article 12 (commencing with Section 73770) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 12. Marin County

**§ 73770. Marin County Municipal Court**

73770. This article applies to the judicial district of the Marin County Municipal Court.

**Comment.** Section 73770 continues former Section 73770 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73771. Branch court**

73771. A branch court shall be maintained at an appropriate location in the former Western Judicial District.

**Comment.** Section 73771 continues the second sentence of former Section 73771 without change.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 73771 that are not continued, see the Comment to former Article 12 (commencing with former Section 73770).

**Gov't Code §§ 73783.1-73783.3 (added). Mariposa County**

SEC. \_\_\_\_ . Article 12.2 (commencing with Section 73783.1) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 12.2. Mariposa County

**§ 73783.1. Mariposa County Municipal Court District**

73783.1. This article applies to the municipal court established in a judicial district embracing the County of Mariposa.

**Comment.** Section 73783.1 continues former Section 73783.1 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73783.3. Municipal court facilities**

73783.3. Facilities for the court shall be maintained at the county seat and at court facilities provided elsewhere as determined by ordinance adopted by the board of supervisors. The court shall determine the nature and frequency of sessions held at additional court locations designated by the board of supervisors. Jurors shall be drawn from the entire county.

**Comment.** Section 73783.3 continues former Section 73783.3 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 73784-73784.10 (added). Mendocino County**

SEC. \_\_\_\_ . Article 12.3 (commencing with Section 73784) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 12.3. Mendocino County

**§ 73784. Mendocino County Municipal Court District**

73784. This article applies to and establishes the Mendocino County Municipal Court District, which shall embrace the entire County of Mendocino, and shall supersede the Anderson, Arena, Long Valley, Round Valley, and Ten Mile Judicial Districts and the Mount San Hedrin Municipal Court District.

**Comment.** Section 73784 continues former Section 73784 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73784.10. Municipal court facilities**

73784.10. The location of permanent court facilities and locations where sessions of the court may be held other than in the county seat shall be as determined by the board of supervisors.

**Comment.** Section 73784.10 continues former Section 73784.10 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 73790-73792 (added). Merced County**

SEC. \_\_\_\_ . Article 12.5 (commencing with Section 73790) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 12.5. Merced County

**§ 73790. Merced County Municipal Court**

73790. There is hereby created a municipal court district which embraces the entire County of Merced. This article applies to the municipal court established within the district, which shall be known as the Merced County Municipal Court.

**Comment.** Section 73790 continues former Section 73790 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73792. Municipal court facilities**

73792. Facilities for the court shall be maintained at or near the county seat and at court facilities provided elsewhere as determined by ordinance adopted by the board of supervisors. The court shall determine the nature and frequency of sessions held at additional court locations designated by the board of supervisors.

**Comment.** Section 73792 continues subdivision (a) of former Section 73792 without change.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 73792 that are not continued, see the Comment to former Article 12.5 (commencing with former Section 73790).

**Gov't Code §§ 73950-73956 (added). North County Judicial District**

SEC. \_\_\_\_ . Article 16 (commencing with Section 73950) is added to Chapter 10 of Title 8 of the Government Code, to read:

**Article 16. North County Judicial District**

**§ 73950. Municipal Court of the North County Judicial District**

73950. This article applies to the Municipal Court of the North County Judicial District.

**Comment.** Section 73950 continues former Section 73950 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73952. Benefits for judges of the North County Judicial District**

73952. (a) In addition to any other compensation and benefits, each judge of the municipal court shall receive the same life insurance, accidental death and dismemberment insurance, comprehensive annual physical examinations, executive flexible benefits plan (except that if deferred compensation is selected, no adjustment based on retirement tier shall apply), and dental and vision insurance as provided by the County of San Diego for the classification of chief administrative officer. Changes in these benefits shall be effective on the same date as for those for the classification of chief administrative officer.

(b) Subject to approval by the board of supervisors, each judge of the municipal court shall receive one or more of the following benefits: the same long-term disability insurance as provided by the County of San Diego for the classification of chief administrative officer or retiree health benefits whereby each judge of the municipal court serving on or after October 1, 1987, who retires from the municipal court on or after January 1, 1989, shall receive the same amount of insurance premium for retiree health benefits under the Public Employees' Medical and Hospital Care Act (Part 5 (commencing with Section 22751) of Title 2) that the state provides to retired superior court judges under that act.

