

California Department of Corrections and Rehabilitation  
Office of Legislation

# 2017 Legislative Digest



December 2017

STATE OF CALIFORNIA

EDMUND G. BROWN, JR.  
Governor

California Department of Corrections and Rehabilitation

Scott Kernan  
Secretary

Ralph Diaz  
Undersecretary, Operations

Diana Toche  
Undersecretary, Health Services

Kenneth Pogue  
Undersecretary, Administration and Offender Services

Kristoffer Applegate  
Assistant Secretary, Legislation

## **INTRODUCTION**

This Legislative Digest is composed of bills that were chaptered, vetoed, or failed passage during the first half of the 2017/2018 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: <http://leginfo.legislature.ca.gov>.

The chaptered bills become effective January 1, 2018, 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  
[legislation@cdcr.ca.gov](mailto:legislation@cdcr.ca.gov)

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

TABLE OF CONTENTS

Chaptered Bills – Assembly ..... 5

Chaptered Bills – Senate.....13

Vetoed Bills ..... 20

Legislation of Interest ..... 26

Index by Chapter Number ..... 38

Index by Bill Number ..... 40

Index by Subject Matter..... 42

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Chaptered Bills – Assembly**

**AB 41**

**AUTHOR:** Chiu

**TITLE:** DNA evidence

**STATUS:** 10/12/2017-Chaptered by Secretary of State, Chapter 694, Statutes of 2017

**SUMMARY:** This bill requires law enforcement agencies to report information regarding rape kit evidence, within 120 days of the collection of the kit, to the Department of Justice through a database established by the department. The bill also requires that information to include, among other things, whether biological evidence samples were submitted to a DNA laboratory for analysis and if a probative DNA profile was generated. The bill additionally requires a public DNA laboratory, or a law enforcement agency contracting with a private laboratory, to provide a reason for not testing a sample every 120 days the sample is untested, except as specified.

**AB 92**

**AUTHOR:** Bonta

**TITLE:** Public contracts: payment

**STATUS:** 7/10/2017-Chaptered by Secretary of State, Chapter 37, Statutes of 2017

**SUMMARY:** Existing law, until January 1, 2018, authorizes the retention proceeds withheld from any payment by an awarding entity, as described, from the original contractor, by the original contractor from any subcontractor, and by a subcontractor from any subcontractor to exceed 5 percent on specific projects where the director of the applicable department, as specified, has made, or the governing body of the public entity or designated official of the public entity has approved, a finding prior to the bid that the project is substantially complex and requires a higher retention and the department or public entity includes both this finding and the actual retention amount in the bid documents. This bill would extend the operation of these provisions to January 1, 2023.

**AB 103**

**AUTHOR:** Committee on Budget

**TITLE:** Public safety: omnibus

**STATUS:** 6/27/2017-Chaptered by Secretary of State, Chapter 17, Statutes of 2017

**SUMMARY:** This bill makes statutory changes necessary to enact the public safety provisions of the Budget Act of 2017. As it pertains to CDCR, this bill clarifies that the California Prison Industry Authority does not require immediate cash availability for funding retiree health care and pension liabilities. This bill also increases the number of Commissioners on the Board of Parole Hearings from 14 to 15 and revises the term of office for existing Commissioners. This bill establishes reimbursement rates for meals and incidental expenses for persons transporting fugitives. In addition, this bill makes technical changes related to reporting requirements for Division of Juvenile Justice wards released to local supervision.

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Chaptered Bills – Assembly**

[AB 262](#)

**AUTHOR:** Bonta

**TITLE:** Public contracts: bid specifications: Buy Clean California Act

**STATUS:** 10/15/2017-Chaptered by Secretary of State, Chapter 816, Statutes of 2017

**SUMMARY:** Existing law governs the bidding and award of public works contracts by specific state departments and requires an awarding department, before entering into any contract for a project, to prepare full, complete, and accurate plans and specifications and estimates for cost. This bill, effective January 1, 2019, requires the Department of General Services to establish, and publish in the State Contracting Manual, a maximum acceptable global warming potential for each category of eligible materials, in accordance with requirements set out in the bill.

