Exhibit 4-3

Backup Documentation

District Attorney’s Office
DATE: 11/26/18

TO:     Steve Smith

FROM:   Amanda Hopper

RE:     District Attorney FY 2018-19 Fee Proposal

Enclosed for your review is the District Attorney Department’s FY 2018-19 Fee Proposal and related supporting documentation.

Documentation included in this packet:

- Summary of proposed fees updated for FY 2018-19
- FY 2018-19 Proposed Fee Schedule for BOS
- Fee Review Worksheet/Cost Analysis
- Auditor Department’s FY2018-19 Rate Calculation

The above document is also saved in the CAO Fee Study folder
https://sutterco.sharepoint.com/sites/projects/caofeestudy

The District Attorney’s office proposes one fee decrease at this time. The proposed decrease is the fee charged for the 8GB Flash Drive storing private attorney discovery. Due to consolidation of files downloaded and the decrease in the material price of the flash drive, the proposed fee should be decreased. To remain in parity with other county DA offices, the other two fees will remain the same.
The District Attorney’s fees were updated in the previous FY 2014-15 County-wide comprehensive fee study. The proposed fee schedule includes one fee decrease, and two fees that remain unchanged.

The District Attorney’s mission to serve the public:

- Help improve the quality of life for all residents of Sutter County.
- Assist law enforcement agencies in the prosecution of criminal cases.
- Provide assistance to those who have been victimized by crime.
- Expand the number of successful gang prosecution.
- Increase the fight against agricultural crime.
- Earn the confidence and respect of the people of Sutter County.
- Establish additional Private/Public partnerships to better serve crime victims and their families.

The District Attorney’s office serves the people of Sutter County by holding the guilty accountable, protecting the innocent, preserving the dignity of victims and families, and by seeking the truth.

Providing exclusively grant funded services to victims of crime through crisis intervention, emergency services, referral information, case status updates, court support, compensation applications, and transportation.

**District Attorney’s Fee Proposal**

The District Attorney Discovery billing has become a consolidated process decreasing labor involvement and material cost of the 8GB flash drive. Less flash drives are used in the process due to consolidation decreasing labor time and materials expended.

1. Propose decrease of each Flash Drive 8GB
   - Previously charged $40.00 per Flash Drive 8GB.
   - Propose $20.00 per Flash Drive 8GB.
<table>
<thead>
<tr>
<th>Fee Name / Description</th>
<th>Current Fee</th>
<th>Last Date Fee was Adjusted</th>
<th>Recommended New Fee Amount (attach calculations)</th>
<th>No Recommended Fee Change (include justification for no fee change)</th>
<th>Remarks/Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private Attorney Discovery</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Copy per page</td>
<td>50.50</td>
<td></td>
<td></td>
<td>A fee Change is not recommended</td>
<td>FEE FOR COPIES OF PHOTOS, AND CONFIDENTIAL DOCUMENTS TRANSFERRED TO CD, DVD, OR FLASH DRIVE. FEE INCLUDES PRODUCTS INVOLVED (Penal Code 1054)</td>
</tr>
<tr>
<td>Each CD/DVD</td>
<td>20.00</td>
<td>2014/05/14</td>
<td></td>
<td>A fee Change is not recommended</td>
<td>TRANSFER OF SURVEILLANCE, INTERVIEWS, DASH CAM PHOTOGRAPHS, MAVS, AND DISPATCH TO CD, OR DVD. FEE INCLUDES LABOR AND PRODUCTS INVOLVED (Penal Code 1054)</td>
</tr>
<tr>
<td>Each Flash Drive 8GB</td>
<td>40.00</td>
<td>2014/05/14</td>
<td>20.00</td>
<td></td>
<td>TRANSFER OF SURVEILLANCE, INTERVIEWS, DASH CAM PHOTOGRAPHS, MAVS, AND DISPATCH TO A FLASH DRIVE. FEE INCLUDES LABOR AND PRODUCTS INVOLVED (Penal Code 1054)</td>
</tr>
</tbody>
</table>
### Copy Cost

<table>
<thead>
<tr>
<th>Labor Involved</th>
<th>Hourly Wage</th>
<th>Average Hourly Rate</th>
<th>Average Task Time</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Investigative Aide</td>
<td>71.00</td>
<td>71.00</td>
<td>0.007</td>
<td>$0.47</td>
</tr>
<tr>
<td>Copier Rental</td>
<td>0.62</td>
<td>0.007</td>
<td>$0.00</td>
<td></td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$0.48</strong></td>
<td><strong>Cost of Legal Paper</strong></td>
<td>0.04</td>
<td><strong>Total Fee</strong></td>
</tr>
</tbody>
</table>

