

California Department of Corrections and Rehabilitation
Office of Legislation

2011 Legislative Digest



December 2011

STATE OF CALIFORNIA

EDMUND G. BROWN, JR.
Governor

California Department of Corrections and Rehabilitation

Matthew L. Cate
Secretary

Terri McDonald
Undersecretary (A)

Darby Kernan
Assistant Secretary, Legislation

INTRODUCTION

This Legislative Digest is comprised of bills that were chaptered or vetoed during the first half of the 2011/2012 Legislative Session that will have, or would have had, some impact on the California Department of Corrections and Rehabilitation (CDCR).

The brief summaries do not purport to provide a complete description of the legislation or go into details of the measures. The summaries provide a brief overview of the intent of the bill.

Copies of the legislation referenced in this Digest, along with information such as legislative committee analyses, are available from the website of the Legislative Counsel of California at www.leginfo.ca.gov.

The chaptered bills become effective January 1, 2012, unless they contain an urgency clause, in which case they became effective immediately upon the Governor's signature. Alternatively, some measures specify their effective date.

For additional information regarding these measures, please contact the Office of Legislation.

Office of Legislation
California Department of Corrections and Rehabilitation
P.O. Box 942883
Sacramento, CA 94283-0001
(916) 445-4737

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2011

TABLE OF CONTENTS

Chaptered Bills – Assembly Bills 5

Chaptered Bills – Senate Bills 18

Vetoed Bills 26

Index by Chapter Number 28

Index by Bill Number 31

Index by Subject Matter..... 34

Chaptered Bills – Assembly Bills

[AB 44](#)

AUTHOR: Logue

TITLE: Inmates: release: notification.

STATUS: 9/29/2011-Chaptered by the Secretary of State, Chapter No. 355, Statutes of 2011.

Summary: Current law requires the Department of Corrections and Rehabilitation, when releasing prisoners on parole who have been convicted of a violent felony, as defined, or certain other felonies, as specified, to notify the law enforcement agency and the district attorney having jurisdiction over the community in which the person was convicted and also the law enforcement agency and district attorney having jurisdiction over the community in which the person is scheduled to be released. This bill would require that notification be sent 60 days prior to the scheduled release date of an inmate. The bill would conform the timeline for local comments to the longer notification period, as specified. This bill contains other related provisions and other current laws.

[AB 90](#)

AUTHOR: Swanson

TITLE: Human trafficking: minors.

STATUS: 10/4/2011-Chaptered by Secretary of State - Chapter No. 457, Statutes of 2011.

Summary: Current law, the California Control of Profits of Organized Crime Act, provides the procedure for the forfeiture of property and proceeds acquired through a pattern of criminal profiteering activity, as specified, and requires the prosecution to file a petition for forfeiture in conjunction with certain criminal charges. Under current law, criminal profiteering activity is defined to include specified crimes, including human trafficking. This bill would include within the definition of criminal profiteering activity any crime in which the perpetrator induces, encourages, or persuades, or causes through force, fear, coercion, deceit, violence, duress, menace, or threat of unlawful injury to the victim or to another person, a person under 18 years of age to engage in a commercial sex act. This bill contains other related provisions and other current laws.

[AB 94](#)

AUTHOR: Committee on Budget

TITLE: Criminal justice realignment.

STATUS: 5/10/2011-Chaptered by the Secretary of State, Chapter No. 23, Statutes of 2011.

Summary: Would, if AB 111 of the 2011-12 Regular Session becomes operative, authorize counties that have received a conditional award under one specified jail facilities financing program to relinquish that award and reapply for a conditional award under a separate financing program, as specified. The bill would lower to 10% the required county contribution and additionally require the CDCR and CSA to give funding preference to those counties that relinquish those specified local jail construction conditional awards and agree to continue to assist the state in siting reentry facilities, as specified. The bill would cap at \$100,000,000 the amount a county may receive in proceeds from SPWB's issuance of bonds, notes, or bond anticipation

Chaptered Bills – Assembly Bills

notes under those specified provisions. This bill contains other related provisions.

GOVERNOR'S MESSAGE: To the Members of the California State Assembly: I am signing Assembly Bill 94 because it is an important component of my overall strategy to realign public safety. This bill will provide an easier pathway for counties to access the AB 900 Jail Financing Program provided in existing law. In implementing this bill, I expect that the Corrections Standards Authority will structure the competitive process for projects in a way that fairly balances the preferences specified in the bill and existing law and allows small, medium, and large counties to compete for project financing. Additionally, I acknowledge that my Administration will seek future legislation to adjust the appropriations for the two phases of the AB 900 Jail Financing Program once it is known which counties relinquish Phase 1 awards to compete in Phase 2.

Sincerely Edmund G. Brown Jr.

AB 109

AUTHOR: Committee on Budget

TITLE: Criminal justice alignment.

STATUS: 4/4/2011-Chaptered by Secretary of State - Chapter No. 15, Statutes of 2011

SUMMARY: Would provide that a felony is a crime that is punishable with death, by imprisonment in the state prison, or notwithstanding any other provision of law, by imprisonment in a county jail for more than one year. The bill would generally provide that felonies are punishable by imprisonment in a county jail for 16 months, or 2 or 3 years. The bill provides exceptions to imprisonment in a county jail for a variety of felonies, including serious felonies and violent felonies, as defined, felonies requiring registration as a sex offender, and when the defendant has a prior conviction for a serious or violent felony, or a felony subjecting the defendant to registration as a sex offender, among other exceptions. This bill contains other related provisions and other current laws.

Governor's Message: To the Members of the California State Assembly: I am signing Assembly Bill 109. California's correctional system has to change, and this bill is a bold move in the right direction. For too long, the State's prison system has been a revolving door for lower level offenders and parole violators who are released within months often before they are even transferred out of a reception center. Cycling these offenders through state prisons wastes money, aggravates crowded conditions, thwarts rehabilitation, and impedes local law enforcement supervision. Under this bill, the State will continue to incarcerate offenders who commit serious, violent, or sexual crimes; but counties will supervise, imprison, and rehabilitate lower level offenders. By its terms, Assembly Bill 109 will not go into effect until the creation of a community corrections grant program and an appropriation of funding. I will not sign any legislation that would seek to implement this measure without the necessary funding. In this regard, I intend to work closely with, and consult, police chiefs, sheriffs, chief probation officers, district attorneys and representatives of the counties and courts to ensure that any funding bill which makes Assembly Bill 109 operative is sufficient to protect public safety. Regrettably, the measure that would provide stable and constitutionally protected funding for public safety has not yet passed the

Chaptered Bills – Assembly Bills

Legislature. In the coming weeks, and for as long as it takes, I will vigorously pursue my plan to balance the State's budget and prevent reductions to public safety through a constitutional guarantee. I will also continue to partner with counties and law enforcement on this important effort. Sincerely, Edmund G. Brown Jr.

[AB 110](#)

AUTHOR: Blumenfield

TITLE: Courts.

STATUS: 8/30/2011-Chaptered by Secretary of State - Chapter No. 193, Statutes of 2011

SUMMARY: Current law requires the Judicial Council to conduct an analysis of the cost incurred by trial courts related to the default prove up process and to report on the different methods trial courts use in processing filings related to the default prove up process, as well as the revenue generated by these filings. Current law requires the report to be provided to the Assembly Committee on Budget, the Senate Committee on Budget and Fiscal Review, and the Legislative Analyst's Office by September 30, 2011. Current law requires the Legislative Analyst's Office to provide the Assembly Committee on Budget and the Senate Committee on Budget and Fiscal Review its recommendations pertaining to the report no later than June 30, 2012. Current law provides that these provisions will become inoperative on July 1, 2013, and are repealed on January 1, 2014. This bill would require the report to be provided no later than September 30, 2013, and the recommendations to be provided no later than June 30, 2014. The bill would provide that the above-described provisions become inoperative on July 1, 2015, and are repealed on January 1, 2016. This bill contains other related provisions and other current laws.

