

Department of Finance		Fund: 0023
STATE OF CALIFORNIA MANUAL OF STATE FUNDS		PAGE 1 Renumbered From:
<u>Legal Title</u> Farmworker Remedial Account		
<u>Legal Citation/Authority</u> Chapter 803, Statutes of 1976 (SB 1472) Labor Code section 1698		
<u>Fund Classification</u> <u>GAAP Basis</u> Governmental/Special Revenue Funds	<u>Fund Classification</u> <u>Legal Basis</u> Governmental/Other Governmental Cost Funds	
<u>Purpose</u> Money in this fund will be disbursed by the Labor Commissioner to persons who have been damaged by any licensed or unlicensed farm labor contractors whenever such damage exceeds the limits of the licensee's bond. Law currently requires farm labor contractors to deposit with the Labor Commissioner a surety bond in an amount based on the size of the licensee’s annual payroll for all employees. Damages include unpaid wages, interest on wages, and any damages or other monetary relief arising from the violation of orders of the Industrial Welfare Commission or violation of this Labor Code or other relevant laws.		
<u>Administering Agency/Organization Code</u> Department of Industrial Relations/Org 7350		
<u>Major Revenue Source</u> License fees (a portion of) from farm labor contractors, as well fines collected for violations of Labor Code sections 1682-1699.		
<u>Disposition of Fund (upon abolishment)</u> Pursuant to Government Code Section 16346, absent language that identifies a successor fund, any balance remaining in this fund upon abolishment, shall be transferred to the General Fund.		
<u>Appropriation Authority</u> Money in this fund are available upon appropriation by the Legislature.		
<u>State Appropriations Limit</u> Excluded —The revenues in this fund are not proceeds of taxes, however, when transferred, may become proceeds of taxes. These revenues are used to regulate the activities engaged in by the payers. The account is funded from license and registration fees paid annually by farm labor contractors and used to pay unpaid wage claims filed by farm laborers against farm labor contractors.		
<u>Comments/Historical Information</u> Chapter 69, Statutes of 2006 amended section 1684 (a) (4) of the Labor Code to increase the amount from each license fee received that the commissioner is required to deposit into the Farmworker Remedial Account from \$50 to \$150.		

Chapter 917, Statutes of 2000 renamed this fund from the Farm Labor Contractor's Special Account and increased the license fee to \$500 and provided that \$50 of that fee would be deposited into this fund.

Chapter 517 & 301, Statutes of 1982 replaced section 1684(d) of the Labor Code with section 1688, renewal shall require the filing of an application for renewal, a renewal bond, and the payment of the annual license fee, but the Labor Commissioner may demand that a new application or a new bond be submitted.

Chapter 803, Statutes of 1976 amended Section 1684(d) of the Labor Code to increase the annual license renewal fee for farm labor contractors from \$75 to \$100 and provided that \$25 would be deposited into a separate account.

Revised May 2021: Revised to correct the legal basis classification of General Fund Special Accounts to Other Governmental Cost Fund.