**GOVERNOR'S MESSAGE:** I signing Assembly Bill 262 that would require the Department of General Services, by January 1, 2019, to establish the maximum acceptable carbon emission level for the building materials set forth in this bill. Successful bidders for state contracts would be required to submit an Environmental Product Declaration for those materials by July 1, 2019. The goal of this bill is laudable and consistent with our efforts to address climate change, but there is more work yet to be done. Accordingly, I am directing the Department of General Services to work with the Air Resources Board, the Department of Transportation, the Department of Water Resources, and interested parties in the private sector to review current national and international standards and make appropriate recommendations. Sincerely, Edmund G. Brown Jr.

[AB 335](#)

**AUTHOR:** Kiley

**TITLE:** Parole: placement at release

**STATUS:** 10/6/2017-Chaptered by Secretary of State, Chapter 523, Statutes of 2017

**SUMMARY:** Existing law provides that an inmate who has committed certain specified offenses and is released on parole shall not be returned to a location within 35 miles of the residence of a victim of or witness to that offense if the victim or witness makes such a request and the Board of Parole Hearings or CDCR finds that the placement is necessary to protect the victim or witness. This bill adds certain sexual penetration offenses as well as several sexual assault offenses in which the victim is unconscious or unable to give consent to the list of offenses to which this release restriction applies.

[AB 434](#)

**AUTHOR:** Baker

**TITLE:** State Web accessibility: standard and reports

**STATUS:** 10/14/2017-Chaptered by Secretary of State, Chapter 780, Statutes of 2017

**SUMMARY:** Existing law requires the heads of state agencies and entities to appoint chief information officers, requires state agencies and entities to report certain information to the Department of Technology, and further requires state agencies to take all necessary steps to achieve the targets set forth by the department in its information technology performance management framework and report their progress to the department on a quarterly basis. This bill, before July 1, 2019, and before July 1 biennially thereafter, requires the director of each state agency or entity and the chief information officer of the state

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Chaptered Bills – Assembly**

agency or entity to post on the home page of the agency's or entity's Internet Web site a signed certification that the agency's or entity's Internet Web site is in compliance with specified accessibility standards.

**AB 450**

**AUTHOR:** Chiu

**TITLE:** Employment regulation: immigration worksite enforcement actions

**STATUS:** 10/5/2017-Chaptered by Secretary of State, Chapter 492, Statutes of 2017

**SUMMARY:** This bill imposes various requirements on public and private employers with regard to federal immigration agency worksite enforcement actions. Except as otherwise required by federal law, the bill prohibits an employer or other person acting on the employer's behalf from providing voluntary consent to an immigration enforcement agent to enter nonpublic areas of a place of labor unless the agent provides a judicial warrant, except as specified. Except as required by federal law, the bill would prohibit an employer or other person acting on the employer's behalf from providing voluntary consent to an immigration enforcement agent to access, review, or obtain the employer's employee records without a subpoena or court order, subject to a specified exemption.

**AB 459**

**AUTHOR:** Chau

**TITLE:** Public records: video or audio recordings: crime

**STATUS:** 9/26/2017-Chaptered by Secretary of State, Chapter 291, Statutes of 2017

**SUMMARY:** The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. This bill specifies that the act does not require disclosure of a video or audio recording that was created during the commission or investigation of the crime of rape, incest, sexual assault, domestic violence, or child abuse that depicts the face, intimate body part, or voice of a victim of the incident depicted in the recording.

**AB 562**

**AUTHOR:** Muratsuchi

**TITLE:** California State Auditor: interference

**STATUS:** 10/2/2017-Chaptered by Secretary of State, Chapter 406, Statutes of 2017

**SUMMARY:** Existing law requires the California State Auditor to conduct audits requested by the Legislature's Joint Legislative Audit Committee relating to a state or local governmental agency or other publicly created entity. Existing law requires any state or local entity or agency to permit the California State Auditor to access specified documents, and makes it a misdemeanor for any person to fail or refuse to permit access, examination, and reproduction of these documents. This bill specifies that a state agency includes a commission for purposes of the California State Auditor's authorization to access specified documents of a state agency.

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Chaptered Bills – Assembly**

[AB 683](#)

**AUTHOR:** Garcia, Eduardo

**TITLE:** Prisoners: support services

**STATUS:** 7/10/2017-Chaptered by Secretary of State, Chapter 45, Statutes of 2017

**SUMMARY:** This bill authorizes Alameda, Imperial, Los Angeles, Riverside, San Diego, Santa Clara, and San Joaquin counties to implement pilot programs to provide reentry services and support to persons who are, or who are scheduled to be, released from a county jail. The bill requires the pilot programs to include specified components, including support services for parents and a mentorship program. The bill requires each county that elects to implement one or more pilot programs pursuant to these provisions to conduct a study and submit to the Legislature on or before January 1, 2023, a report evaluating the effectiveness of the pilot programs in the county.