[AB 111](#)

AUTHOR: Committee on Budget

TITLE: Criminal justice realignment.

STATUS: 4/4/2011-Chaptered by Secretary of State - Chapter No. 16, Statutes of 2011..

SUMMARY: Current law authorizes the State Public Works Board to issue revenue bonds, notes, or bond anticipation notes in the amounts of \$750,000,000 and \$470,000,000 to finance the acquisition, design, or construction, and a reasonable construction reserve, of approved local jail facilities, as specified. This bill would decrease the authorization for revenue bonds, notes, or bond anticipation notes from \$750,000,000 to \$617,119,000 and increase the authorization of \$470,000,000 to \$602,881,000. By increasing moneys to a continuously appropriated fund, this bill would make an appropriation. The bill would delete the provisions requiring the Department of Corrections and Rehabilitation and the Corrections Standards Authority to give funding preference to counties that assist the state in siting specified facilities and would instead require those entities to give that preference to counties that committed the largest percentage of inmates to state custody in relation to the total inmate population of the department in 2010. The bill would also delete the provision prohibiting the department and the authority from awarding funds pursuant to these provisions until specified construction progress and siting requirements are met.

Chaptered Bills – Assembly Bills

This bill contains other related provisions and other current laws.

Governor's Message: To the Members of the California State Assembly: I am signing Assembly Bill 111. This measure will provide counties additional flexibility to access funding to increase local jail capacity for the purpose of implementing Assembly Bill 109. In addition to this measure, I will ask the Legislature to send additional legislation to reduce the contributions from local governments to fund these projects from 25 percent to 10 percent.

Sincerely, Edmund G. Brown Jr.

[AB 116](#)

AUTHOR: Committee on Budget

TITLE: Criminal justice realignment.

STATUS: 7/27/2011-Chaptered by the Secretary of State, Chapter No. 136, Statutes of 2011.

SUMMARY: Current law creates the California Council on Criminal Justice with certain powers and duties. SB 92 of the 2011-12 Regular Session would eliminate the California Council on Criminal Justice and assign its powers and duties to the Board of State and Community Corrections. This bill would restore the California Council on Criminal Justice and delay the elimination and assignment of its powers and duties to the Board of State and Community Corrections until July 1, 2012. The bill would also make other specified provisions amended by SB 92 related to the Gang Violence Suppression Program within the Board of State and Community Corrections operative on July 1, 2012. This bill contains other related provisions and other current laws.

[AB 117](#)

AUTHOR: Committee on Budget

TITLE: Criminal justice realignment.

STATUS: 6/30/2011-Chaptered by Secretary of State - Chapter No. 39, Statutes of 2011.

SUMMARY: Current law provides that certain specified felonies are punishable by incarceration in state prison. If Chapter 15 of the Statutes of 2011 becomes operative, certain of those felonies shall instead be punishable by incarceration in a county jail. This bill would provide that, if Chapter 15 of the Statutes of 2011 becomes operative, certain specified felonies would continue to be punishable by incarceration in state prison. The bill would make other technical changes. This bill contains other related provisions and other current laws.

[AB 118](#)

AUTHOR: Committee on Budget

TITLE: Local Revenue Fund 2011.

STATUS: 6/30/2011-Chaptered by Secretary of State - Chapter No. 40, Statutes of 2011.

SUMMARY: Would establish the Community Corrections Grant Program for the purpose of funding various changes to the criminal justice system as required by Chapter 15 of the Statutes of 2011. The bill would create the Local Revenue Fund 2011 in the State Treasury, and would

Chaptered Bills – Assembly Bills

create the Trial Court Security Account, the Local Community Corrections Account, the Local Law Enforcement Services Account, the Mental Health Account, the District Attorney and Public Defender Account, the Juvenile Justice Account, the Health and Human Services Account, and the Reserve Account within the Local Revenue Fund 2011. The bill would require moneys from specified tax sources and other moneys that may be specifically appropriated to be deposited in the Local Revenue Fund 2011 and would provide that the fund is continuously appropriated, thereby creating an appropriation. This bill contains other related provisions and other current laws.

[AB 122](#)

AUTHOR: Blumenfield

TITLE: Budget Acts of 2009 and 2010: augmentation.

STATUS: 7/1/2011-Chaptered by the Secretary of State, Chapter No. 42, Statutes of 2011.

SUMMARY: The Budget Acts of 2009 and 2010 appropriated specified amounts from the General Fund for specified programs. This bill would appropriate \$25,676,000 in augmentation of specified appropriations in the Budget Act of 2009. The bill also would appropriate \$1,189,775,000 from the General Fund in augmentation of specified appropriations in the Budget Act of 2010. This bill contains other related provisions.

[AB 143](#)

AUTHOR: Fuentes

TITLE: Pupil records: privacy rights.

STATUS: 10/3/2011-Chaptered by the Secretary of State, Chapter No. 434, Statutes of 2011.

SUMMARY: Current law authorizes school districts to release pupil directory information, as specified, and defines directory information as one or more prescribed items, including, among others, a pupil's name, address, telephone number, and date and place of birth. This bill would redefine directory information to no longer include a pupil's place of birth and to also include a pupil's e-mail address. This bill contains other related provisions and other current laws.

[AB 220](#)

AUTHOR: Solorio

TITLE: Interstate Compact for Juveniles.

STATUS: 9/29/2011-Chaptered by the Secretary of State, Chapter No. 356, Statutes of 2011.

SUMMARY: The Interstate Compact for Juveniles, among other things, provides for the establishment of rules and procedures for the tracking and supervision or return of juveniles and juvenile offenders among compacting states. Current law makes the Interstate Compact for Juveniles operative in this state, and designates the executive director of the Correction Standards Authority as the compact administrator, until January 1, 2012. This bill would extend the operation of those provisions in this state until January 1, 2014.

Chaptered Bills – Assembly Bills

[AB 396](#)

AUTHOR: Mitchell

TITLE: Medi-Cal: juvenile inmates.

STATUS: 10/2/2011-Chaptered by the Secretary of State, Chapter No. 394, Statutes of 2011.

SUMMARY: Would require the State Department of Health Care Services to develop processes to allow counties and the Division of Juvenile Facilities within the Department of Corrections and Rehabilitation to receive any available federal financial participation for acute inpatient hospital services and inpatient psychiatric services provided to juvenile inmates, as defined and as applicable, who are admitted as inpatients in a medical institution. The bill would require the department to consult with counties and the Division of Juvenile Facilities in the development of these processes, and would require the department to seek any federal approvals necessary to implement these provisions. The bill would provide that these provisions shall be implemented only to the extent that the Division of Juvenile Facilities and counties elect to voluntarily provide the nonfederal share of expenditures for acute inpatient hospital services and inpatient psychiatric services, and would require that the federal financial participation associated with services provided pursuant to these processes be paid to the participating counties or the Department of Corrections and Rehabilitation, as applicable. The bill would provide that these provisions shall be implemented only to the extent that any necessary federal approval is obtained and current levels of federal financial participation are not jeopardized. The bill would make related findings and declarations. This bill contains other current laws.

[AB 420](#)

AUTHOR: Davis

TITLE: Redistricting.

STATUS: 10/7/2011-Chaptered by the Secretary of State, Chapter No. 548, Statutes of 2011.

SUMMARY: Would require the Department of Corrections and Rehabilitation to furnish to the Citizens Redistricting Commission, not sooner than April 1, 2020, and not later than July 1, 2020, and in each year of the decennial census thereafter, specified information regarding the last known place of residence, as defined, of each inmate incarcerated in a state adult correctional facility, except an inmate whose last known place of residence is outside of California. The bill also would request the Citizens Redistricting Commission to deem each incarcerated person as residing at his or her last known place of residence, rather than at the institution of his or her incarceration, and to utilize the above information in carrying out its redistricting responsibilities.

