
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Nancy Skinner, Chair
2019 - 2020 Regular

Bill No: SB 144 **Hearing Date:** April 23, 2019
Author: Mitchell
Version: March 27, 2019
Urgency: No **Fiscal:** Yes
Consultant: MK

Subject: *Criminal Fees*

HISTORY

Source: Debt Free Justice Coalition

Prior Legislation: SB 185 (Hertzberg) Held Assembly Appropriations 2017
SB 190 (Mitchell) Chapter 678, Stats. 2017

Support: Alameda County Community Food Bank; Asian Americans Advancing Justice; California Catholic Conference; California Coalition for Women Prisoners; California Partnership; Californians United for a Responsible Budget; Center for Employment Opportunities; Center for Responsible Lending; Center on Juvenile and Criminal Justice; Children's Defense Fund-California; City and County of San Francisco; Community Health Councils; Community Coalition; Community Legal Services in East Palo Alto; Courage Campaign; the Debt Collective; Disability Rights California; Drug Policy Alliance; Fines & Fees Justice Center; Friends Committee on Legislation of California; Harriet Buhai Center for Family Law; Housing and Economic Rights Advocates; Immigrant Legal Resource Center; Indivisible East Bay; Initiate Justice; John Burton Advocates for Youth; Lawyers' Committee for Civil Rights of the San Francisco Bay Area; League of Women Voters California; Legal Services for Prisoners with Children; Pacific Juvenile Defender Center; People for Mobility Justice; Public Counsel; Rise Together; Root and Rebound; Rubicon Programs; Safe Return Project; Showing Up for Racial Justice; Sister Warriors Freedom Coalition; Starting Over, Inc.; UDW/AFSCME Local 3930; Underground Scholars Initiative; United Food and Commercial Workers Western States Council; Youth Justice Coalition; a number of individuals

Opposition: California State Sheriffs' Association

PURPOSE

The purpose of this bill is eliminate numerous fees imposed on criminal offenses and Vehicle Code violations.

Existing law provides that the state and each city shall accept personal checks, in addition to any other authorized form of payment in payment for any license, permit, or fee, or in payment of any obligation owing to the public agency or trust deposit. If any check is returned without

payment for any reason a reasonable charge for the returned checks, not exceeding the actual costs incurred, may be imposed. (Government Code § 6157)

This bill provides that the returned check fee may not be imposed in regard to a payment arising from a criminal proceeding.

Existing law provides that in any case in which a party is provided legal assistance, either through the public defender or private counsel appointed by the court, upon the conclusion of the proceedings or upon the withdrawal of the public defender or private counsel, after a hearing on the matter the court may make a determination of the party to pay all or a portion of the cost of such legal assistance. If the court determines that the party has the ability to pay all or part of the cost, it shall order the party to pay the sum to the county in any installments and manner in which it believes reasonable and compatible with the party's ability to pay. (Government Code § 27712)

This bill deletes the provision requiring an ability to pay determination for the use of a public defender.

Existing law provides that prior to furnishing counsel of legal assistance by the court, the court shall give notice to the defendant that after a hearing the court will make an ability to pay determination and that the person may be ordered to pay all or part of the costs of the legal assistance. (Government Code § 27753)

This bill deletes that provision.

Existing law provides that any county whose officer or agent arrests a person is entitled to recover from the arrested person a criminal justice administrative fee for the administrative costs it incurs in conjunction with the arrest if the person is convicted of any criminal offense related to the arrest. The fee may be imposed as part of the judgment of conviction or as a condition of probation. (Government Code 29550 (c) (d))

Existing law also allows any city, special district, school district, community college district, college, university or other local agency to collect the criminal justice administrative fee. (Penal Code §§ 29550.1; 29550.2; 299550.3)

This bill deletes the provision allowing for the recovery of costs associated with arrest.

Existing law provides that an administrative screening fee of \$25 shall be collected from each person arrested and released on his own recognizance upon conviction of any criminal offense related to an arrest other than an infraction. The fee shall be deposited in the General Fund. (Government Code 29550 (f))

Existing law provides that a citation processing fee in the amount of \$10 shall be collected from each person cited and released by any peace officer in the filed or at a jail facility upon conviction of any criminal offense, other than an infraction. The fee shall be deposited in the General Fund. (Government Code 29550 (f))

This bill deletes the \$25 administrative processing fee and \$10 citation processing fee.