[AB 699](#)

**AUTHOR:** O'Donnell

**TITLE:** Educational equity: immigration and citizenship status

**STATUS:** 10/5/2017-Chaptered by Secretary of State, Chapter 493, Statutes of 2017

**SUMMARY:** Existing law requires the State Department of Education to assess whether local educational agencies have taken certain actions related to educational equity, including adopting a policy that prohibits, and adopting a process for receiving and investigating complaints of, discrimination, harassment, intimidation, and bullying based on those actual or perceived specified characteristics. This bill expressly includes immigration status in the specified characteristics for purposes of those provisions.

[AB 720](#)

**AUTHOR:** Eggman

**TITLE:** Inmates: psychiatric medication: informed consent

**STATUS:** 9/28/2017-Chaptered by Secretary of State, Chapter 347, Statutes of 2017

**SUMMARY:** Existing law prohibits, except as specified, a person sentenced to imprisonment in a county jail from being administered any psychiatric medication without his or her prior informed consent. Existing law authorizes a county department of mental health, or other designated county department, to administer to an inmate involuntary medication on a nonemergency basis only after the inmate is provided, among other things, a hearing before a superior court judge, a court-appointed commissioner or referee, or a court-appointed hearing officer. This bill extends to an inmate confined in a county jail the protection from being administered any psychiatric medication without his or her prior informed consent, with certain exceptions.

[AB 790](#)

**AUTHOR:** Stone, Mark

**TITLE:** Identification cards: replacement: reduced fee

**STATUS:** 9/28/2017-Chaptered by Secretary of State, Chapter 348, Statutes of 2017

**SUMMARY:** This bill provides for a reduced fee of \$8 for a replacement identification card issued to an eligible inmate, as defined, upon release from a state or federal correctional facility or a county jail facility,

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Chaptered Bills – Assembly**

and to an eligible patient, as defined, treated in a facility of the State Department of State Hospitals. This bill contains other related provisions and other existing laws.

[AB 822](#)

**AUTHOR:** Caballero

**TITLE:** Institutional purchasers: sale of California produce

**STATUS:** 10/14/2017-Chaptered by Secretary of State, Chapter 785, Statutes of 2017

**SUMMARY:** Under existing law, price, fitness, and quality being equal, any body, officer, or other person charged with the purchase, or permitted or authorized to purchase supplies for the use of the state, or of any of its institutions or offices, or for the use of any county or city, is required to always prefer supplies, defined to include produce, that are grown, manufactured, or produced in the state, and is required to next prefer supplies partially manufactured, grown, or produced in the state. This bill removes produce grown or partially grown in the state from this requirement.

[AB 864](#)

**AUTHOR:** McCarty

**TITLE:** California Conservation Corps: applicant selection

**STATUS:** 10/11/2017-Chaptered by Secretary of State, Chapter 659, Statutes of 2017

**SUMMARY:** Existing law authorizes the Director of the California Conservation Corps, in implementing the California Conservation Corps program, to recruit and enroll corps members and to adopt criteria for selecting applicants for enrollment, including individuals convicted of a crime described in the California Uniform Controlled Substances Act. Existing law requires the director, when adopting these criteria, to take into account the health, safety, and welfare of the public and the corps' program participants and staff. This bill authorizes the director to select an applicant for enrollment in the corps' program who is on probation, postrelease community supervision, or mandatory supervision.

[AB 878](#)

**AUTHOR:** Gipson

**TITLE:** Juveniles: restraints

**STATUS:** 10/11/2017-Chaptered by Secretary of State, Chapter 660, Statutes of 2017

**SUMMARY:** This bill authorizes the use of mechanical restraints on a juvenile during transportation outside of a local secure juvenile facility, camp, ranch, or forestry camp, only upon a determination by the probation department, in consultation with the transporting agency, that restraints are necessary to prevent physical harm to the juvenile or another person or due to a substantial risk of flight.