[AB 499](#)

AUTHOR: Atkins

TITLE: Minors: medical care: consent.

STATUS: 10/9/2011-Chaptered by the Secretary of State, Chapter No. 652, Statutes of 2011.

SUMMARY: Current law allows minors to consent to specified forms of medical or dental treatment. This bill would, in addition, allow a minor who is 12 years of age or older to consent to

Chaptered Bills – Assembly Bills

medical care related to the prevention of a sexually transmitted disease.

[AB 648](#)

AUTHOR: Block

TITLE: Clemency.

STATUS: 10/3/2011-Chaptered by the Secretary of State, Chapter No. 437, Statutes of 2011.

SUMMARY: Would require that, except when there is imminent danger of the death of a person convicted or imprisoned, or when the term of imprisonment of the applicant is within 10 days of its expiration, at least 10 days before the Governor acts upon any application for a commutation, the application signed by the person applying be served upon the district attorney of the county where the conviction was had. The bill would authorize the district attorney to submit a written recommendation to the Governor for or against commutation of sentence. The bill would further require the district attorney to make reasonable efforts to notify the victim or victims of the crime or crimes related to the application for commutation of sentence and those persons' family members, and allow those persons to submit a recommendation to the Governor for or against commutation of sentence. By imposing additional duties on the district attorney, this bill would create a state-mandated local program. This bill contains other related provisions and other current laws.

[AB 735](#)

AUTHOR: Mitchell

TITLE: Interns and student assistants: hiring preference.

STATUS: 10/4/2011-Chaptered by Secretary of State - Chapter No. 464, Statutes of 2011.

SUMMARY: Would require state agencies, when hiring for internships and student assistant positions, to give preference, as defined, to persons who are, or have been, dependent children in foster care. The bill would require the preference to be granted to applicants up to 26 years of age. The bill would also require the county welfare department to provide dependent children with information notifying them that they may be eligible for this preference, as specified. By imposing this additional duty on county welfare departments, this bill would impose a state-mandated local program. This bill contains other related provisions and other current laws.

[AB 813](#)

AUTHOR: Fletcher

TITLE: Sex offenders: punishment: parole.

STATUS: 9/29/2011-Chaptered by the Secretary of State, Chapter No. 357, Statutes of 2011.

SUMMARY: Current law creates the Sex Offender Management Board, within the jurisdiction of the Department of Corrections and Rehabilitation, empowered to address any issues, concerns, and problems related to the community management of adult sex offenders, including the main objective of the board to achieve safer communities by reducing victimization. The board is required, on or before July 1, 2011, to develop and update standards for certification of sex

Chaptered Bills – Assembly Bills

offender management professionals. This bill would give board members immunity from liability for their good faith conduct. The bill would provide that any person who knowingly provides false information in connection with an application for certification as a sex offender management professional would be subject to a civil penalty of up to \$1,500, in addition to any other remedy available to the board, and would allow any public prosecutor to bring an action for a civil penalty in the name of the people of the State of California. This bill contains other related provisions and other current laws.

[AB 887](#)

AUTHOR: Atkins

TITLE: Gender.

STATUS: 10/9/2011-Chaptered by the Secretary of State, Chapter No. 719, Statutes of 2011.

SUMMARY: Would make technical changes by refining the definition of gender to mean a person's gender identity and gender expression and would define gender expression as meaning a person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth. The bill would also replace cross-references to definitions of gender with the referenced definitions refined in the same manner as specified above. This bill contains other related provisions and other current laws.

[AB 1016](#)

AUTHOR: Achadjian

TITLE: Inmates: state hospitals: reimbursement of costs.

STATUS: 10/9/2011-Chaptered by the Secretary of State, Chapter No. 660, Statutes of 2011.

SUMMARY: Under current law, a county is required to submit a statement of all nontreatment costs incurred by the county relating to a trial or hearing for a person who is confined to a state hospital, as specified, to the Controller for approval. Current law requires those costs to be paid out of money appropriated by the Legislature to the county treasurer of the county in which the trial or hearing was held. This bill would require that reimbursement for specified nontreatment costs be paid from moneys appropriated by the Legislature for purposes of reimbursing cities, counties, or superior courts for prison- and prisoner-related costs. By adding a new purpose for previously appropriated funds, this bill would make an appropriation. This bill contains other current laws.

[AB 1023](#)

AUTHOR: Wagner

TITLE: Maintenance of the codes.

STATUS: 9/21/2011-Chaptered by the Secretary of State, Chapter No. 296, Statutes of 2011.

SUMMARY: Current law directs the Legislative Counsel to advise the Legislature from time to time as to legislation necessary to maintain the codes. This bill would make nonsubstantive changes in various provisions of law to effectuate the recommendations made by the Legislative

Chaptered Bills – Assembly Bills

Counsel to the Legislature.

[AB 1026](#)

AUTHOR: Knight

TITLE: Assault: force likely to produce great bodily injury.

STATUS: 8/5/2011-Chaptered by the Secretary of State, Chapter No. 183, Statutes of 2011.

SUMMARY: Current law provides that any person who commits an assault upon the person of another by any means of force likely to produce bodily injury shall be punished by imprisonment in the state prison for 2, 3, or 4 years, or in a county jail for not more than one year, or by a fine not to exceed \$10,000, or by both the fine and imprisonment. This bill would make technical, nonsubstantive changes to these provisions.

[AB 1114](#)

AUTHOR: Lowenthal, Bonnie

TITLE: Inmates: involuntary administration of psychotropic medications.

STATUS: 10/9/2011-Chaptered by the Secretary of State, Chapter No. 665, Statutes of 2011.

SUMMARY: Would provide that no inmate shall be administered psychotropic medication on a nonemergency basis without the inmate's informed consent, unless after a noticed hearing is conducted in which an administrative law judge determines by clear and convincing evidence that the inmate has a mental illness or disorder, that as a result of that illness the inmate is gravely disabled and lacks the capacity to consent or refuse treatment or is a danger to self or others if not medicated, that there is no less intrusive alternative to involuntary medication, and that the medication is in the inmate's best medical interest. This bill contains other related provisions.

[AB 1122](#)

AUTHOR: John A. Pérez

TITLE: Juvenile offenders: tattoo removal.

STATUS: 10/9/2011-Chaptered by the Secretary of State, Chapter No. 661, Statutes of 2011.

SUMMARY: Would establish the California Voluntary Tattoo Removal Program. The bill would provide that, to the extent funds are appropriated, the California Emergency Management Agency may administer the program. The bill would require that the program be designed to serve individuals between 14 and 24 years of age, who are in the custody of the Department of Corrections and Rehabilitation or county probation departments, who are on parole or probation, or who are in a community-based organization serving at-risk youth, through a competitive grant process, as specified. The bill would describe who may apply for grants, and specify the criteria for program participants. This bill contains other related provisions.

Chaptered Bills – Assembly Bills

[ABX1 16](#)

AUTHOR: Blumenfield

TITLE: Local Revenue Fund 2011.

STATUS: 9/21/2011-Chaptered by the Secretary of State, Chapter No. 13, Statutes of 2011 First Extraordinary Session.

SUMMARY: Current law establishes the Local Revenue Fund 2011, a continuously appropriated fund, and creates various accounts and subaccounts within that fund, for purposes of funding Public Safety Services, as defined. This bill would create the Undistributed Account, the Foster Care Assistance Subaccount, and the Foster Care Administration Subaccount within the Local Revenue Fund 2011. The bill would allocate funding to those accounts, as specified, and make other conforming changes. This bill contains other related provisions and other current laws.

[ABX1 17](#)

AUTHOR: Blumenfield

TITLE: Criminal Justice Realignment of 2011.