Existing law provides that notwithstanding any other provision, a person who is sentenced to state prison or confined in a county jail shall pay a partial amount of the trial court filing fees and costs. To apply for an initial fee waiver, a person who is sentenced to state prison or confined in a county jail the person shall fill out the appropriate judicial council form. Existing law sets forth a process for determining if the person has an ability to pay and process for collecting the fees from the inmates accounts. (Government Code § 6835)

This bill deletes the provision relating to court filing fees and instead provides that notwithstanding any other law, a person who is sentenced to state prison or confined in a county jail shall not be required to pay any trial court filing fees or costs related to the person's underlying conviction for which the person is incarcerated.

Existing law provides that each superior court shall adopt a written policy consisted with rules adopted by or trial court financial policies and procedures authorized by, the Judicial Council governing the acceptance of checks and money orders in payments of any fees, fines or bail deposits. If any check is returned to the payee without payment, a reasonable charge for the returned check, not to exceed the actual costs incurred, may be imposed to recover the processing and collection costs. This charge may be added to the underlying obligation. (Government Code § 71386)

This bill deletes the ability to collect for the cost of a returned check.

Existing law provides for a \$4 fee imposed upon every conviction for a violation of the Vehicle Code or a local ordinance adopted pursuant to the Vehicle Code, except for parking tickets that go to fund Emergency Medical Air Transportation. This provision provides that the assessment of penalties shall stop on January 1, 2020, although fees imposed prior to that date shall still be collected after that date. This provision sunsets on January 1, 2022. (Government Code § 76000.10)

This bill provides that Emergency Medical Air Transportation fees shall cease to be recovered after January 1, 2020 and changes the sunset date to January 1, 2021.

Existing law provides that in addition to any other penalty or liability, a person convicted of the manufacture, sale, possession for sale, possession, transportation or disposal of any hazardous substance that is a controlled substance or a chemical used in or a byproduct of the manufacture of a controlled substance shall pay a penalty equal to the amount the it cost the local or state agency to remove and dispose of the substance.. (Health and Safety Code § 11374.5)

This bill deletes the ability to charge for controlled substance clean-up.

Existing law provides that a the prosecuting attorney in a criminal proceeding, upon conviction, may seek recovery for all clean-up expenses related to a controlled substance conviction from or any person who manufactures or cultivates a controlled substance, aids or abets the manufacture of a controlled substance and provides a procedure for granting or denying the recovery of expenses. (Health and Safety Code § 11470.2)

This bill removes the ability of the prosecuting attorney to seek recovery clean-up expenses related to a controlled substance conviction.

This bill provides that on and after January 1, 2020 the unpaid balance of any court-imposed costs pursuant to Health and Safety Code Section 11374.5 and 11470.2 is unenforceable, uncollectible and any portion of a judgement imposing those costs shall be vacated.

Existing law provides that any person who receives probation for child endangerment or infliction of corporal punishment on a child shall be required to complete no less than one year of child abuser's treatment program and to pay for the full costs of the treatment program including any drug tests. The law further provides that the term of probation shall not be lifted until all reasonable fees due to the counseling program have been paid in full. (Penal Code §§ 273a; 273d; 273.1)

This bill deletes the provision requiring fees for the child abuser's treatment program be paid in full before probation is lifted.

Existing law provides that when a person receives probation for a violation of a protective order, in lieu of a fine the person may be required to make payments to a battered women's shelter or to a shelter for abused elder persons or dependent adults up to a maximum of \$5,000 or reimburse the victim for reasonable costs of counseling and other reasonable expenses that the court finds are the direct result of the defendant's offense. (Penal Code § 273.6)

This bill removes the option to make a payment to a domestic violence or elder abuse shelter.

Existing law provides that the California Department of Corrections and Rehabilitation (CDCR) shall assess all sex offenders prior to release. If a person is not assessed they can be assessed while on probation. The law allows the person to request a risk assessment and if they request the assessment they shall be required to pay for the assessment. (Penal Code § 290.06)

This bill removes the requirement that a person who requests a risk assessment pays for the assessment.

Existing law provides that a person who fails to comply with requirements regarding live animal markets can take a course relating to live animal markets in lieu of paying a fine and the local agency may charge up to \$100 for the course. (Penal Code § 597.3)

This bill deletes the requirement that a person pay for the live animal course.