[AB 1022](#)

**AUTHOR:** Irwin

**TITLE:** Information technology: Technology Recovery Plans: inventory

**STATUS:** 10/14/2017-Chaptered by Secretary of State, Chapter 790, Statutes of 2017

**SUMMARY:** This bill requires each state agency, as part of its Technology Recovery Plan, to provide the

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Chaptered Bills – Assembly**

Department of Technology with an inventory of all critical infrastructure controls, and their associated assets, in the possession of the agency. The bill authorizes a local entity that receives state funds for the purpose of storing, sharing, or transmitting data, or in support of an information technology project with a state entity, upon the request of the department, to submit a Technology Recovery Plan, as specified, to the department. The bill would authorize the department to provide suggestions with regard to the plans.

**AB 1176**

**AUTHOR:** Mullin

**TITLE:** High school equivalency tests

**STATUS:** 10/11/2017-Chaptered by Secretary of State, Chapter 663, Statutes of 2017

**SUMMARY:** Existing law authorizes the Superintendent of Public Instruction to provide the general educational development test to, among others, persons confined in certain hospitals or correctional institutions. Existing law authorizes the Superintendent to grant a waiver to a county office of education to provide a general educational development test preparation program, not to exceed one hour per schoolday, as part of any other instructional program during the regular schoolday to certain of these confined persons. This bill no longer limits that program from exceeding one hour per schoolday. The bill replaces all references in the Education Code of the "general educational development test" to a "high school equivalency test."

**AB 1223**

**AUTHOR:** Caballero

**TITLE:** Construction contract payments: Internet Web site posting

**STATUS:** 10/8/17-Chaptered by Secretary of State, Chapter 585, Statutes of 2017

**SUMMARY:** Existing law imposes specified requirements on state agencies regarding payment of construction contracts. Existing law also requires the Department of General Services to publish in the California State Contracts Register notice of progress payments made to prime contractors. This bill requires, within 10 days of making a construction contract payment, a state agency that maintains an Internet Web site to post on its Internet Web site the project for which the payment was made, the name of the construction contractor or company paid, the date the payment was made or the date the state agency transmitted instructions to the Controller or other payer to make the payment, the payment application number or other identifying information, and the amount of the payment.

**AB 1308**

**AUTHOR:** Stone, Mark

**TITLE:** Youth offender parole hearings

**STATUS:** 10/11/17-Chaptered by Secretary of State, Chapter 675, Statutes of 2017

**SUMMARY:** This bill requires the Board of Parole Hearings to conduct youth offender parole hearings for offenders sentenced to state prison who committed those specified crimes when they were 25 years of age or younger. The bill also requires the board to complete, by January 1, 2020, all youth offender parole hearings for individuals who were sentenced to indeterminate life terms who become entitled to have their parole suitability considered at a youth offender parole hearing on the effective date of the bill.

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Chaptered Bills – Assembly**

[AB 1344](#)

**AUTHOR:** Weber

**TITLE:** Voting rights: inmates and persons formerly incarcerated

**STATUS:** 10/14/17-Chaptered by Secretary of State, Chapter 796, Statutes of 2017

**SUMMARY:** This bill requires CDCR and county probation departments to both establish and maintain on their Internet Web site a hyperlink to the Internet Web site at which information provided by the Secretary of State regarding voting rights for persons with a criminal history may be found and to post a notice that contains that Internet Web site address. The bill would also require CDCR and county probation departments to provide certain voting rights information to persons under their jurisdiction upon the request of such a person.

[AB 1448](#)

**AUTHOR:** Weber

**TITLE:** Elderly Parole Program

**STATUS:** 10/11/2017-Chaptered by Secretary of State, Chapter 676, Statutes of 2017

**SUMMARY:** This bill establishes the Elderly Parole Program, for the purpose of reviewing the parole suitability of inmates who are 60 years of age or older and who have served a minimum of 25 years of continuous incarceration, as defined, on their sentence. When considering the release of an inmate who meets these criteria, the bill would require the board to consider whether age, time served, and diminished physical condition, if any, have reduced the elderly inmate's risk for future violence.