STATUS: 9/21/2011-Chaptered by the Secretary of State, Chapter No. 12, Statutes of 2011 First Extraordinary Session.

SUMMARY: Current law, if Chapter 15 of the Statutes of 2011 becomes operative, provides that, except for persons with a prior or current felony conviction for serious or violent felony, persons required to register as sex offenders, or persons convicted of a crime as part of a sentence enhancement, as specified, a felony punishable pursuant to specified provisions where the term is not specified in the underlying offense shall be punishable by a term of imprisonment in a county in a county jail for 16 months, or 2 or 3 years and a felony punishable by a term of imprisonment described in the underlying offense shall be punishable by imprisonment in a county jail. Those persons excepted from this requirement are subject to imprisonment in the state prison. This bill would additionally require persons with a current or prior felony conviction in another jurisdiction for an offense that has all of the elements of a serious or violent felony, as specified, to serve the term of imprisonment in the state prison. This bill contains other related provisions and other current laws.

Chaptered Bills - Senate

[SB 24](#)

AUTHOR: Simitian

TITLE: Personal information: privacy.

STATUS: 8/31/2011-Chaptered by the Secretary of State, Chapter No. 197, Statutes of 2011

SUMMARY: Current law requires any agency, and any person or business conducting business in California, that owns or licenses computerized data that includes personal information, as defined, to disclose in specified ways, any breach of the security of the system or data, as defined, following discovery or notification of the security breach, to any California resident whose unencrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person. This bill would require any agency, person, or business that is required to issue a security breach notification pursuant to current law to fulfill certain additional requirements pertaining to the security breach notification, as specified. This bill contains other related provisions.

[SB 26](#)

AUTHOR: Padilla

TITLE: Prisons: wireless communication devices.

STATUS: 10/6/2011-Chaptered by the Secretary of State, Chapter No. 500, Statutes of 2011.

SUMMARY: Current law prohibits unauthorized communication with inmates in state prison. A person who violates that provision is guilty of a misdemeanor. Current law further prohibits a person in a local correctional facility from possessing a wireless communication device, except as specified. This bill would provide, with exceptions, that a person who possesses with the intent to deliver, or delivers, to an inmate or ward in the custody of the department any cellular telephone or other wireless communication device or any component thereof, including, but not limited to, a subscriber identity module or memory storage device, is guilty of a misdemeanor, punishable by imprisonment in the county jail not exceeding 6 months, a fine not to exceed \$5,000 for each device, or both that fine and imprisonment. This bill contains other related provisions and other current laws.

[SB 48](#)

AUTHOR: Leno

TITLE: Pupil instruction: prohibition of discriminatory content.

STATUS: 7/14/2011-Chaptered by the Secretary of State, Chapter No. 81, Statutes of 2011.

SUMMARY: Current law requires instruction in social sciences to include a study of the role and contributions of both men and women and specified categories of persons to the development of California and the United States. This bill would update references to certain categories of persons and additionally would require instruction in social sciences to include a study of the role and contributions of lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other cultural groups, to the development of California and the United States.

Chaptered Bills - Senate

This bill contains other related provisions and other current laws.

[SB 87](#)

AUTHOR: Leno

TITLE: 2011-12 Budget.

STATUS: 6/30/2011-Chaptered by the Secretary of State, Chapter No. 33, Statutes of 2011.

SUMMARY: This bill would make appropriations for support of state government for the 2011-12 fiscal year. This bill contains other related provisions.

Governor's Message: Governor State of California Governor's Office I object to the following appropriations contained in Senate Bill 87. Item 0250-101-0932-For local assistance, Judicial Branch, payable from the Trial Court Trust Fund. I reduce this item from \$2,915,501,000 to \$2,892,629,000 by reducing: (1) 45.10-Support for Operation of Trial Courts from \$1,991,184,000 to \$1,969,663,000, and (2) 45.15-Trial Court Security from \$497,780,000 to \$496,429,000. I am reducing this item to conform to the action I have taken in Item 0250-111-0001. For the complete text of the Governor's message, see [here](#).

[SB 92](#)

AUTHOR: Committee on Budget and Fiscal Review

TITLE: Budget Act of 2011.

STATUS: 6/30/2011-Chaptered by Secretary of State - Chapter No. 36, Statutes of 2011.

SUMMARY: Current law creates the California Emergency Council consisting of certain members and assigned certain powers and duties. This bill would, effective January 1, 2012, eliminate the California Emergency Council and would empower the California Emergency Management Agency to serve as the state disaster council for purposes of the California Disaster and Civil Defense Master Mutual Aid Agreement. This bill contains other related provisions and other current laws.

[SB 179](#)

AUTHOR: Pavley

TITLE: Sex offenders: parole.

STATUS: 9/29/2011-Chaptered by the Secretary of State, Chapter No. 359, Statutes of 2011.

SUMMARY: Under current law, as amended by Proposition 83 of the November 7, 2006, statewide general election, the parole period of any person found to be a sexually violent predator is tolled until that person is found to no longer be a sexually violent predator, as specified. This bill instead would provide that for any person subject to a sexually violent predator proceeding, as specified, an order issued by a judge pursuant to specified provisions, finding that the petition supports a finding of probable cause to believe that the person is likely to engage in sexually violent criminal behavior upon his or her release, shall toll the period of parole of that person, if the person is committed to the State Department of Mental Health as a sexually violent predator, from the date that person is released until a specified court order is entered. The bill would

Chaptered Bills - Senate

provide that if the person is not committed to the State Department of Mental Health as a sexually violent predator, the tolling of the parole period shall be abrogated and the parole period shall be deemed to have commenced on the date of release from the Department of Corrections and Rehabilitation. This bill contains other related provisions and other current laws.

[SB 390](#)

AUTHOR: La Malfa

TITLE: Crimes: assault and battery: search and rescue teams.

STATUS: 9/6/2011-Chaptered by the Secretary of State, Chapter No. 249, Statutes of 2011.

SUMMARY: Current law establishes the crime of assault against specified public safety officers, such as peace officers, firefighters, and emergency medical technicians, among others, while engaged in the performance of their duties, as specified. The offense is punishable by a fine not exceeding \$2,000, or by imprisonment in a county jail not exceeding one year, or by both the fine and imprisonment. This bill would expand the scope of the offense to include search and rescue members, as defined, while engaged in the performance of their duties, as specified. This bill contains other related provisions and other current laws.

[SB 406](#)

AUTHOR: Liu

TITLE: Battery: security officers and custodial officers.

STATUS: 9/6/2011-Chaptered by the Secretary of State, Chapter No. 250, Statutes of 2011.

SUMMARY: Current law establishes the crime of battery against, among other persons, any one of several specified public safety officers, or a physician or nurse rendering emergency medical care, when the person committing the offense knows or reasonably should know that the victim is such a person. The crime is punishable by a fine not exceeding \$2,000, or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment when an injury is not inflicted on the victim. This bill would add security officers and custody assistants to those lists of persons against whom the commission of a battery that does not result in an injury to the victim will be punishable by the penalties described above. The bill would define a security officer and a custody assistant for purposes of these provisions, as specified. Because the bill would expand the scope of an current crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other current laws.

[SB 430](#)

AUTHOR: Kehoe

TITLE: Strangulation.

STATUS: 7/26/2011-Chaptered by the Secretary of State, Chapter No. 129, Statutes of 2011.

SUMMARY: Current law establishes various crimes against the person, such as assault and battery, and provides that any person who willfully inflicts upon a person who is his or her spouse, former spouse, cohabitant, former cohabitant, or the mother or father of his or her child, corporal

Chaptered Bills - Senate

injury resulting in a traumatic condition, is guilty of a felony punishable by imprisonment in the state prison for 2, 3, or 4 years, or by incarceration in a county jail not exceeding one year, or by a fine, or by both imprisonment and a fine, as specified. Current law defines "traumatic condition" for these purposes to mean a condition of the body, such as a wound or external or internal injury, whether of a minor or serious nature, caused by a physical force. This bill, the Diana Gonzalez Strangulation Prevention Act of 2011, would specify that "traumatic condition" includes injury as a result of strangulation or suffocation and defines the terms "strangulation" and "suffocation" for those purposes.