**Comment.** Section 73952 continues former Section 73952 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73956. Sessions within the North County Judicial District**

73956. The headquarters of the municipal court and the clerk and marshal of the North County Judicial District shall be located within the City of Vista or such other place as shall be designated by the Board of Supervisors of the County of San Diego. The municipal court shall hold sessions at its headquarters and at a department at a location within the City of Escondido and at such other location or locations within the North County Judicial District as shall be designated by the



board of supervisors. The clerk and marshal of the North County Judicial District shall maintain branch offices at a location within the City of Escondido as shall be designated by the board of supervisors. The Escondido branch office shall maintain the same office hours as the headquarters offices and shall provide facilities for complete municipal court services, including the filing of original complaints and other documents and the posting of bail, and the board of supervisors shall provide facilities within the City of Escondido for the complete transaction of business of the court including the holding of jury trials.

**Comment.** Section 73956 continues former Section 73956 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 74130-74145 (added). Riverside County**

SEC. \_\_\_\_ . Article 20 (commencing with Section 74130) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 20. Riverside County

**§ 74130. Municipal courts**

74130. This article applies to the municipal courts established in Riverside County.

**Comment.** Section 74130 continues former Section 74130 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74145. Benefits for municipal court judges**

74145. (a) In addition to any other compensation and benefits, each judge of the municipal court shall receive the county flexible benefits plan.

(b) Subject to approval by the board of supervisors, each judge of the municipal court shall receive the same long-term disability insurance as provided by the County of Riverside for other elected county officials.

**Comment.** Section 74145 continues former Section 74145 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 74340-74342 (added). San Diego Judicial District**

SEC. \_\_\_\_ . Article 25 (commencing with Section 74340) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 25. San Diego Judicial District

**§ 74340. San Diego Judicial District**

74340. This article applies to the municipal court established in a district embracing that portion of the City of San Diego not included within the South Bay Municipal Court District.

**Comment.** Section 74340 continues former Section 74340 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74342. Benefits for judges of the San Diego Judicial District**

74342. (a) In addition to any other compensation and benefits, each judge of the municipal court shall receive the same life insurance, accidental death and dismemberment insurance, comprehensive annual physical examinations, executive flexible benefits plan (except that if deferred compensation is selected, no adjustment based on retirement tier shall apply), and dental and vision insurance as provided by the County of San Diego for the classification of chief administrative officer. Changes in these benefits shall be effective on the same date as for those for the classification of chief administrative officer.

(b) Subject to approval by the board of supervisors, each judge of the municipal court shall receive one or more of the following benefits: the same long-term disability insurance as provided by the County of San Diego for the classification of chief administrative officer or retiree health benefits whereby each judge of the municipal court serving on or after October 1, 1987, who retires from the municipal court on or after January 1, 1989, shall receive the same amount of insurance premium for retiree health benefits under the Public Employees' Medical and Hospital Care Act (Part 5 (commencing with Section 22751) of Title 2) that the state provides to retired superior court judges under that act.

**Comment.** Section 74342 continues former Section 74342 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 74640-74640.2 (added). Santa Barbara County**

SEC. \_\_\_\_ . Article 28 (commencing with Section 74640) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 28. Santa Barbara County

**§ 74640. Municipal court districts**

74640. There are in the County of Santa Barbara two municipal court districts, known as the Santa Barbara Municipal Court and the North Santa Barbara County Municipal Court.

**Comment.** Section 74640 continues former Section 74640 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74640.2. Court facilities for the North Santa Barbara County Municipal Court**

74640.2. In order that the citizens residing in each division of the North Santa Barbara County Municipal Court may have convenient access to the court, sufficient court facilities, including staff and other necessary personnel, shall be maintained in each division at the following sites or as otherwise designated by the board of supervisors:

- (a) In the Santa Maria Division, in the City of Santa Maria.
- (b) In the Lompoc Division, in the City of Lompoc.
- (c) In the Solvang Division, in the City of Solvang.

**Comment.** Section 74640.2 continues former Section 74640.2 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 74720-74724 (added). Siskiyou County**

SEC. \_\_\_\_ . Article 29.6 (commencing with Section 74720) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 29.6. Siskiyou County

**§ 74720. Siskiyou County Municipal Court District**

74720. The Siskiyou County Municipal Court District shall supersede the Western, Southeastern, and Dorris/Tulelake Judicial Districts and shall embrace the entire County of Siskiyou.