**GOVERNOR'S MESSAGE:** I am signing Assembly Bill 1448 to ensure that the bulk of the elderly parole program currently administered by the Board of Parole Hearings under court order will continue after court oversight of our prisons is lifted. This has been a successful program that saves the State a significant amount of money that would otherwise be spent caring for geriatric prisoners who no longer pose a risk to public safety. This is an important bill, and I appreciate the Author and Legislature's willingness to take this step towards codifying responsible and durable reforms to our criminal justice system. I urge this and future legislatures to revisit this policy in future years, however, as I believe the pool of eligible inmates can and should be broadened. This can be done safely, as the current program has shown. Sincerely,  
Edmund G. Brown Jr.

[AB 1456](#)

**AUTHOR:** Low

**TITLE:** Professional licensure

**STATUS:** 7/31/17-Chaptered by Secretary of State, Chapter 151, Statutes of 2017

**SUMMARY:** Existing law requires that a person employed or under contract to provide diagnostic, treatment, or other mental health services in the state or to supervise or provide consultation on these services in the state correctional system be a physician and surgeon, a psychologist, or other health professional, licensed to practice in this state. Existing law authorizes the Secretary of CDCR to waive that requirement for persons in the profession of psychology who are gaining qualifying experience for licensure in that profession in this state, and prohibits the waiver from exceeding 3 years from the date the employment commences in this state. This bill extends the applicable time for those waivers to 4 years

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Chaptered Bills – Assembly**

from commencement of the employment in this state, and authorizes the extension of the waiver for one additional year.

[AB 1459](#)

**AUTHOR:** Quirk-Silva

**TITLE:** Murder: peace officers

**STATUS:** 9/1/17-Chaptered by Secretary of State, Chapter 214, Statutes of 2017

**SUMMARY:** This bill states the findings and declarations of the Legislature that the unlawful killing of a peace officer, as defined, that is deliberate, willful, and premeditated is murder of the first degree for purposes of the gravity of the offense and support of the survivors. The bill identifies these findings as declaratory of existing law.

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

Chaptered Bills - Senate

[SB 31](#)

**AUTHOR:** Lara  
**TITLE:** California Religious Freedom Act: state agencies: disclosure of religious affiliation information  
**STATUS:** 10/15/2017-Chaptered by Secretary of State, Chapter 826, Statutes of 2017  
**SUMMARY:** This bill prohibits a state or local agency or public employee acting under color of law from providing or disclosing to the federal government personal information regarding a person's religious beliefs, practices, or affiliation, as specified, when the information is sought for compiling a database of individuals based on religious belief, practice, or affiliation, national origin, or ethnicity for law enforcement or immigration purposes.

[SB 54](#)

**AUTHOR:** De León  
**TITLE:** Law enforcement: sharing data  
**STATUS:** 10/5/2017-Chaptered by Secretary of State, Chapter 495, Statutes of 2017  
**SUMMARY:** Existing law provides that when there is reason to believe that a person arrested for a violation of specified controlled substance provisions may not be a citizen of the United States, the arresting agency shall notify the appropriate agency of the United States having charge of deportation matters. This bill repeals those provisions.

**GOVERNOR'S MESSAGE:** I am signing Senate Bill 54, the California Values Act. This bill states that local authorities will not ask about immigration status during routine interactions. It also bans unconstitutional detainer requests and prohibits the commandeering of local officials to do the work of immigration agents. The bill further directs our Attorney General to promulgate model policies for local and state health, education, labor and judiciary officials to follow when they deal with immigration matters. In enshrining these new protections, it is important to note what the bill does not do. This bill does not prevent or prohibit Immigration and Customs Enforcement or the Department of Homeland Security from doing their own work in any way. They are free to use their own considerable resources to enforce federal immigration law in California. Moreover, the bill does not prohibit sheriffs from granting immigration authorities access to California jails to conduct routine interviews, nor does it prevent cooperation in deportation proceedings from anyone in state prison or for those in local jails for any of the hundreds of serious offenses listed in the TRUST Act. These are uncertain times for undocumented Californians and their families, and this bill strikes a balance that will protect public safety, while bringing a measure of comfort to those families who are now living in fear every day. Sincerely, Edmund G. Brown Jr.

[SB 112](#)

**AUTHOR:** Committee on Budget and Fiscal Review  
**TITLE:** State government  
**STATUS:** 9/28/2017-Chaptered by Secretary of State, Chapter 363, Statutes of 2017  
**SUMMARY:** This bill makes various statutory changes necessary to implement the Budget Act of 2017. This bill contains provisions that impact several state departments and agencies. As it pertains to CDCR,

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Chaptered Bills - Senate**

this bill requires the State Fire Marshall, in consultation with CDCR, to prepare and adopt regulations for the protection of life and property against fire in any building or structure used or intended for use as a Community Correctional Reentry Facility, as well as buildings and structures that provide residential housing for parolees under contract with CDCR.