[SB 484](#)

AUTHOR: Rubio

TITLE: Public records: health care services contract records.

STATUS: 9/26/2011-Chaptered by the Secretary of State, Chapter No. 336, Statutes of 2011.

SUMMARY: The Public Records Act provides that records of the Department of Corrections and Rehabilitation that relate to health care services contract negotiations, and that reveal the deliberative processes, discussions, communications, or other portion of the negotiations, are not subject to disclosure until one year after the contract is fully executed, except that the portion of a contract that contains the rates of payment is not open to inspection until 3 years after a contract or amendment is fully executed. The entire contract or amendment is immediately open to inspection by the Joint Legislative Audit Committee and the Bureau of State Audits, subject to specified conditions. This bill would include the Legislative Analyst's Office among those entities authorized to inspect the entire contract or amendment, subject to those specified conditions. It would specify that this authorization applies notwithstanding a provision of the Evidence Code permitting an owner of a trade secret to invoke a privilege against disclosure of that secret. This bill contains other current laws.

[SB 576](#)

AUTHOR: Calderon

TITLE: Sentencing.

STATUS: 9/29/2011-Chaptered by the Secretary of State, Chapter No. 361, Statutes of 2011.

SUMMARY: Proposition 83 provides that the Legislature may amend the provisions of the Sexual Predator Punishment and Control Act (Jessica's Law) to expand the scope of its application or increase the punishment or penalties by a statute passed by a majority vote of each house. This bill would additionally include the infliction of great bodily injury on the victim or another person among that list of circumstances that if committed by any person in the commission by the defendant of rape, sodomy, or oral copulation would subject the defendant to imprisonment in the state prison for 15 years to life. The bill would include related findings and declarations. Because the bill would change the penalty for a crime, it would impose a state-mandated local program. This bill contains other related provisions and other current laws.

Chaptered Bills - Senate

[SB 608](#)

AUTHOR: DeSaulnier

TITLE: Prison Industry Authority: nonprofit organizations: prison-made goods.

STATUS: 9/21/2011-Chaptered by the Secretary of State, Chapter No. 307, Statutes of 2011.

SUMMARY: Would provide that all products and services provided by the Prison Industry Authority may be offered for sale to a tax-exempt nonprofit organization, provided that the products and services are provided to public school students at no cost and the nonprofit organization has entered into a memorandum of understanding with a local education agency, as defined. This bill contains other current laws.

[SB 617](#)

AUTHOR: Calderon

TITLE: State government: financial and administrative accountability.

STATUS: 10/6/2011-Chaptered by the Secretary of State, Chapter No. 496, Statutes of 2011.

SUMMARY: Would revise various provisions of the Administrative Procedure Act with respect to the duties of the Office of Administrative Law and state agencies in the adoption, amendment, or repeal of regulations. The bill would also require each state agency to prepare a standardized regulatory impact analysis, as specified, with respect to the adoption, amendment, or repeal of a major regulation, as defined, that is proposed on or after November 1, 2013. The bill would require that the agency submit the analysis to the Department of Finance for review and comments, as specified, which would be required to be included with the notice of proposed action. This bill contains other related provisions and other current laws.

[SB 622](#)

AUTHOR: Corbett

TITLE: Sex offenders: registration.

STATUS: 9/29/2011-Chaptered by the Secretary of State, Chapter No. 362, Statutes of 2011.

SUMMARY: Current law, the Sex Offender Registration Act, requires persons who have been convicted of specified crimes to register as sex offenders, including persons who have been convicted in any other court, including any state, federal, or military court, of any offense that, if committed or attempted in this state, would have been punishable as one or more specified sex crimes. This bill would instead require registration for any person who has been convicted in any other court, including any state, federal, or military court, of any offense that, based on the elements of the convicted offense or facts admitted by the person or found true by the trier of fact or stipulated facts in the record of military proceedings, as specified, would have been punishable as one or more of the above-referenced specified sex crimes. This bill contains other related provisions and other current laws.

Chaptered Bills - Senate

[SB 756](#)

AUTHOR: Price

TITLE: Sex offender registration.

STATUS: 9/29/2011-Chaptered by the Secretary of State, Chapter No. 363, Statutes of 2011.

SUMMARY: Current law requires persons who are subject to the Sex Offender Registration Act to, upon release from incarceration, placement, commitment, or release on probation, register or reregister with the chief of police of the city in which he or she is residing, or in which he or she is present if a transient, or the sheriff of the county if he or she is residing or is present in an unincorporated area or city that has no police department, as specified. A violation of the registration requirement is an offense that may be punished as a misdemeanor, or as a felony if additional circumstances exist. The bill would provide that if a person fails to so register after release, the district attorney in the jurisdiction where the person was to be paroled or to be on probation, or the district attorney in another specified jurisdiction if the person was not released on parole or probation, may request that a warrant be issued for the person's arrest and shall have authority to prosecute that person as specified.

[SB 852](#)

AUTHOR: Harman

TITLE: Corrections: victim notification.

STATUS: 9/29/2011-Chaptered by the Secretary of State, Chapter No. 364, Statutes of 2011.

SUMMARY: Current law requires the Department of Corrections and Rehabilitation, county sheriff, and director of the local department of corrections, upon request, to give notice, as specified, prior to the release from state prison or county jail, of any person convicted of specified offenses, or of any change in parole status or relevant change in parole location, or if the person absconds from supervision while on parole, to a victim of the offense and others, as specified. Current law provides for this notice by telephone and certified mail, and requires those persons requesting notice to provide current address and telephone numbers, as specified. This bill would authorize providing that notice by telephone, certified mail, or electronic mail, as selected by the requesting party, if that method is available. This bill contains other related provisions and other current laws.

[SB 913](#)

AUTHOR: Pavley

TITLE: Juvenile offenders: medical care.

STATUS: 9/6/2011-Chaptered by the Secretary of State, Chapter No. 256, Statutes of 2011.

SUMMARY: Would permit a probation officer to authorize a medical exam that complies with the regulations promulgated by the Corrections Standards Authority, without regard to the minor's need for medical care. The bill would also permit the probation officer to authorize the performance of reasonable medical or dental care if the minor is in need of the care and upon the recommendation of the attending physician or dentist, as specified. The bill would permit the

Chaptered Bills - Senate

probation officer to authorize additional treatment necessary for the health of the minor and recommended by the physician if the minor remains in the temporary custody of the probation officer. This bill would also require the probation officer to make reasonable efforts to notify and obtain the consent of the minor's parent or guardian prior to the provision of the medical or dental care.

SB 917

AUTHOR: Lieu

TITLE: Animal abuse.

STATUS: 7/26/2011-Chaptered by the Secretary of State, Chapter No. 131, Statutes of 2011.

SUMMARY: Current law provides, subject to exceptions, that every person who overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, drink, or shelter, cruelly beats, mutilates, or cruelly kills any animal, or causes or procures any animal to be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, drink, shelter, or to be cruelly beaten, mutilated, or cruelly killed; and whoever, having the charge or custody of any animal, either as owner or otherwise, subjects any animal to needless suffering, or inflicts unnecessary cruelty upon the animal, or in any manner abuses any animal, or fails to provide the animal with proper food, drink, or shelter or protection from the weather, or who drives, rides, or otherwise uses the animal when unfit for labor, is guilty of a crime punishable as a misdemeanor or as a felony, or alternatively as a misdemeanor or a felony and a fine of not more than \$20,000. This bill would revise the punishment for this offense to provide that it is punishable by imprisonment in a county jail for not more than one year, or in the state prison, or by a fine of not more than \$20,000, or by both that fine and imprisonment. The bill would make other technical, nonsubstantive changes. By revising the penalty for an current crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other current laws.