**Notes:** Labor performed by investigative aides and associated expenses.

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### CD/DVD

<table>
<thead>
<tr>
<th>Labor Involved</th>
<th>Hourly Wage</th>
<th>Average Hourly Rate</th>
<th>Average Task Time</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Investigative Aide</td>
<td>71.00</td>
<td>67.00</td>
<td>0.38</td>
<td>$25.70</td>
</tr>
<tr>
<td>Legal Secretary</td>
<td>63.11</td>
<td>63.11</td>
<td>0.38</td>
<td>$20.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$45.70</strong></td>
<td><strong>Average Cost CD/DVD</strong></td>
<td>0.97</td>
<td><strong>Total Fee</strong></td>
</tr>
</tbody>
</table>

**Notes:** Labor performed by investigative aide and secretarial staff with associated expenses.

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### Flash Drive 8GB

<table>
<thead>
<tr>
<th>Labor Involved</th>
<th>Hourly Wage</th>
<th>Average Hourly Rate</th>
<th>Average Task Time</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Investigative Aide</td>
<td>71.00</td>
<td>67.00</td>
<td>0.28</td>
<td>$19.00</td>
</tr>
<tr>
<td>Legal Secretary</td>
<td>63.11</td>
<td>63.11</td>
<td>0.28</td>
<td>$10.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$29.00</strong></td>
<td><strong>Average Cost 8GB Flash Drive</strong></td>
<td><strong>$4.75</strong></td>
<td><strong>Total Fee</strong></td>
</tr>
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</table>

**Notes:** Labor performed by investigative aide and secretarial staff with associated expenses.
### Employee Rate Calculation Worksheet 2018-2019

**Calculation of Billable Hours per Employee**

| Employee Position | District Attorney Amanda Harper | Asst. District Attorney John McCown | Deputy DA IV Cameron Kna | Deputy DA III Geoffrey Rollet | Deputy DA II Clinton Crow | Deputy DA I Matt Cali | Deputy AD | Deputy A | Deputy | Deputy | Deputy | Deputy | Deputy | Deputy | Deputy | Deputy | Deputy | Deputy | Deputy | Chief Investigator | Senior Civilian | Senior Civilian | Senior Civilian | Senior Civilian | Senior Civilian | Senior Civilian | Senior Civilian | Senior Civilian | Investigative | Accountant | Maldia Contract |
|-------------------|---------------------------------|------------------------------------|--------------------------|----------------------------|--------------------------|---------------------|---------|---------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|--------------|------------|--------------|
| Annual Hours Available | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 | 2,586.00 |
| Volunteer Hours | 68 | 152 | 152 | 152 | 152 | 152 | 152 | 152 | 152 | 152 | 152 | 152 | 152 | 152 | 152 | 152 | 152 | 152 | 152 | 152 | 152 | 152 | 152 | 152 | 152 | 152 |
| Attain Leave | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Paid Leave Hours | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Sick Leave Hours | 69 | 58 | 60 | 58 | 60 | 58 | 60 | 58 | 60 | 58 | 60 | 58 | 60 | 58 | 60 | 58 | 60 | 58 | 60 | 58 | 60 | 58 | 60 | 58 | 60 | 58 | 60 | 58 |
| Holiday Hours | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 |
| Bereavement | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 | 104 |
| Time Off | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Administration | - | 154 | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - | - |
| Less Total Not Production Hours | 264 | 264 | 264 | 264 | 264 | 264 | 264 | 264 | 264 | 264 | 264 | 264 | 264 | 264 | 264 | 264 | 264 | 264 | 264 | 264 | 264 | 264 | 264 | 264 | 264 |
| Total Billable Hours per Employee | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 | 1,619.00 |

**Calculation of Salary & Benefit Pay**

- Annual Pay per Employee: $229,695
- Divided by Total Billable Hours per Employee: 1,619.00
- Salary & Benefit Rate per Hour: $202.20

**Calculation of Overhead Rate**

<table>
<thead>
<tr>
<th>Dept.</th>
<th>Outside Rate</th>
<th>Loss Adjust</th>
<th>Add. Admin Only</th>
<th>Overhead Amount</th>
<th>Total Billable</th>
</tr>
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<tr>
<td></td>
<td>$4,007.90</td>
<td>3,021.07</td>
<td>36,000</td>
<td>$41,028.00</td>
<td>$1,619.00</td>
</tr>
</tbody>
</table>