Existing law provides that every defendant shall be assessed a registration fee of \$50 to be represented by the public defender. (Penal Code § 987.5)

This bill deletes the \$50 registration fee for representation by a public defender.

Existing law creates a pretrial diversion program for specified drug offenses. (Penal Code § 1000 et seq)

Existing law provides that when a defendant completes pretrial diversion, or if pretrial diversion is terminated early, the defendant shall reimburse the probation department for the reasonable cost of any program investigation or progress report filed with the court. (Penal Code § 1000.3)

This bill deletes the requirement that a defendant reimburse probation for the cost of reports associated with pretrial diversion.

Existing law allows a judge to require the payment of an administrative fee, as part of enrollment in a diversion program, to cover the cost of any criminalistics laboratory analysis, not to exceed \$500. In addition the court may require the payment of the actual costs of enrollment in diversion and a fee for the cost of supervising the divertee. (Penal Code §§ 1000.15; 1001.16)

This bill deletes the fees for laboratory analysis, enrollment and supervision relating to diversion.

Existing law provides that all persons receiving diversion shall pay a diversion restitution fee and allows the county board of supervisors to cover the actual administrative costs of collection of the restitution fee not to exceed 10% of the amount to be paid and the state shall pay the county agency collecting the fee 10% of the funds collected. (Penal Code § 1001.90)

This bill deletes the fee to cover the administrative cost of collecting the diversion restitution fee and the county share for collecting restitution.

Existing law provides that a person convicted of a crime shall pay restitution to the victim. The law allows a county to impose a fee to cover the actual administrative costs of collecting the restitution, not to exceed 10% of the amount owed. (Penal Code § 1202.4)

This bill deletes the ability of a county to collect a fee to cover the administrative costs of collecting restitution.

Existing law allows for restitution to be collected from a person's income and allows an employer to collect up to \$5 against offenders to cover the cost of the first income deduction for restitution and \$1 for each one after. (Penal Code § 1202.42)

This bill deletes the ability of an employer to collect up to \$5 or \$1 for an income deduction for restitution.

Existing law provides that a probationer cannot be released to another state until the probationer has paid the reasonable costs of processing their request to move states. (Penal Code § 1203)

This bill deletes the requirement that a probationer reimburse the costs for transfer to another state before being allowed to leave.

Existing law provides that a participant in home detention shall pay an administrative fee based on an ability to pay. Home detention can be terminated if an individual willfully fails to pay the fee. (Penal Code § 1203.016)

This bill deletes the fees relating to home detention.

Existing law allows a county to set up a pretrial electronic monitoring program and authorizes administrative fees to be paid and a person to be returned to custody if they fail to pay the fee. (Penal Code § 1203.018)

This bill deletes the provisions allowing fees for pretrial electronic monitoring.

Existing law allows for probation for specified sex crimes if certain conditions are met including making all counseling and program appointments and that the offender pay all the program fees. (Penal Code § 1203.66)

This bill deletes the requirement that a sex offender must pay all fees to receive probation.

Existing law provides that specified sex offenders shall be ordered to be placed in an approved sex offender management program and the person shall be ordered to pay the expense of attending the program. (Penal Code § 1203.67)

This bill deletes the requirement that a sex offender pay the expense of attending a sex offender management program.

Existing law provides that when a person is granted probation for Domestic Violence, among other things a person shall pay a minimum fee of \$500, unless the court finds the defendant does not have the ability to pay and reduces or waives the fee. A person shall also be ordered to attend and pay the fees for a batter's intervention program. Finally, in lieu of a fine, probation may require a defendant to make payments to a battered women's shelter in an amount up to \$5,000 and/or reimburse the victim for reasonable expenses.

This bill deletes the \$500 fee for a domestic violence conviction, deletes the requirement that a person pay for the program fees and deletes the \$5,000 payment to the domestic violence shelter but keeps the reimbursement the victim for reasonable expenses.

Existing law provides that if the court orders restitution to the victim, the entity collecting the restitution may add a fee to cover the actual administrative costs of collection not to exceed 15% of the total amount paid. (Penal Code § 1203.1)

This bill deletes the ability of the entity collecting restitution to add a fee to cover actual administrative costs.

