

Summary of Revisions for Trial Court Distribution Guidelines

Revision 35

January 2025

Year Chaptered	Added, Amended, Or Removed	Code Section	Description	Table #	Page #
1982	Amended	PEN 308	Change in fine amounts for violations of PEN 308 (a) and (b) relating to sale of tobacco products to persons under 21 years of age.	3	62
1961	Amended	PEN 311.12	Minor language updates to reflect the expanded scope of some of the provisions within PEN 311, 311.2, and 311.11 to include matter that is digitally altered or generated by the use of artificial intelligence, as such matter is defined.	3	64
2024	Added	PEN 1398	Pursuant to PEN 1398, in addition to any other penalty or fine provided by law, if a corporation is convicted of a misdemeanor or felony offense, the court may order the corporation to pay an additional fine, known as the corporate white collar criminal enhancement as per PEN 1398 with specified distribution.	3	71
1941	Amended	Table 5 - Introduction	Remove the reference to WIC 730.6(f).	5	92
2024	Added	PEN 1202.4(r)	If a corporation defined in PEN 1398 is convicted of a misdemeanor or felony offense, the court shall impose a separate and additional restitution fine. If the conviction is a felony, the fine shall be not more than \$100,000; if the conviction is a misdemeanor, the fine shall not be more than \$1,000, with specified distribution.	5	102
1941	Amended	PEN 2085.5(a), (b)	Adding the operative date prior to January 1, 2025 for restitution fine imposed under WIC 730.6(b).	5	106

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1941	Amended	PEN 2085.5(c)	Updating WIC 730.6(h) to 730.6(b) for state prisoner owing a restitution order - deduction from State Prisoner Wages.	5	107
1941	Amended	PEN 2085.5(d)	Updating WIC 730.6(h) to 730.6(b) for state prisoner owing a restitution order - deduction from County Prisoner Wages.	5	107
1941	Amended	PEN 2085.5(e)	Renumbering from PEN 2085.5(g) to PEN 2085.5(e).	5	108
1941	Amended	PEN 2085.5(f)	Renumbering from PEN 2085.5(h) to PEN 2085.5(f)	5	108
1941	Amended	PEN 2085.6(a)	Adding the operative date prior to January 1, 2025 for restitution fine imposed under WIC 730.6(b).	5	109
1941	Amended	PEN 2085.6(b)	Updating WIC 730.6(h) to 730.6(b) for restitution order imposed.	5	109

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1941	Amended	PEN 2085.7(a)	Adding the operative date prior to January 1, 2025 for restitution fine imposed under WIC 730.6(b).	5	110
1941	Amended	PEN 2085.7(b)	Updating WIC 730.6(h) to 730.6(b) for restitution order imposed.	5	110
1961	Amended	WIC 730.6(b)	Renumbered 730.6(h) to WIC 730.6(b)	5	112
1961	Removed	WIC 730.6(b)	Repeal of various restitution fines upon conviction of one or more felony offenses or one or more misdemeanor offenses.	5	
1961	Removed	WIC 730.6(q)	Administrative fee of up to 10% imposed by the county Board of Supervisors to collect restitution fine is repealed.	5	
1943	Removed	WIC 1752.81(b)	Restitution fine imposed on a juvenile ward is repealed.	5	

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1943	Removed	WIC 1752.81(c)	Restitution order imposed on a juvenile ward is repealed.	5	
1943	Removed	WIC 1752.81(d)	Restitution fine or order imposed on a juvenile ward is repealed.	5	
1943	Removed	WIC 1752.82	Restitution fine or order imposed on a juvenile ward is repealed.	5	
1991	Amended	GOV 76104.6	The cutoff date for the collection of the DNA Identification Penalty Assessment is updated to January 1, 2028.	6	120
2024	Added	BPC 21302	Violation of chapter 8.5 of Division 8 of the Business and Professions Code shall result in a civil penalties depending on the number of violations. Violation of Court order or injunction issued pursuant to chapter 8.5 of Division 8 of Business and Professions Code shall result in a civil penalty of up to \$10,000 per violation. The penalty collected shall be paid to the State Treasurer after offsetting the reasonable expenses of the office of the Attorney General or the treasurer of the county depending on who brings the action.	8	158
2024	Amended	BPC 22949.85	Minor language update to reflect the change in heading of the Chapter 40 to Fair Investment Practices by Venture Capitol Companies.	8	160

