

Department of Finance STATE OF CALIFORNIA MANUAL OF STATE FUNDS		Fund: 0226 PAGE 1 Renumbered From:
<u>Legal Title</u> California Tire Recycling Management Fund		
<u>Legal Citation/Authority</u> Chapter 974, Statutes of 1989 (AB 1843) Article 5 Public Resources Code section 42885(b)(3)		
<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> This fund was created as a depository for disposal fees on new tires. Public Resources Code section 42889 provides that of the money collected pursuant to Section 42885 an amount equal to one dollar and seventy-five cents (\$1.75) per tire on which the fee is imposed shall be transferred by the State Board of Equalization to the Air Pollution Control Fund. The remaining money collected shall be used to fund the waste tire program, including reimbursement for administration costs as specified in Section 42885.		
<u>Administering Agency/Organization Code</u> Department of Resources Recycling and Recovery/Org 3970		
<u>Major Revenue Source</u> California tire fee per each new tire purchased.		
<u>Disposition of Fund (upon abolishment)</u> Pursuant to Government Code section 16346, in the absence of 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> Public Resources Code section 42889 provides that the money in the fund shall be appropriated in the annual Budget Act to the board for expenditure as specified in the section.		
<u>State Appropriations Limit</u> Excluded - 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.		
<u>Comments/Historical Information</u> Chapter 304, Statutes of 1996 shifted the \$.25 tire fee from used tires to new tires. Chapter 838, Statutes of 2000 (SB 876) increased the fee to \$1.00, until December 31, 2006, and would decrease the fee after that date to \$.75 per new tire. Chapter 707, Statutes of 2004 (AB 923) increased the tire fee on and after January 1, 2005 to \$1.75 per tire, and then commencing January 1, 2007, to reduce that fee to \$1.50 per tire. Chapter 77, Statutes of 2006 (AB 1803) set tire fee at \$1.75 per new tire. Chapter 21, Statutes of 2009 (SB 63), Section 9, changed Administering Agency from the California Integrated Waste Management Board/Org 3910 to the Department of Resources Recycling and		

Recovery/Org 3500 per Public Resources Code section 40401(a)(1).

The Public Resources Code section 42885 has two sections in the chaptered legislation;

The first section shall remain in effect only until January 1, 2015, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2015, deletes or extends that date pursuant with Section 42885(i).

The second section shall become operative as of January 1, 2015 and will set the new tire fee at \$0.75 pursuant with Section 42885(i).

Pursuant to the Governor's Reorganization Plan 2, the Administering Agency's Organization Code changed from Org 3500 to Org 3970, effective July 1, 2013.