

Public Safety Realignment Team

Estimated AB 109 Funding Levels for Fiscal Year 2025-26

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May 15, 2025

CEO.

- In 2011, Governor Edmund G. Brown Jr. signed Assembly Bill (AB) 109. AB 109 transferred responsibility for non-violent, non-serious, and non-sex (N3) offenders from the State of California to its counties. These legal mandates include:
 - The shift in the custody responsibility from the state to county jails for N3 offenders, as well as for individuals sentenced for parole violations.
 - The creation of Post-Release Community Supervision, in which county probation departments are responsible for the supervision and treatment of eligible offenders following release from prison.
- At a high level, AB 109 gave counties additional responsibilities and the funding to carry out those responsibilities.

Per Government Code Section 30025, AB 109 funding eligibility includes the following “Public Safety Services”:

- (1) Employing and training public safety officials, including law enforcement personnel, attorneys assigned to criminal proceedings, and court security staff.
- (2) Managing local jails and providing housing, treatment, and services for, and supervision of, juvenile and adult offenders.
- (3) Preventing child abuse, neglect, or exploitation; providing services to children and youth who are abused, neglected, or exploited, or who are at risk of abuse, neglect, or exploitation, and the families of those children; providing adoption services; and providing adult protective services.
- (4) Providing mental health services to children and adults in order to reduce failure in school, harm to themselves and others, homelessness, and preventable incarceration or institutionalization.
- (5) Preventing, treating, and providing recovery services for substance abuse.



County AB 109 Budget Process

- In the Recommended Budget phase (January through March), each department is brought to its baseline budget by incorporating Board-approved cost-of-living adjustments (COLA) and program annualizations and by reversing prior-year one-time funding..
- In the Supplemental Changes phase (July to September), the County budgets the latest AB 109 funding estimates received from the State and prior-year closing fund balance. CEO will recommend the allocation of new funding, if any, for Board approval as follows:
 - Addressing base budget shortfalls, subject to available funding.
 - 50% of new State funds received in excess of the prior year budget are allocated to ODR, per an August 11, 2015 Board motion (if applicable)
 - A contingency reserve is maintained in accordance with GFOA best practices.
 - CEO will then evaluate the remaining amount of new funding received from the State to address Countywide program initiatives in response to Board priorities or legislative changes, PSRT funding recommendations, the AB 109 legal mandate, and department funding requests.

- Proposition 30 (2012) provides a dedicated and permanent revenue stream to counties to fund their AB 109 responsibilities through 1.0625% of the State sales tax.
- However, Proposition 30 does not guarantee the level of funding allocated to counties since sales tax is subject to fluctuations in the economy.



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- **Community Corrections Subaccount**
 - \$0M ongoing funding
 - \$3.915M one-time funding
- **Local Innovation Subaccount**
 - \$0.681M one-time funding

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- **How does the County know its estimated ongoing funding allocation?**
- On May 14, 2025, the State issued its May Revision budget proposal. Below is the relevant excerpt for AB 109*.
- The May Revision projects \$26.1M of new ongoing Community Corrections funding at the Statewide level. The State allocates 31.1% of Statewide ongoing Community Corrections funding to the County: \$8.1M.
- However, the County must first fund \$5.4M of COLA approved by the Board of Supervisors in the Recommended Budget phase and address a \$3.1M ongoing structural deficit (\$611.1M FY 24-25 revenue compared to \$614.2M FY 24-25 budget) to achieve its base budget before allocating funding to new programs.

	2023-24	2023-24 Growth	2024-25	2024-25 Growth	2025-26
Law Enforcement Services	\$3,428.3		\$3,432.1		\$3,466.9
Trial Court Security Subaccount	\$646.0	0	\$646.8	3.5	650.3
Enhancing Law Enforcement Activities Subaccount ²	\$489.9	374.4	\$489.9	412.7	489.9
Community Corrections Subaccount	\$1,962.2	0	\$1,964.7	26.1	1,990.8

*https://www.counties.org/wp-content/uploads/2025/05/2025-26-May-Revision-CSAC-Budget-Action-Bulletin_5.14.25.pdf



FY 2025-26 Budget Due Date

- The Countywide due date to submit Supplemental Changes budget requests to CEO is July 9, 2025.

- CEO will make funding recommendations to the Board based on the context of the overall budget and numerous competing funding priorities and requests.