**[SB 179](#)**

**AUTHOR:** Atkins

**TITLE:** Gender identity: female, male, or nonbinary

**STATUS:** 10/15/2017-Chaptered by Secretary of State, Chapter 853, Statutes of 2017

**SUMMARY:** This bill enacts the Gender Recognition Act, which amends the procedures that allow transgender and nonbinary individuals to change their name and/or gender marker to conform with their gender identity in several documents including a birth certificate and driver's license.

**[SB 190](#)**

**AUTHOR:** Mitchell

**TITLE:** Juveniles

**STATUS:** 10/11/2017-Chaptered by Secretary of State, Chapter 678, Statutes of 2017

**SUMMARY:** Existing law provides that the board of supervisors of any county may authorize the correctional administrator to offer a program under which inmates committed to a county jail or other county correctional facility or granted probation, or inmates participating in a work furlough program, may voluntarily participate or involuntarily be placed in a home detention program during their sentence in lieu of confinement in a county jail or other county correctional facility or program. Existing law authorizes the board of supervisors to prescribe a program administrative fee and an application fee for this program. This bill makes those fees payable only by adult participants of that home detention program who are over 21 years of age and under the jurisdiction of the criminal court.

**[SB 285](#)**

**AUTHOR:** Atkins

**TITLE:** Public employers: union organizing

**STATUS:** 10/7/2017-Chaptered by Secretary of State, Chapter 567, Statutes of 2017

**SUMMARY:** This bill prohibits a public employer from deterring or discouraging public employees from becoming or remaining members of an employee organization. This bill defines a public employer for this purpose to include counties, cities, districts, the state, schools, transit districts, the University of California, and the California State University, among others. This bill would grant the Public Employment Relations Board jurisdiction over violations of its provisions.

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

Chaptered Bills - Senate

[SB 306](#)

**AUTHOR:** Hertzberg

**TITLE:** Retaliation actions: complaints: administrative review

**STATUS:** 10/3/2017-Chaptered by Secretary of State, Chapter 460, Statutes of 2017

**SUMMARY:** This bill grants the Labor Commissioner authority to seek an immediate and temporary injunction when workers face retaliation for reporting violations of the law. This bill also gives the Labor Commissioner authority to issue citations and penalties directly to enforce retaliation claims, rather than exclusively through the courts. This bill authorizes an employee who is bringing a civil action for retaliation claim to seek injunctive relief from the court.

[SB 310](#)

**AUTHOR:** Atkins

**TITLE:** Name and gender change: prisons and county jails

**STATUS:** 10/15/2017-Chaptered by Secretary of State, Chapter 856, Statutes of 2017

**SUMMARY:** Existing law prohibits a person imprisoned in the state prison from filing a petition for a change of name unless permitted by the CDCR Secretary. Existing law requires a court to deny a petition for a name change made by a person under the jurisdiction of CDCR, unless that person's parole agent or probation officer determines that the name change will not pose a security risk to the community and grants prior written approval. This bill, commencing September 1, 2018, removes those limitations on a petition for a change of name filed by a person imprisoned in a state prison. The bill instead establishes the right of a person under the jurisdiction of the Department or sentenced to county jail to petition the court to obtain a name or gender change.

[SB 312](#)

**AUTHOR:** Skinner

**TITLE:** Juveniles: sealing of records

**STATUS:** 10/11/2017-Chaptered by Secretary of State, Chapter 679, Statutes of 2017

**SUMMARY:** Existing law requires the juvenile court to order the petition of a minor who is subject to the jurisdiction of the court dismissed if the minor satisfactorily completes a term of probation or an informal program of supervision, as specified, and requires the court to seal all records pertaining to that dismissed petition in the custody of the juvenile court and in the custody of law enforcement agencies, the probation department, or the Department of Justice in accordance with a specified procedure. Existing law prohibits the court from sealing a record or dismissing a petition under this provision if the petition was sustained based on the commission of any specified serious or violent offense. This bill expands the exception to require the court to seal a record or dismiss a petition under specified provisions if the finding on that serious or violent offense was reduced to a misdemeanor.