**Salary & Benefit Rate per Hour**

| $202.20 |

**Overhead Rate per Hour**

| $1.27 |

**Overhead Percentage**

| 15.69% |

**Department Head**

(Signature)
<table>
<thead>
<tr>
<th>Position</th>
<th>September</th>
<th>October</th>
<th>November</th>
<th>December</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning Analyst</td>
<td>3,000.00</td>
<td>3,000.00</td>
<td>3,000.00</td>
<td>3,000.00</td>
</tr>
<tr>
<td>Project Manager</td>
<td>6,000.00</td>
<td>6,000.00</td>
<td>6,000.00</td>
<td>6,000.00</td>
</tr>
<tr>
<td>Program Director</td>
<td>8,000.00</td>
<td>8,000.00</td>
<td>8,000.00</td>
<td>8,000.00</td>
</tr>
<tr>
<td>Total</td>
<td>11,000.00</td>
<td>11,000.00</td>
<td>11,000.00</td>
<td>11,000.00</td>
</tr>
</tbody>
</table>
PENAL CODE - PEN
PART 2. OF CRIMINAL PROCEDURE [881 - 1626] (Part 2 enacted 1872.)
TITLE 6. PLEADINGS AND PROCEEDINGS BEFORE TRIAL [976 - 1054.10] (Heading of Title 6 amended by Stats. 1931, Ch. 1674.)

CHAPTER 10. Discovery [1054 - 1054.10] (Chapter 10 added June 5, 1990, by initiative Proposition 115, Sec. 23.)

1054. This chapter shall be interpreted to give effect to all of the following purposes:
(a) To promote the ascertainment of truth in trials by requiring timely pretrial discovery.
(b) To save court time by requiring that discovery be conducted informally between and among the parties before judicial enforcement is requested.
(c) To save court time in trial and avoid the necessity for frequent interruptions and postponements.
(d) To protect victims and witnesses from danger, harassment, and undue delay of the proceedings.
(e) To provide that no discovery shall occur in criminal cases except as provided by this chapter, other express statutory provisions, or as mandated by the Constitution of the United States.
(Added June 5, 1990, by initiative Proposition 115.)

1054.1. The prosecuting attorney shall disclose to the defendant or his or her attorney all of the following materials and information, if it is in the possession of the prosecuting attorney or if the prosecuting attorney knows it to be in the possession of the investigating agencies:
(a) The names and addresses of persons the prosecutor intends to call as witnesses at trial.
(b) Statements of all defendants.
(c) All relevant real evidence seized or obtained as part of the investigation of the offenses charged.
(d) The existence of a felony conviction of any material witness whose credibility is likely to be critical to the outcome of the trial.
(e) Any exculpatory evidence.
(f) Relevant written or recorded statements of witnesses or reports of the statements of witnesses whom the prosecutor intends to call at the trial, including any reports or statements of experts made in conjunction with the case, including the results of physical or mental examinations, scientific tests, experiments, or comparisons which the prosecutor intends to offer in evidence at the trial.
(Added June 5, 1990, by initiative Proposition 115.)

1054.2. (a) (1) Except as provided in paragraph (2), no attorney may disclose or permit to be disclosed to a defendant, members of the defendant's family, or anyone else, the address or telephone number of a victim or witness whose name is disclosed to the attorney pursuant to subdivision (a) of Section 1054.1, unless specifically permitted to do so by the court after a hearing and a showing of good cause.
(2) Notwithstanding paragraph (1), an attorney may disclose or permit to be disclosed the address or telephone number of a victim or witness to persons employed by the attorney or to persons appointed by the court to assist in the preparation of a defendant's case if that disclosure is required for that preparation. Persons provided this information by an attorney shall be informed by the attorney that further dissemination of the information, except as provided by this section, is prohibited.
(3) Willful violation of this subdivision by an attorney, persons employed by the attorney, or persons appointed by the court is a misdemeanor.
(b) If the defendant is acting as his or her own attorney, the court shall endeavor to protect the address and telephone number of a victim or witness by providing for contact only through a private investigator licensed by the Department of Consumer Affairs and appointed by the court or by imposing other reasonable restrictions, absent a showing of good cause as determined by the court.

(Amended by Stats. 1998, Ch. 485, Sec. 133. Effective January 1, 1999. Note: This section was added June 5, 1990, by initiative Prop. 115. Prop. 115 allows the Legislature to directly amend its provisions by 2/3 vote.)

1054.3. (a) The defendant and his or her attorney shall disclose to the prosecuting attorney:

(1) The names and addresses of persons, other than the defendant, he or she intends to call as witnesses at trial, together with any relevant written or recorded statements of those persons, or reports of the statements of those persons, including any reports or statements of experts made in connection with the case, and including the results of physical or mental examinations, scientific tests, experiments, or comparisons which the defendant intends to offer in evidence at the trial.