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2024	Added	BPC 22949.92.1	Violation of BPC 22949.92.1 shall be subject to a civil penalty not to exceed \$10,000 for each closure of the covered establishment. The distribution of the penalty shall be as stipulated in BPC 22949.92.1(c)(1)(B).	8	161
1994	Amended	BPC 22958	Civil Penalties have changed to between \$1,000 to \$20,000 as specified for a person, firm, or corporation furnishes or sells tobacco products to persons under 21 years of age, except for active duty military personnel who are 18 years of age or older; or who advertises or causes to be advertised a tobacco product on an outdoor billboard.	8	162
2024	Added	BPC 26152.2	Violation of BPC 26152(d),(e),(f), and (g) or HSC 111926(b) shall result in civil penalties of up to \$5,000 per violation by a licensed cannabis business and up to \$30,000 per violation by an unlicensed cannabis business or unregistered business engaged in the sale of products that contain industrial hemp. The civil penalties shall be distributed as stipulated in BPC 26038(d).	8	165
2024	Added	CIV 799.12	Any entity that willfully violates CIV 799.12 shall be liable to the homeowner, resident, or other party for actual damages occasioned thereby, and shall pay a civil penalty to the homeowner, resident, or other party in an amount not to exceed \$2,000.	8	166
2024	Added	FAC 12997.8	Civil penalty not to exceed \$25,000 per day for each violation of FAC 12978.7 regarding the sale or use of a first-generation or a second-generation anticoagulant rodenticide. Civil penalties to be deposited in Department of Pesticide Regulation Fund.	8	170
1957	Amended	FGC 12025(a)	Change of language from Controlled Substances to "cannabis or cannabis products." Fund for the 40% penalties payable to the state changed to "Cannabis-Impacted Lands Restoration Fund."	8	173

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1957	Amended	FGC 12025(b)	Change of language from Controlled Substances to "cannabis or cannabis products." Fund for the 40% penalties payable to the state changed to "Cannabis-Impacted Lands Restoration Fund."	8	174
2024	Added	GOV 65009.1	Violation of the adoption of housing element revisions pursuant to the schedule set forth in GOV 65588(e) shall be subject to civil penalties from \$10,000 per month up to \$50,000 per month. This shall be deposited into the Building Homes and Jobs Trust Fund. Additionally all costs of investigating and prosecuting this action, including expert fees, reasonable attorney's fees, and costs, whenever the Attorney General or the department that prevails in a civil action to enforce any state laws under this section. These awards imposed shall be paid to the Public Rights Law Enforcement Special Fund established by Section 12530.	8	181
2024	Added	HSC 25258.6	A violation of article 15 (commencing with HSC 25258) of Chapter 6.5 of Division 20 of HSC is punishable by a minimum civil and administrative penalty of \$10,000 for first and any subsequent violation. Penalties to be deposited into T.A.M.P.O.N. Act fund.	8	185
1992	Amended	HSC 42403	Civil penalties for violations of HSC 39674, HSC 42401, HSC 42402, HSC 42402.1, HSC 42402.2, HSC 42402.3, and HSC 42402.6 shall be assessed and recovered in a civil action brought in the name of the people of the State of California by the Attorney General, by any district attorney, or by the attorney for any district in which the violation occurs in any court of competent jurisdiction.	8	188
2024	Added	HSC 104559.1(n)	The Attorney General may seek injunctive relief and civil penalty not to exceed \$50,000 and recover reasonable attorney's fees, investigation costs, and expert fees against an entity or individual for false certification of a brand style that lacks a characterizing flavor. Civil Penalties to be distributed to Public Rights Law Enforcement Special Fund.	8	189
2024	Added	HSC 104559.1(o)	Civil penalties for violation of HSC 104559.1(o) regarding sale of tobacco product not appearing on the Unflavored Tobacco List (UTL) or any tobacco product flavor enhancer to any retailer, wholesaler, or other person for sale in California by a distributor or wholesaler. A delivery seller shall not sell a tobacco product not appearing on the UTL or a tobacco flavor enhancer to a consumer in California. Civil Penalties to be distributed to Public Rights Law Enforcement Special Fund.	8	190

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2020	Amended	HSC 104559.5	Updated numbering to remove the reference to paragraph 1 due to changes made to BPC 22958(a).	8	191
2023	Amended	LAB 181	Updating the distribution of the recovered monies for violation of LAB 181.	8	194
1980	Amended	WAT 1845	Civil penalties changed to \$2,500 per each day for violations occurring not during conditions mentioned in WAT 1845(b)(1)(A).	8	210
1980	Amended	WAT 1846	Violations of term or condition of a permit, license, certificate or registration issued under WAT 1000-5976 subject to liability not to exceed \$1,000 for each day in which the violation occurs. For the violation of a regulation or order adopted by the State Water Resources Control Board, that constitutes the diversion of water contrary to a curtailment order adopted by the board, a person or entity may be liable for the fines as stipulated.	8	211
2017	Removed	GOV 6223	Civil penalty pertaining to presenting for recording or filing with a county recorder a deed, instrument or other document related to a conveyance of federal land without a certificate of compliance from the State Lands Commission is repealed.	8	
2017	Amended	GOV 70615	A fee of \$25 for an appeal under Section 22438 of the Vehicle Code of a hearing officer's determination regarding a civil penalty for an automated speed violation, as defined in Section 22435 of the Vehicle Code. This section shall remain in effect only until January 1, 2032, and as of that date is repealed.	9	246