**Comment.** Section 74720 continues former Section 74720 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74724. Municipal court facilities**

74724. The court shall maintain facilities at Yreka, Dorris, Weed, and other locations determined by the court. The court shall determine the nature and frequency of sessions to be held at additional court locations.

**Comment.** Section 74724 continues former Section 74724 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 74740-74748 (added). South Bay Judicial District**

SEC. \_\_\_\_ . Article 30 (commencing with Section 74740) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 30. South Bay Judicial District

**§ 74740. South Bay Judicial District**

74740. Notwithstanding Section 71040, there shall be a municipal court in a judicial district, embracing the Cities of Chula Vista, Coronado, Imperial Beach, National City, that portion of the City of San Diego lying southerly of the City of Chula Vista and the portion of the City of San Diego lying within San Diego Bay south of a westerly continuation of the northern boundary of National City to the point of intersection with the eastern boundary of the City of Coronado, and such other contiguous area as the board of supervisors may direct, designated the South Bay Judicial District.

This article applies to the municipal court established pursuant to this section.

**Comment.** Section 74740 continues former Section 74740 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74742. Benefits for judges of the South Bay Judicial District**

74742. (a) In addition to any other compensation and benefits, each judge of the municipal court shall receive the same life insurance, accidental death and dismemberment insurance, comprehensive annual physical examinations, executive flexible benefits plan (except that if deferred compensation is selected, no adjustment based on retirement tier shall apply), and dental and vision insurance as provided by the County of San Diego for the classification of chief administrative officer. Changes in such benefits shall be effective on the same date as for those for the classification of chief administrative officer.

(b) Subject to approval by the board of supervisors, each judge of the municipal court shall receive one or more of the following benefits: the same long-term disability insurance as provided by the County of San Diego for the classification of chief administrative officer or retiree health benefits whereby each judge of the municipal court serving on or after October 1, 1987, who retires from the municipal court on or after January 1, 1989, shall receive the same amount of insurance premium for retiree health benefits under the Public Employees' Medical and Hospital Care Act (Part 5 (commencing with Section 22751) of Title 2) that the state provides to retired superior court judges under that act.

**Comment.** Section 74742 continues former Section 74742 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74748. Sessions within the South Bay Judicial District**

74748. The municipal court shall hold sessions in the City of Chula Vista and at such other places as the board of supervisors, by ordinance, may designate.

**Comment.** Section 74748 continues former Section 74748 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 74760-74764 (added). Glenn County**

SEC. \_\_\_\_ . Article 30.1 (commencing with Section 74760) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 30.1. Glenn County

**§ 74760. Glenn County Municipal Court District**

74760. The Glenn County Municipal Court District shall supersede the Glenn County Judicial District and shall embrace the entire County of Glenn.

**Comment.** Section 74760 continues former Section 74760 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74764. Municipal court facilities**

74764. The court shall maintain facilities at Willows and other locations determined by the court. The court shall determine the nature and frequency of sessions to be held at additional court locations.

**Comment.** Section 74764 continues former Section 74764 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 74784-74785 (added). Stanislaus County**

SEC. \_\_\_\_ . Article 31 (commencing with Section 74784) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 31. Stanislaus County

**§ 74784. Former marshal's office personnel in Stanislaus County**

74784. All sworn personnel of the former Stanislaus County marshal's office who are assigned to court services on the date of the elimination of the marshal's office shall become members of the sheriff's Court Services Bureau, with those permanent employees holding the rank of deputy marshal becoming deputy sheriff coroners.

Sworn personnel may be transferred to another position in the sheriff's office at the same or equivalent classification, but shall not be involuntarily transferred out of the Court Services Bureau.

**Comment.** The first paragraph of Section 74784 continues the eleventh paragraph of subdivision (b) of former Section 74784, making clear that the provision applies to sworn personnel of the former Stanislaus County marshal's office.

The second paragraph continues the twelfth paragraph of subdivision (b) of former Section 74784 without change.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 74784 that are not continued, see the Comment to former Article 31 (commencing with former Section 74780).

**§ 74785. Repeal of article**

74785. (a) This article shall remain in effect only until January 1, 2018, and as of that date is repealed unless a later enacted statute, which is enacted before January 1, 2018, deletes or extends that date.

(b) The repeal of this article does not affect any right or benefit to which a person was entitled on the date of repeal.

**Comment.** Section 74785 is added to provide for the automatic repeal of Article 31 (commencing with Section 74784) in fifteen years.