(2) Any real evidence which the defendant intends to offer in evidence at the trial.

(b) (1) Unless otherwise specifically addressed by an existing provision of law, whenever a defendant in a criminal action or a minor in a juvenile proceeding brought pursuant to a petition alleging the juvenile to be within Section 602 of the Welfare and Institutions Code places in issue his or her mental state at any phase of the criminal action or juvenile proceeding through the proposed testimony of any mental health expert, upon timely request by the prosecution, the court may order that the defendant or juvenile submit to examination by a prosecution-retained mental health expert.

(A) The prosecution shall bear the cost of any such mental health expert's fees for examination and testimony at a criminal trial or juvenile court proceeding.

(B) The prosecuting attorney shall submit a list of tests proposed to be administered by the prosecution expert to the defendant in a criminal action or a minor in a juvenile proceeding. At the request of the defendant in a criminal action or a minor in a juvenile proceeding, a hearing shall be held to consider any objections raised to the proposed tests before any test is administered. Before ordering that the defendant submit to the examination, the trial court must make a threshold determination that the proposed tests bear some reasonable relation to the mental state placed in issue by the defendant in a criminal action or a minor in a juvenile proceeding. For the purposes of this subdivision, the term "tests" shall include any and all assessment techniques such as a clinical interview or a mental status examination.

(2) The purpose of this subdivision is to respond to Verdin v. Superior Court 43 Cal.4th 1096, which held that only the Legislature may authorize a court to order the appointment of a prosecution mental health expert when a defendant has placed his or her mental state at issue in a criminal case or juvenile proceeding pursuant to Section 602 of the Welfare and Institutions Code. Other than authorizing the court to order testing by prosecution-retained mental health experts in response to Verdin v. Superior Court, supra, it is not the intent of the Legislature to disturb, in any way, the remaining body of case law governing the procedural or substantive law that controls the administration of these tests or the admission of the results of these tests into evidence.

(Amended by Stats. 2009, Ch. 297, Sec. 1. (AB 1516) Effective January 1, 2010. Note: This section was added June 5, 1990, by initiative Prop. 115.)

1054.4. Nothing in this chapter shall be construed as limiting any law enforcement or prosecuting agency from obtaining nontestimonial evidence to the extent permitted by law on the effective date of this section.

(Added June 5, 1990, by Initiative Proposition 115.)

1054.5. (a) No order requiring discovery shall be made in criminal cases except as provided in this chapter. This chapter shall be the only means by which the defendant may compel the disclosure or production of information from prosecuting attorneys, law enforcement agencies which investigated or prepared the case against the defendant, or any other persons or agencies which the prosecuting attorney or investigating agency may have employed to assist them in performing their duties.

(b) Before a party may seek court enforcement of any of the disclosures required by this chapter, the party shall make an informal request of opposing counsel for the desired materials and information. If within 15 days the opposing counsel fails to provide the materials and information requested, the party may seek a court order. Upon a showing that a party has not complied with Section 1054.1 or 1054.3 and upon a showing that the moving party complied with the informal discovery procedure provided in this subdivision, a court may make any order necessary to enforce the provisions of this chapter, including, but not limited to, immediate disclosure, contempt proceedings, delaying or prohibiting the testimony of a witness or the presentation of real evidence, continuance of the matter, or any other lawful order. Further, the court may advise the jury of any failure or refusal to disclose and of any untimely disclosure.
(c) The court may prohibit the testimony of a witness pursuant to subdivision (b) only if all other sanctions have been exhausted. The court shall not dismiss a charge pursuant to subdivision (b) unless required to do so by the Constitution of the United States.

(Added June 5, 1990, by initiative Proposition 115.)

1054.6. Neither the defendant nor the prosecuting attorney is required to disclose any materials or information which are work product as defined in subdivision (a) of Section 2018.030 of the Code of Civil Procedure, or which are privileged pursuant to an express statutory provision, or are privileged as provided by the Constitution of the United States.

(Amended by Stats. 2004, Ch. 182, Sec. 50. Effective January 1, 2005. Operative July 1, 2005, by Sec. 64 of Ch. 182. Note: This section was added on June 5, 1990, by initiative Prop. 115.)