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

Chaptered Bills - Senate

[SB 336](#)

**AUTHOR:** Anderson

**TITLE:** Exonerated inmates: transitional services

**STATUS:** 10/12/2017-Chaptered by Secretary of State, Chapter 728, Statutes of 2017

**SUMMARY:** Existing law requires CDCR to assist a person who is exonerated, as defined, as to a conviction for which he or she is serving a state prison sentence at the time of exoneration with specified transitional services for a period of not less than 6 months and not more than one year from the date of release. This bill revises the definition of exonerated for the purpose of eligibility for assistance with transitional services to include a person who has been convicted and subsequently was granted a writ of habeas corpus, as specified.

[SB 373](#)

**AUTHOR:** Canella

**TITLE:** Public contracts: design-build: Stanislaus Regional Water Authority

**STATUS:** 9/30/2017-Chaptered by Secretary of State, Chapter 391, Statutes of 2017

**SUMMARY:** Existing law, until January 1, 2025, authorizes the Department of General Services, CDCR, and certain local agencies to use the design-build procurement process for specified public works. Existing law defines a "local agency" and a "project" for purposes of these provisions. This bill modifies those definitions to authorize the Stanislaus Regional Water Authority to use the design-build procurement process for its Regional Surface Water Supply Project.

[SB 384](#)

**AUTHOR:** Wiener

**TITLE:** Sex offenders: registration: criminal record information systems

**STATUS:** 10/6/2017-Chaptered by Secretary of State, Chapter 541, Statutes of 2017

**SUMMARY:** Existing law requires the Department of Justice to make available to the public information concerning registered sex offenders on an Internet Web site, as specified. Existing law requires that information to include, among other things, whether the offender was subsequently incarcerated for another felony. Existing law also authorizes a person to file an application for exclusion from the Internet Web site and establishes the requirements for exclusion. This bill, commencing January 1, 2021, establishes three tiers of registration based on specified criteria, for periods of at least 10 years, at least 20 years, and life, respectively, for a conviction of specified sex offenses, and 5 years and 10 years for tiers one and two, respectively, for an adjudication as a ward of the juvenile court for specified sex offenses, as specified.

[SB 394](#)

**AUTHOR:** Lara

**TITLE:** Parole: youth offender parole hearings

**STATUS:** 10/11/2017-Chaptered by Secretary of State, Chapter 684, Statutes of 2017

**SUMMARY:** This bill makes a person who was convicted of a controlling offense that was committed

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

Chaptered Bills - Senate

before the person had attained 18 years of age and for which a life sentence without the possibility of parole has been imposed eligible for release on parole by the board during his or her 25th year of incarceration at a youth offender parole hearing. This bill requires the Board of Parole Hearings to complete, by July 1, 2020, all hearings for individuals who are or will be entitled to have their parole suitability considered at a youth offender parole hearing by these provisions before July 1, 2020. The bill makes other technical, nonsubstantive changes.

[SB 395](#)

**AUTHOR:** Lara

**TITLE:** Custodial interrogation: juveniles

**STATUS:** 10/11/2017-Chaptered by Secretary of State, Chapter 681, Statutes of 2017

**SUMMARY:** Existing law authorizes a peace officer to take a minor into temporary custody when that officer has reasonable cause to believe that the minor has committed a crime or violated an order of the juvenile court. In these circumstances, existing law requires the peace officer to advise the minor that anything he or she says can be used against him or her, that he or she has the right to remain silent, that he or she has the right to have counsel present during any interrogation, and that he or she has the right to have counsel appointed if he or she is unable to afford counsel. This bill requires that a youth 15 years of age or younger consult with legal counsel in person, by telephone, or by video conference prior to a custodial interrogation and before waiving any of the above-specified rights.

[SB 613](#)

**AUTHOR:** De León

**TITLE:** Immigration status

**STATUS:** 10/13/2017-Chaptered by Secretary of State, Chapter 774, Statutes of 2017

**SUMMARY:** Existing law requires the Division of Juvenile Justice to cooperate with the United States Bureau of Immigration in arranging for the deportation of all aliens who are committed to it. This bill repeals that provision.