**Gov't Code §§ 74915-74916 (added). Yuba County**

SEC. \_\_\_\_ . Article 35.5 (commencing with Section 74915) is added to Chapter 10 of Title 8 of the Government Code, to read:

## Article 35.5. Yuba County

### § 74915. Yuba County Municipal Court

74915. This article applies to the municipal court established in a judicial district embracing the County of Yuba. This court shall be known as the Yuba County Municipal Court.

**Comment.** Section 74915 continues former Section 74915 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

### § 74916. Municipal court facilities

74916. (a) Facilities for the court shall be maintained at the county seat and at court facilities provided elsewhere as determined by ordinance adopted by the board of supervisors. The court shall determine the nature and frequency of sessions held at additional court locations designated by the board of supervisors.

(b) Jurors shall be drawn from the entire county.

**Comment.** Section 74916 continues former Section 74916 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

### Gov't Code §§ 74920-74920.6 (added). Tulare County

SEC. \_\_\_\_ . Article 36 (commencing with Section 74920) is added to Chapter 10 of Title 8 of the Government Code, to read:

## Article 36. Tulare County

### § 74920. Tulare County Municipal Court District

74920. There is in the County of Tulare a single municipal court district known as the Tulare County Municipal Court District.

**Comment.** Section 74920 continues former Section 74920 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

### § 74920.5. Sessions of the Tulare-Pixley Division

74920.5. On the order of the board of supervisors, sessions of the Tulare-Pixley Division shall be held within the territory embraced by the Pixley Judicial District as it existed on December 31, 1974.

**Comment.** Section 74920.5 continues former Section 74920.5 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

### § 74920.6. Sessions of the Central Division

74920.6. On order of the board of supervisors, sessions and services of the Central Division shall be held in the City of Woodlake, the City of Lindsay, and the City of Exeter.

**Comment.** Section 74920.6 continues former Section 74920.6 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 74934-74935.5 (added). Butte County**

SEC. \_\_\_\_ . Article 37 (commencing with Section 74934) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 37. Butte County

**§ 74934. Municipal court districts**

74934. This article applies only to municipal courts established in the following judicial districts in Butte County:

(a) A district embracing the Cities of Chico and Paradise, designated as the North Butte County Judicial District headquartered in the City of Chico.

(b) A district embracing the Cities of Oroville, Biggs, and Gridley, designated as the South Butte County Judicial District which is hereby created and shall be headquartered in the City of Oroville.

**Comment.** Section 74934 continues former Section 74934 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74935.5. Branch court facilities**

74935.5. There shall be maintained in both the City of Gridley and the Town of Paradise branch court facilities, including staff and other necessary personnel, so that the citizens of those communities may utilize such facilities as needed for small claims, infractions (traffic), civil matters, and misdemeanors.

**Comment.** Section 74935.5 continues former Section 74935.5 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 74948-74950 (added). Napa County**

SEC. \_\_\_\_ . Article 38 (commencing with Section 74948) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 38. Napa County

**§ 74948. Municipal Court for the County of Napa**

74948. This article applies to the municipal court district which embraces the entire County of Napa, which court shall be known as the Municipal Court for the County of Napa.

**Comment.** Section 74948 continues former Section 74948 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74950. Municipal court facilities**

74950. Facilities for the court shall be maintained in the City of Napa, the City of Saint Helena, the City of Calistoga, and in such other locations within the County of Napa as are designated by the board of supervisors pursuant to the

provisions of Section 71342. The court shall hold sessions at each facility as business requires.

**Comment.** Section 74950 continues former Section 74950 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 74960-74962 (added). Yolo County**

SEC. \_\_\_\_ . Article 39 (commencing with Section 74960) is added to Chapter 10 of Title 8 of the Government Code, to read:

Article 39. Yolo County

**§ 74960. Yolo County Municipal Court**

74960. This article applies to the municipal court established within the municipal court district which embraces the entire territory of the County of Yolo lying within the exterior boundaries of such county, which court shall be known as the Yolo County Municipal Court.

**Comment.** Section 74960 continues former Section 74960 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74962. Municipal court facilities**

74962. Facilities for the court shall be maintained at or near the county seat and at court facilities provided elsewhere as determined by ordinance adopted by the board of supervisors. The court shall determine the nature and frequency of sessions held at additional court locations designated by the board of supervisors.

**Comment.** Section 74962 continues former Section 74962 without change. For provisions relating to restatements and continuations of existing law, see Section 2.