SBX1 4

AUTHOR: Committee on Budget and Fiscal Review

TITLE: Supplemental Law Enforcement Services Account.

STATUS: 9/21/2011-Chaptered by the Secretary of State, Chapter No. 14, Statutes of 2011 First Extraordinary Session.

SUMMARY: Current law requires in each county treasury a Supplemental Law Enforcement Services Account (SLESA), to receive all amounts allocated to a county for purposes of specified law enforcement services. Current law also requires that in any fiscal year for which a county receives moneys to be expended for those law enforcement purposes, that the county auditor allocate the moneys in the county's SLESA, as specified, including any interest or other return earned on the investment of those moneys. This bill would delete the provision requiring the allocated funds to include interest or other return earned on the investment of those moneys. This bill contains other related provisions and other current laws.

Vetoed Bills

[AB 98](#)

AUTHOR: Committee on Budget

TITLE: Budget Act of 2011.

STATUS: 6/16/2011-Vetoed by the Governor.

SUMMARY: SB 69, as proposed by Conference Report No. 1 on March 7, 2011, would make appropriations for the support of state government for the 2011-12 fiscal year. This bill would make revisions to those appropriations in SB 69 for the 2011-12 fiscal year. This bill contains other related provisions.

GOVERNOR'S MESSAGE: To the Members of the California State Legislature: I am returning Senate Bill 69 and Assembly Bill 98 without my signature. In January, I presented a balanced budget solution with a mix of deep spending cuts and temporary tax extensions subject to voter approval. My plan would put these extended revenues in a lockbox, ensuring that they are only used to protect education and public safety. It would also address California's long term fiscal crisis by substantially paying down the \$35 billion wall of debt built up over the last decade. Yet Republicans in the Legislature blocked the right of the people to vote on this honest, balanced budget. Meanwhile, Democrats in the Legislature made valiant efforts to address California's budget crisis by enacting \$11 billion in painful cuts and other solutions. I commend them for their tremendous efforts to balance the budget in the absence of Republican cooperation. Unfortunately, the budget I have received is not a balanced solution. It continues big deficits for years to come and adds billions of dollars of new debt. It also contains legally questionable maneuvers, costly borrowing and unrealistic savings. Finally, it is not financeable and therefore will not allow us to meet our obligations as they occur. We can and must do better. A balanced budget is critical to our economic recovery. I am, once again, calling on Republicans to allow the people of California to vote on tax extensions for a balanced budget and significant reforms. They should also join Democrats in supporting job creation and ending tax breaks for out-of-state companies. If they continue to obstruct a vote, we will be forced to pursue deeper and more destructive cuts to schools and public safety a tragedy for which Republicans will bear full responsibility. Sincerely, Edmund G. Brown Jr.

[AB 172](#)

AUTHOR: Eng

TITLE: State agencies: information: Internet Web site.

STATUS: 10/9/2011-Vetoed by the Governor.

SUMMARY: Would require the California Technology Agency to create and maintain a Reporting Transparency in Government Internet Web site, as prescribed. It would require, subject to specific exemptions, state agencies to post specified audits to that Internet Web site for a period of 3 years, and would require the Department of General Services, the California Technology Agency, and other state agencies to post specified summary data regarding contracts awarded by the state to that Internet Web site, for the length of the contract. The bill would exempt certain state officers from the requirement of posting the information to the Reporting Transparency in

Vetoed Bills

Government Internet Web site, if that officer posts the required information to his or her official Internet Web site, as specified. This bill contains other related provisions.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 172 without my signature. This bill would require information about state contracts and audits to be posted on a specific, new website. Information about state contracts can already be found at www.dgs.ca.gov/pd/programs/eprocure, and I am issuing an Executive Order to ensure that these contracts continue to be posted on this site. Audits conducted by the Bureau of State Audits can be found at www.bsa.ca.gov. Other audits are readily available as public records. While governmental transparency is laudable, there's no need for a new law. Sincerely, Edmund G. Brown Jr.

[AB 312](#)

AUTHOR: Lowenthal, Bonnie

TITLE: Civil rights: homeless persons.

STATUS: 8/5/2011-Vetoed by the Governor.

SUMMARY: Would specify that homeless persons, as defined, are entitled to the personal rights set forth under current law, and would provide that a homeless person has the right to be free from violence or intimidation by threat of violence directed against that person on the basis of that person's status as a homeless person. The bill would also provide that these provisions shall not be construed to enlarge or diminish a current duty, if any, by an owner of residential rental or commercial property to protect a homeless person who is present on the property from violence or intimidation by threats of violence. The bill would provide that these provisions are not to be construed to prohibit or restrict a public agency from the lawful enforcement of any law, and a public agency would not be subject to civil liability for that lawful enforcement.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 312 without my signature. This bill would expand the provisions of the Ralph Civil Rights Act to include homelessness or the perception that one is homeless, thereby creating new private and administrative enforcement remedies. It is undeniable that homeless people are vulnerable to victimization, but California already has very strong civil and criminal laws that provide sufficient protection.

Sincerely, Edmund G. Brown Jr.

[AB 446](#)

AUTHOR: Carter

TITLE: Juveniles: restorative justice program.

STATUS: 9/7/2011-Vetoed by the Governor.

SUMMARY: Would authorize a county to adopt a restorative justice program to address the needs of minors, victims, and the community. The bill would require the restorative justice program to be implemented through a restorative justice protocol developed by the juvenile court in conjunction with the prosecutor, public defender, and other interested groups. The bill would prohibit the use of General Fund moneys to fund the program. The bill would include related findings and declarations.

Vetoed Bills

GOVERNOR'S MESSAGE: I am returning Assembly Bill 446 without my signature. This measure would authorize the use of restorative justice programs, but the courts already have the authority to create such programs. While the provisions of this bill are well-intended, they create a clear expectation that our courts--already struggling with painful budget cuts--will establish a new program. Given current budgetary constraints, the decision to adopt this kind of program is better left to the sound discretion of judges. Sincerely, Edmund G. Brown Jr.

[AB 568](#)

AUTHOR: Skinner

TITLE: Pregnant inmates and wards: least restrictive restraints.

STATUS: 10/9/2011-Vetoed by the Governor.

SUMMARY: Would require that the standards ensure that women who are pregnant not be shackled by the wrists, ankles, around the abdomen, or to another person, including during time spent outside a correctional facility, during transport to or from a correctional facility, during labor, delivery, and while in recovery after giving birth, except that the least restrictive restraints possible may be used when deemed necessary for the inmate, consistent with the legitimate security needs of the inmate, the staff, and the public, and the restraints would only remain in place as long as the threat exists. The bill would require the authority, and later the board, to develop these standards regarding the shackling of pregnant women as part of its biennial review of its standards. This bill contains other related provisions and other current laws.

GOVERNOR'S MESSAGE: At first blush, I was inclined to sign this bill because it certainly seems inappropriate to shackle a pregnant inmate unless absolutely necessary. However, the language of this measure goes too far, prohibiting not only shackling, but also the use of handcuffs or restraints of any kind except under ill-defined circumstances. Let's be clear. Inmates, whether pregnant or not, need to be transported in a manner that is safe for them and others. The restrictive criteria set forth in this bill go beyond what is necessary to protect the health and dignity of pregnant inmates and will only serve to sow confusion and invite lawsuits. I am returning Assembly Bill 568 without my signature. Sincerely, Edmund G. Brown Jr.

[AB 1281](#)

AUTHOR: Garrick

TITLE: Parole hearings: audioconferencing.

STATUS: 7/12/2011-Vetoed by the Governor.