1054.7. The disclosures required under this chapter shall be made at least 30 days prior to the trial, unless good cause is shown why a disclosure should be denied, restricted, or deferred. If the material and information becomes known to, or comes into the possession of, a party within 30 days of trial, disclosure shall be made immediately, unless good cause is shown why a disclosure should be denied, restricted, or deferred. “Good cause” is limited to threats or possible danger to the safety of a victim or witness, possible loss or destruction of evidence, or possible compromise of other investigations by law enforcement.

Upon the request of any party, the court may permit a showing of good cause for the denial or regulation of disclosures, or any portion of that showing, to be made in camera. A verbatim record shall be made of any such proceeding. If the court enters an order granting relief following a showing in camera, the entire record of the showing shall be sealed and preserved in the records of the court, and shall be made available to an appellate court in the event of an appeal or writ. In its discretion, the trial court may after trial and conviction, unseal any previously sealed matter.

(Added June 5, 1990, by initiative Proposition 115.)

1054.8. (a) No prosecuting attorney, attorney for the defendant, or investigator for either the prosecution or the defendant shall interview, question, or speak to a victim or witness whose name has been disclosed by the opposing party pursuant to Section 1054.1 or 1054.3 without first clearly identifying himself or herself, identifying the full name of the agency by whom he or she is employed, and identifying whether he or she represents, or has been retained by, the prosecution or the defendant. If the interview takes place in person, the party shall also show the victim or witness a business card, official badge, or other form of official identification before commencing the interview or questioning.

(b) Upon a showing that a person has failed to comply with this section, a court may issue any order authorized by Section 1054.5.

(Added by Stats. 1998, Ch. 630, Sec. 1. Effective January 1, 1999.)

1054.9. (a) In a case involving a conviction of a serious felony or a violent felony resulting in a sentence of 15 years or more, upon the prosecution of a postconviction writ of habeas corpus or a motion to vacate a judgment, or in preparation to file that writ or motion, and on a showing that good faith efforts to obtain discovery materials from trial counsel were made and were unsuccessful, the court shall, except as provided in subdivision (b) or (d), order that the defendant be provided reasonable access to any of the materials described in subdivision (c).

(b) Notwithstanding subdivision (a), in a case in which a sentence other than death or life in prison without the possibility of parole has been imposed, if a court has entered a previous order granting discovery pursuant to this section, a subsequent order granting discovery pursuant to subdivision (a) may be made in the court's discretion. A request for discovery subject to this subdivision shall include a statement by the person requesting discovery as to whether he or she has previously been granted an order for discovery pursuant to this section.

(c) For purposes of this section, “discovery materials” means materials in the possession of the prosecution and law enforcement authorities to which the same defendant would have been entitled at time of trial.

(d) In response to a writ or motion satisfying the conditions in subdivision (a), the court may order that the defendant be provided access to physical evidence for the purpose of examination, including, but not limited to, any physical evidence relating to the investigation, arrest, and prosecution of the defendant only upon a showing that there is good cause to believe that access to physical evidence is reasonably necessary to the defendant's effort to obtain relief. The procedures for obtaining access to physical evidence for purposes of postconviction DNA testing are provided in Section 1405, and this section does not provide an alternative means of access to physical evidence for those purposes.
(e) The actual costs of examination or copying pursuant to this section shall be borne or reimbursed by the defendant.

(f) This section does not require the retention of any discovery materials not otherwise required by law or court order.

(g) In criminal matters involving a conviction for a serious or a violent felony resulting in a sentence of 15 years or more, trial counsel shall retain a copy of a former client’s files for the term of his or her imprisonment. An electronic copy is sufficient only if every item in the file is digitally copied and preserved.

(h) As used in this section, a “serious felony” is a conviction of a felony enumerated in subdivision (c) of Section 1192.7.

(i) As used in this section, a “violent felony” is a conviction of a felony enumerated in subdivision (c) of Section 667.5.

(j) The changes made to this section by the act that added this subdivision are intended to only apply prospectively.

(Amended by Stats. 2018, Ch. 482, Sec. 2. (AB 1987) Effective January 1, 2019.)

3054.10. (a) Except as provided in subdivision (b), no attorney may disclose or permit to be disclosed to a defendant, members of the defendant’s family, or anyone else copies of child pornography evidence, unless specifically permitted to do so by the court after a hearing and a showing of good cause.

(b) Notwithstanding subdivision (a), an attorney may disclose or permit to be disclosed copies of child pornography evidence to persons employed by the attorney or to persons appointed by the court to assist in the preparation of a defendant’s case if that disclosure is required for that preparation. Persons provided this material by an attorney shall be informed by the attorney that further dissemination of the material, except as provided by this section, is prohibited.

(Added by Stats. 2003, Ch. 238, Sec. 1. Effective August 11, 2003.)