Existing law provides that probation may remove a person from custody for a period of 3 days under specified circumstances and the probation officer may require the inmate to reimburse the county in whole or in part for expenses. (Penal Code 1203.1a)

This bill deletes the 3 day limitation on the removal of a person from custody and removes the ability of probation to seek reimbursement of costs.

Existing law provides that a person convicted of a drug offense can be required to undergo drug testing while on probation and can be required to reasonable fees to pay for the testing. (Penal Code § 1203.1ab)

This bill deletes the requirement that a person convicted of a drug offense pay for drug testing.

Existing law provides that person on probation can be charged the reasonable cost of any probation supervision including fees related to any pre-plea or re-sentence report, the cost of processing a judicial transfer and the cost of collection for installment payments. (Penal Code § 1203.1b)

This bill deletes the fees related to the cost of probation supervision.

Existing law requires a person who is required to install an ignition interlock device because of a DUI conviction shall be required to pay for the device based on an ability to pay determination. (Penal Code § 1203.1bb; Vehicle Code §§ 23573; 23575.3)

This bill deletes the requirement that an offender pay for an ignition interlock and specifically states they are not responsible for the costs.

Existing law allows counties or cities to seek reimbursement for the cost of incarceration in a county or city jail, based on an ability to pay determination. (Penal Code § 1203.1c)

This bill deletes the ability to recover for incarceration costs.

Existing law allows a county to seek reimbursement for the reasonable costs of county parole supervision. (Penal Code § 1203.1e)

This bill deletes the ability of a county to seek reimbursement for the reasonable costs of county parole supervision.

Existing law provides that in child abuse and neglect cases, the court may order the defendant to pay the costs of any medical examination determining the extent of the abuse or neglect. (Penal Code § 1203.1h)

This bill deletes the ability to recover the cost of a medical examination in a child abuse or neglect case.

Existing law provides that when a person is convicted to a violation of any building standards, and is ordered to serve all or part of the sentence under house arrest, the defendant may be required to pay the costs of the police officer standing guard in the area in which the defendant is confined. (Penal Code § 1203.1i)

This bill deletes the ability to charge a defendant for the cost of a police officer standing guard.

Existing law provides that the court may order a defendant who is sentenced to state prison to pay the reasonable costs of imprisonment. (Penal Code § 12031m)

This bill deletes the ability to collect state prison costs.

Existing law provides for a fee of \$150 to cover a petition to change a plea or set aside a verdict. (Penal Code § 1203.4)

This bill deletes the ability to collect a \$150 fee to cover a petition to change a plea or set aside a verdict.

Existing law provides for a fee of \$60 to petition for a dismissal of an infraction or misdemeanor. (Penal Code § 1203.4a)

This bill deletes the \$60 fee for a petition of the dismissal or an infraction or misdemeanor.

Existing law provides for a fee of \$150 for a petition to change a plea or set aside a verdict for an 1170h offense. (Penal Code § 1203.42)

This bill deletes the \$150 fee for a petition to change a plea or set aside a verdict for an 1170h offense.

Existing law provides that if a person is over 26 years of age and is seeking the sealing of a juvenile record a court can charge up to \$150. (Penal Code § 1203.45; Welfare and Institutions Code §903.3)

This bill deletes the ability to charge a person over 26 years of age the cost of sealing a juvenile record.

Existing law provides that a fee may be charged for transferring a probation case to another county. (Penal Code § 1203.9)

This bill deletes the ability to charge a defendant for transferring a case to another county.

Existing law provides that the court may charge a \$30 fee for setting up a payment plan for a fine. (Penal Code § 1205)

This bill deletes the ability to charge a defendant \$30 to set up a payment plan.

Existing law allows a defendant granted work furlough or home detention to be charged an administrative fee and application fee, although an offender cannot be denied based on an inability to pay. (Penal Code § 1208.2)

This bill deletes the ability to charge a fee for work furlough or home detention.

Existing law provides that a county may charge a fee to administer a program that lets a person serve a sentence on weekends. (Penal Code § 1209)

This bill deletes the ability to charge an administrative fee for a program that lets a person serve a sentence on weekends.

Existing law provides that a person convicted of a non-violent drug offense can be ordered to contribute to the cost of placement in a drug treatment program. (Penal Code § 1210.1)

This bill deletes the ability to require a non-violent drug offender to contribute to the cost of treatment.