SUMMARY: Current law requires the Board of Parole Hearings to give notice of a parole suitability hearing for a prisoner, upon request, to a victim or next of kin, if the victim has died. Under current law, the victim, members of the victim's immediate family, representatives designated by the victim, and specified prosecutors have a right to appear at the hearing in person, and may appear at the hearing by means of videoconferencing, as defined, if videoconferencing is available at the hearing site. This bill would provide that these individuals may also appear at any parole suitability hearing by means of audioconferencing, as defined, if

Vetoed Bills

audioconferencing is available at the hearing site.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 1281 without my signature. This measure would allow the use of audioconferencing equipment at Board of Parole hearings, if the equipment is available. This measure is unnecessary. The Board already allows hearing participation through the use of audioconferencing equipment and there is nothing in law that prohibits its use. I will direct the Board to continue to accommodate those wishing to participate in hearings using audioconferencing. There is no need to codify this practice in law. For these reasons I am unable to sign this bill. Sincerely, Edmund G. Brown Jr.

[SB 139](#)

AUTHOR: Alquist

TITLE: Corrections: state prisons: searches.

STATUS: 10/9/2011-Vetoed by the Governor.

SUMMARY: Current law establishes the Department of Corrections and Rehabilitation, and charges it with various duties and responsibilities related to inmates housed in state prisons. This bill would require, only until January 1, 2014, the Department of Corrections and Rehabilitation to oversee and conduct periodic and random searches of employees and vendors entering the secure perimeter of a state prison under the jurisdiction of the department for contraband, and require the department to report to the Legislature at least quarterly regarding those searches, as specified.

GOVERNOR'S MESSAGE: I am returning Senate Bill 139 without my signature. I have signed Senate Bill 26 and issued an executive order to address the proliferation of cell phones in prison. This measure, which requires monthly searches and detailed quarterly reports, is too prescriptive. It will cost more than \$1 million each year without a commensurate benefit. Sincerely, Edmund G. Brown Jr.

[SB 442](#)

AUTHOR: Calderon

TITLE: Hospitals: interpreters.

STATUS: 10/9/2011-Vetoed by the Governor.

SUMMARY: Current law requires general acute care hospitals to, among other things, adopt and annually review its policy and procedures for providing assistance to patients with language or communication barriers to ensure access to health care information and services for limited-English-speaking or non-English-speaking residents and deaf residents. Current law requires that the procedures ensure, to the extent possible, as determined by the hospital, that interpreters are available, either on the premises or accessible by telephone, 24 hours per day. This bill would, in addition, require the policy to ensure meaningful access to translation and interpreter services by limited-English-speaking or non-English-speaking individuals and to include appropriate criteria for demonstrating the proficiency of the translation and interpreter services. The bill would require the policy to include procedures for discussing with the patient any cultural, religious, or spiritual

Vetoed Bills

beliefs or practices of the patient that may influence care, and that the procedures be designed to increase hospital staff ability to understand and respond effectively to the cultural needs of patients. The bill would require the hospital to review the standards of health care interpreting, as prescribed. This bill contains other related provisions and other current laws.

GOVERNOR'S MESSAGE: I am returning Senate Bill 442 without my signature. Inquiring into a patient's cultural, religious, or spiritual beliefs is good hospital practice, but not one that needs to be mandated by the state, nor applied only to non-English or limited English-speaking patients. With basic requirements for language assistance already set in law, I believe specific improvements to hospital policies should be done at the local level where people deal with real problems based on direct experience. Sincerely, Edmund G. Brown Jr.

SB 601

AUTHOR: Hancock

TITLE: Corrections: prisons: accountability report.

STATUS: 10/9/2011-Vetoed by the Governor.

SUMMARY: Would require the Secretary of the Department of Corrections and Rehabilitation to develop a Corrections Accountability Report on January 10, March 15, and a fiscal year-end report, containing specified information regarding each institution, including, among other information, the total budget, including actual expenditures, staff vacancies and the number of authorized staff positions, overtime, sick leave, and the average length of lockdowns, and to post those reports on the department's Internet Web site, as provided.

GOVERNOR'S MESSAGE: I am returning Senate Bill 601 without my signature. This measure would require the Department of Corrections and Rehabilitation to post on its website prescribed information and reports and to update them every four months. This measure is unnecessary and redundant; existing law already requires the Department to provide this information. I am happy to work with the author on ways the Department could better organize its website, but I don't think this takes a law. Sincerely, Edmund G. Brown Jr.

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2011

Index by Chapter Number

<u>Chapter Number</u>	<u>Bill Number</u>	<u>Title</u>	<u>Author</u>
7	AB 324	Juvenile offenders: recall of commitment	Buchanan
12	ABX1 17	Criminal Justice Realignment of 2011.	Blumenfield
13	ABX1 16	Local Revenue Fund 2011.	Blumenfield
14	SBX1 4	Supplemental Law Enforcement Services Account.	Committee on Budget and Fiscal Review
15	AB 109	Criminal justice alignment.	Committee on Budget
16	AB 111	Criminal justice realignment.	Committee on Budget
23	AB 94	Criminal justice realignment.	Committee on Budget
33	SB 87	2011-12 Budget.	Leno
36	SB 92	Budget Act of 2011.	Committee on Budget and Fiscal Review
39	AB 117	Criminal justice realignment.	Committee on Budget
40	AB 118	Local Revenue Fund 2011.	Committee on Budget
42	AB 122	Budget Acts of 2009 and 2010: augmentation.	Blumenfield
81	SB 48	Pupil instruction: prohibition of discriminatory content.	Leno
129	SB 430	Strangulation.	Kehoe
131	SB 917	Animal abuse.	Lieu
136	AB 116	Criminal justice realignment.	Committee on Budget
183	AB 1026	Assault: force likely to produce great bodily injury.	Knight
193	AB 110	Courts.	Blumenfield
197	SB 24	Personal information: privacy.	Simitian
249	SB 390	Crimes: assault and battery: search and rescue teams.	La Malfa

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2011

Index by Chapter Number

<u>Chapter Number</u>	<u>Bill Number</u>	<u>Title</u>	<u>Author</u>
250	SB 406	Battery: security officers and custodial officers.	Liu
256	SB 913	Juvenile offenders: medical care.	Pavley
296	AB 1023	Maintenance of the codes.	Wagner
307	SB 608	Prison Industry Authority: nonprofit organizations: prison-made goods.	DeSaulnier
336	SB 484	Public records: health care services contract records.	Rubio
355	AB 44	Inmates: release: notification.	Logue
356	AB 220	Interstate Compact for Juveniles.	Solorio
357	AB 813	Sex offenders: punishment: parole.	Fletcher
359	SB 179	Sex offenders: parole.	Pavley
361	SB 576	Sentencing.	Calderon
362	SB 622	Sex offenders: registration.	Corbett
363	SB 756	Sex offender registration.	Price
364	SB 852	Corrections: victim notification.	Harman
394	AB 396	Medi-Cal: juvenile inmates.	Mitchell
434	AB 143	Pupil records: privacy rights.	Fuentes
437	AB 648	Clemency.	Block
457	AB 90	Human trafficking: minors.	Swanson
464	AB 735	Interns and student assistants: hiring preference.	Mitchell
496	SB 617	State government: financial and administrative accountability.	Calderon

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2011

Index by Chapter Number

<u>Chapter Number</u>	<u>Bill Number</u>	<u>Title</u>	<u>Author</u>
500	SB 26	Prisons: wireless communication devices.	Padilla
548	AB 420	Redistricting.	Davis
652	AB 499	Minors: medical care: consent.	Atkins
660	AB 1016	Inmates: state hospitals: reimbursement of costs.	Achadjian
661	AB 1122	Juvenile offenders: tattoo removal.	John A. Pérez
665	AB 1114	Inmates: involuntary administration of psychotropic medications.	Lowenthal, Bonnie
719	AB 887	Gender.	Atkins

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2011

Index by Bill Number

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number</u>
AB 44	Inmates: release: notification.	Logue	355
AB 90	Human trafficking: minors.	Swanson	457
AB 94	Criminal justice realignment.	Committee on Budget	23
AB 109	Criminal justice alignment.	Committee on Budget	15
AB 110	Courts.	Blumenfield	193
AB 111	Criminal justice realignment.	Committee on Budget	16
AB 116	Criminal justice realignment.	Committee on Budget	136
AB 117	Criminal justice realignment.	Committee on Budget	39
AB 118	Local Revenue Fund 2011.	Committee on Budget	40
AB 122	Budget Acts of 2009 and 2010: augmentation	Blumenfield	42
AB 143	Pupil records: privacy rights.	Fuentes	434
AB 220	Interstate Compact for Juveniles.	Solorio	356
AB 396	Medi-Cal: juvenile inmates.	Mitchell	394
AB 420	Redistricting.	Davis	548
AB 499	Minors: medical care: consent.	Atkins	652
AB 648	Clemency.	Block	437
AB 735	Interns and student assistants: hiring preference.	Mitchell	464
AB 813	Sex offenders: punishment: parole.	Fletcher	357
AB 887	Gender.	Atkins	719
AB 1016	Inmates: state hospitals: reimbursement of costs.	Achadjian	660

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2011

Index by Bill Number

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number</u>
AB 1023	Maintenance of the codes.	Wagner	296
AB 1026	Assault: force likely to produce great bodily injury.	Knight	183
AB 1114	Inmates: involuntary administration of psychotropic medications.	Lowenthal	665
AB 1122	Juvenile offenders: tattoo removal.	Pérez	661
ABX1 16	Local Revenue Fund 2011.	Blumenfield	13
ABX1 17	Criminal Justice Realignment of 2011.	Blumenfield	12
SB 24	Personal information: privacy.	Simitian	197
SB 26	Prisons: wireless communication devices.	Padilla	500
SB 48	Pupil instruction: prohibition of discriminatory content.	Leno	81
SB 87	2011-12 Budget.	Leno	33
SB 92	Budget Act of 2011.	Committee on Budget and Fiscal Review	36
SB 179	Sex offenders: parole.	Pavley	359
SB 390	Crimes: assault and battery: search and rescue teams.	La Malfa	249
SB 406	Battery: security officers and custodial officers.	Liu	250
SB 430	Strangulation.	Kehoe	129
SB 484	Public records: health care services contract records.	Rubio	336
SB 576	Sentencing.	Calderon	361
SB 608	Prison Industry Authority: nonprofit organizations: prison-made goods.	DeSaulnier	307

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2011

Index by Bill Number

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number</u>
SB 617	State government: financial and administrative accountability.	Calderon	496
SB 622	Sex offenders: registration.	Corbett	362
SB 756	Sex offender registration.	Price	363
SB 852	Corrections: victim notification.	Harman	364
SB 913	Juvenile offenders: medical care.	Pavley	256
SB 917	Animal abuse.	Lieu	131
SBX1 4	Supplemental Law Enforcement Services Account.	Committee on Budget and Fiscal Review	14

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2011

Index by Subject Matter

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number</u>
AB 1023	Maintenance of the codes.	Wagner	296
ABX1 17	Criminal Justice Realignment of 2011.	Blumenfield	12
<u>Adult Institutions</u>			
AB 44	Inmates: release: notification.	Logue	355
AB 110	Courts.	Blumenfield	193
SB 26	Prisons: wireless communication devices.	Padilla	500
SB 139	Corrections: state prisons: searches.	Alquist	VETOED
<u>Adult Parole</u>			
AB 312	Civil rights: homeless persons.	Lowenthal	VETOED
AB 813	Sex offenders: punishment: parole.	Fletcher	357
SB 179	Sex offenders: parole.	Pavley	359
SB 622	Sex offenders: registration.	Corbett	362
SB 756	Sex offender registration.	Price	363
<u>Adult Programs: Education Programs</u>			
SB 48	Pupil instruction: prohibition of discriminatory content.	Leno	81
<u>Audits & Compliance</u>			
SB 601	Corrections: prisons: accountability report.	Hancock	VETOED
SB 617	State government: financial and administrative accountability.	Calderon	496
<u>Board of Parole Hearings</u>			
AB 648	Clemency.	Block	437

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2011

Index by Subject Matter

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number</u>
AB 887	Gender.	Atkins	719
AB 1281	Parole hearings: audioconferencing.	Garrick	VETOED
<u>Budgets</u>			
AB 118	Local Revenue Fund 2011.	Committee on Budget	40
AB 122	Budget Acts of 2009 and 2010: augmentation.	Blumenfield	42
AB 1016	Inmates: state hospitals: reimbursement of costs.	Achadjian	660
ABX1 16	Local Revenue Fund 2011.	Blumenfield	13
SB 87	2011-12 Budget.	Leno	33
SBX1 4	Supplemental Law Enforcement Services Account.	Committee on Budget and Fiscal Review	14
<u>Business Management</u>			
AB 172	State agencies: information: Internet Web site.	Eng	VETOED
<u>Corrections Standards Authority</u>			
AB 116	Criminal justice realignment.	Committee on Budget	136
AB 220	Interstate Compact for Juveniles.	Solorio	356
AB 568	Pregnant inmates and wards: least restrictive restraints.	Skinner	VETOED
SB 92	Budget Act of 2011.	Committee on Budget and Fiscal Review	36
SB 913	Juvenile offenders: medical care.	Pavley	256
<u>Health Care</u>			
SB 442	Hospitals: interpreters.	Calderon	VETOED
SB 484	Public records: health care services contract records.	Rubio	336

STATE OF CALIFORNIA
 CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
 OFFICE OF LEGISLATION
 Legislative Digest 2011

Index by Subject Matter

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number</u>
<u>Human Resources</u>			
AB 735	Interns and student assistants: hiring preference.	Mitchell	464
<u>Information Technology</u>			
AB 420	Redistricting.	Davis	548
SB 24	Personal information: privacy.	Simitian	197
<u>Juvenile Justice</u>			
AB 143	Pupil records: privacy rights.	Fuentes	434
AB 396	Medi-Cal: juvenile inmates.	Mitchell	394
AB 499	Minors: medical care: consent.	Atkins	652
AB 1122	Juvenile offenders: tattoo removal.	Pérez	661
<u>Legal Affairs</u>			
AB 1114	Inmates: involuntary administration of psychotropic medications.	Lowenthal	665
<u>Legislation (Office of)</u>			
AB 94	Criminal justice realignment.	Committee on Budget	23
AB 98	Budget Act of 2011.	Committee on Budget	VETOED
AB 109	Criminal justice alignment.	Committee on Budget	15
AB 111	Criminal justice realignment.	Committee on Budget	16
AB 117	Criminal justice realignment.	Committee on Budget	39
AB 446	Juveniles: restorative justice program.	Carter	VETOED
<u>Penalty Bills</u>			
AB 90	Human trafficking: minors.	Swanson	457

STATE OF CALIFORNIA
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
OFFICE OF LEGISLATION
Legislative Digest 2011

Index by Subject Matter

<u>Bill Number</u>	<u>Title</u>	<u>Author</u>	<u>Chapter Number</u>
AB 1026	Assault: force likely to produce great bodily injury.	Knight	183
SB 390	Crimes: assault and battery: search and rescue teams.	La Malfa	249
SB 406	Battery: security officers and custodial officers.	Liu	250
SB 430	Strangulation.	Kehoe	129
SB 576	Sentencing.	Calderon	361
SB 917	Animal abuse.	Lieu	131
<u>Prison Industry Authority</u>			
SB 608	Prison Industry Authority: nonprofit organizations: prison-made goods.	DeSaulnier	307
<u>Victim Services</u>			
SB 852	Corrections: victim notification.	Harman	364