Existing law provides that, based on an ability to pay, a chief probation officer may charge for the cost of supervising an offender on electronic monitoring. (Penal Code § 1210.15)

This bill deletes the ability of probation to charge a person for electronic monitoring.

Existing law provides for a \$300 civil penalty assessment by the court for a failure to appear. (Penal Code § 1214.1)

This bill deletes the \$300 civil penalty assessment for a failure to appear.

Existing law provides that if defendant is ordered to pay more than \$50 in restitution they may also be ordered to pay 10% interest on outstanding principle. (Penal Code § 1214.5)

This bill deletes the ability of the court to order payment of interest on restitution.

Existing law provides that an administrative screening fee of \$25 shall be collected from each person arrested and released on their own recognizance upon conviction of any offense related to the arrest other than an infraction and a \$10 citation processing fee shall be collected from each person cited and released by any peace officer. (Penal Code § 1463.07)

This bill deletes the \$25 and \$10 fees related to release of a person on their own recognizance.

Existing law allows the Board of Supervisors to authorize a fee of up to \$50 to cover the cost of testing for alcohol content in relation to a DUI. (Penal Code § 1463.14)

This bill deletes the ability to charge a fee for the cost of blood alcohol testing in relation to a DUI.

Existing law allows CDCR to charge a 10% fee to cover the actual costs of collecting restitution. (Penal Code §2085.5)

This bill deletes the ability of CDCR to collect an administration fee to cover the actual cost of collecting restitution.

Existing law allows counties to collect a 10% fee to cover the actual costs of collecting restitution from a person on PRCS/Mandatory Custody or post-release from custody. (Penal Code §§2085.6; 2085.7)

This bill deletes the ability of the counties to collect a 10% fee to cover the actual costs of collecting restitution from a person on PRCS/Mandatory Custody.

Existing law provides that county, city or CDCR may recover costs for medical, dental, and hospital care for an incarcerated youth from the person who is responsible for the youth. (Penal Code § 3000.07)

This bill deletes the ability to charge a responsible party for health care for incarcerated youth.

Existing law allows a county jail to charge \$3 for an inmate health visit and CDCR to charge \$5 for an inmate health visit (Penal Code §§ 4011.2; 5007.5)

This bill deletes the ability of a jail or CDCR to charge a copay for an inmate health visit

Existing law allows for the temporary release of an inmate for a family emergency or for a purpose to prepare them for release and allows the county to charge the offender for expenses relating to that release. (Penal Code § 4024.2)

This bill deletes the ability to charge for expenses relating to a temporary release of an inmate.

Existing law allows a person to be charged an administrative fee for participation in a work release program. (Penal Code § 4024.2)

This bill deletes the ability to charge for a work-release program.

Existing law allows CDCR to charge an administrative fee for a work furlough program. (Penal Code §6266)

This bill deletes the ability of CDCR to charge an administrative fee for a work furlough program.

Existing law authorizes a county to charge \$15 for a written promise to appear. (Vehicle Code § 40508.5)

This bill deletes the authorization to charge \$15 for a written promise to appear.

Existing law allows the superior court to establish a \$10 fee for the administrative cost of recording prior Vehicle Code violations. (Vehicle Code § 40508.6)

This bill deletes the authorization to charge a \$10 fee for recording violations of the Vehicle Code.

Existing law provides that if a defendant fails to make an installment payment for a Vehicle Code violation, the court may charge a fee for failure to appear. The defendant shall also pay a fee up to \$35 for the administrative costs of a payment plan. (Vehicle Code § 40510.5)

This bill deletes the ability to charge a fee for failure to make an installment payment or a fee to setup up the installment plan.

Existing law provides that the court shall charge a \$25 fee for a “fix it ticket.” (Vehicle Code § 40511)

This bill deletes the fee for a “fix it ticket.”

Existing law provides that the court shall determine a person’s ability to pay and allows for the court and probation to collect costs that are associated with that determination. (Vehicle Code § 42003)

This bill deletes the ability of the court to collect costs associated with an ability to pay determination.

Existing law provides that a court clerk can collect a fee up to \$35 to cover the administrative costs for processing an installment payment plans for the cost of traffic school. (Vehicle Code §42007)

This bill deletes the ability to charge a fee to cover the administrative costs for processing an installment plan for the cost of traffic violator school.

Existing law allows the court to add a \$49 fee for traffic school to help defray the cost of monitoring traffic violator schools (Vehicle Code § 42007.1)

This bill deletes the \$49 fee for traffic school.

Existing law allows a county to charge a \$50 fee for administering an amnesty program (Vehicle Code § 42008.8)

This bill deletes the \$50 fee for administering an amnesty program.

This bill provides that as of January 1, 2020, a number of fees that are deleted by this bill are no longer enforceable or collectible and any amounts remaining unpaid shall be vacated.

This bill makes a number of cross-reference and conforming changes.

COMMENTS

1. Need for This Bill

According to the author:

SB 144 would end the assessment and collection of administrative fees imposed against people in the criminal justice system. By doing so, it would dramatically reduce the suffering caused by court-ordered debt and enhance the economic security of system-involved populations, staking the first step towards ushering in an era of more just criminal justice policy that does not rely on stripping wealth from communities of color and low-income communities

2. County Fees

This bill eliminates a number of fees that are designed to help defray various costs to the counties including:

- The public defender fee, including registration fee—a determination is made about whether or not a person can pay part of the public defender costs.
- Cost relating to the arrest of a person.
- Administrative screening and citation fee
- Amnesty fee

How many of these fees are currently collected by counties? Will the counties be able to absorb these costs?

3. Fees related to probation and specialty programs

This bill eliminates a number of fees directly related to probation or programs run by probation including:

- Reimbursement for probation monitoring of offenders in certain programs.
- Costs of laboratory analysis related to diversion
- Home detention administrative fees
- Pretrial electronic monitoring fees
- Probation costs of removing offender from custody
- Drug testing while on probation
- Reasonable cost of probation
- Fees associated with a change of county
- Work furlough administration and application fee
- Electronic Monitoring administration and application fee
- Work release administrative fee

Should all these fees be eliminated? If these fees are eliminated will programs relating to alternative custody situations still be available in all counties?

4. Court Fees

This bill eliminates a number of fees that are collected by the courts including:

- Courts administrative costs for various petitions and motions including change of plea, motion to dismiss a misdemeanor, petition to set aside a plea, motion to seal a juvenile record (by a person over 26)
- Civil penalty assessment for failure to appear
- Traffic fine installment plan collection fee
- Traffic violator school fee-to help oversee traffic violator schools

Should all these fees be eliminated?

5. Ignition Interlock fees

Existing law mandates a person convicted of a repeat DUI install an ignition interlock device (IID) on their car for a specified period of time. The law provides that charges should be based on an ability to pay. This bill eliminates all costs associated with an IID and expressly provides that a person does not have to pay for their IID. IIDs are installed by private businesses. Who will pay for the installation and maintenance?

6. Fees relating to incarceration

This bill eliminates fees that are specifically related to incarceration including:

- Reimbursement for incarceration in jail or prison.
- Co-pay for medical visits in jail or prison
- Collection for healthcare costs of a juvenile to be paid by responsible party

In historical discussions on co-pays for medical visits, it was asserted that a minimum payment kept people from going to the doctor when it was not necessary. Should co-pays be eliminated?

7. Restitution related costs

This bill eliminates fees associated with collecting restitution:

- Fees to cover administrative costs to collect restitution by various entities.
- Administrative costs to cover income deduction by an employer.

Should those that help collect restitution be able to collect their costs? What about a private employer—what incentive do they have to collect restitution by an income deduction if they cannot recover their costs?

8. Fees relating to programs required by the nature of the conviction

This bill eliminates a number of fees that arise because of specific type of offense including:

- Fee Animal ordinance class
- Fee for Static Risk Assessment for sex offenders
- Sex offender program fees
- \$500 domestic Violence fee
- Domestic Violence Program fees
- Drug treatment programs
- Drug diversion programs
- Treatment of a child in a child neglect case.
- Hazardous clean-up costs related to drug offenses.

Does a person who is ordered to a specific type of class, or program get any benefit by paying some of the costs of the program? Some of the programs are run by private providers, if the offenders do not pay the costs who will take on these costs?

9. Fees no longer collectible as of January 1, 2020

This bill makes it clear that as of January 1, 2020 the eliminated fees are no longer collectible and any past due fees will no longer be able to be collected.

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