[SB 620](#)

**AUTHOR:** Bradford

**TITLE:** Firearms: crimes: enhancements

**STATUS:** 10/11/2017-Chaptered by Secretary of State, Chapter 682, Statutes of 2017

**SUMMARY:** Existing law requires a person who personally uses a firearm to commit certain specified felonies to be punished by an additional and consecutive term of imprisonment in the state prison for 10 years, or for 20 years if he or she discharged the firearm, or for 25 years to life if he or she discharges the firearm and proximately causes great bodily harm. Existing law prohibits the court from striking an allegation or finding that would make a crime punishable pursuant to these provisions. This bill deletes the prohibition on striking an allegation or finding and, instead, allows a court, in the interest of justice and at the time of sentencing or resentencing, to strike or dismiss an enhancement otherwise required to be imposed by the above provisions of law.

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Chaptered Bills - Senate**

**[SB 625](#)**

**AUTHOR:** Atkins

**TITLE:** Juveniles: honorable discharge

**STATUS:** 10/11/2017-Chaptered by Secretary of State, Chapter 683, Statutes of 2017

**SUMMARY:** Existing law sets forth provisions for the discharge of wards from CDCR, Division of Juvenile Justice to the jurisdiction of the committing court. Under existing law, the Department has no further jurisdiction over a ward who is discharged by the Board of Juvenile Hearings. Existing law requires the committing court to establish the conditions of the ward's supervision and requires the county of commitment to supervise the reentry of the ward. This bill, among other things, confers on the Board the obligation to make an honorable discharge determination for a person previously committed to the Division of Juvenile Justice upon his or her completion of local probation supervision, but not sooner than 18 months following the date of discharge by the Board.

**[SB 776](#)**

**AUTHOR:** Newman

**TITLE:** Corrections: veterans' benefits

**STATUS:** 10/8/2017-Chaptered by Secretary of State, Chapter 599, Statutes of 2017

**SUMMARY:** Existing law establishes CDCR, and charges it with certain duties and powers, including, among others, the operation of state prisons. Existing law establishes the Department of Veterans Affairs, which is responsible for administering various programs and services for the benefit of veterans. This bill requires the Department of Veterans Affairs to provide an employee for every five state prisons, who is trained and accredited by the Department of Veterans Affairs, to assist incarcerated veterans in applying for and receiving any federal or other veterans' benefits for which they or their families may be eligible.

**[SB 811](#)**

**AUTHOR:** Committee on Public Safety

**TITLE:** Public safety: omnibus

**STATUS:** 9/23/2017-Chaptered by Secretary of State, Chapter 269, Statutes of 2017

**SUMMARY:** This bill is the Senate Public Safety Committee's annual omnibus measure that makes technical and corrective changes to various provisions of the Evidence Code, Government Code, Health and Safety Code, Penal Code, and Welfare and Institutions Code. As it pertains to CDCR, this bill, among other things, renames the Council on Mentally Ill Offenders (COMIO) to the Council on Criminal Justice and Behavioral Health.

**[SB 814](#)**

**AUTHOR:** Committee on Governmental Organization

**TITLE:** State real property: surplus

**STATUS:** 10/14/2017-Chaptered by Secretary of State, Chapter 815, Statutes of 2017

**SUMMARY:** Existing law provides that the Director of General Services may acquire and dispose of surplus state real property where that property is not needed by another state agency and the Legislature

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Chaptered Bills - Senate**

has authorized disposal of the property. Existing law also specifies the manner in which the Department is to dispose of surplus state real property. This bill authorizes the Director to dispose of a specified state property pursuant to these provisions, subject to conditions specified in the act relating to the approval of the agreement.

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Vetoed Bills**

**AB 154**

**AUTHOR:** Levine  
**TITLE:** Prisoners: mental health treatment  
**STATUS:** 9/25/2017-Vetoed by the Governor

**SUMMARY:** Existing law requires a court, upon the conviction of a defendant of a felony resulting in his or her sentencing to state prison, to recommend in writing that the defendant participate in a counseling or education program having a substance abuse component while imprisoned if the court makes certain findings relating to his or her drug use. This bill would have required a court, upon the conviction of a defendant for a felony resulting in his or her sentencing to state prison, to recommend in writing that the defendant receive a mental health evaluation if the court finds that the defendant at the time of the commission of the offense was suffering from a serious mental illness or has a demonstrated history of mental illness.

**GOVERNOR'S MESSAGE:** I am returning Assembly Bill 154 without my signature. This bill requires the sentencing court, after making specified findings, to provide a recommendation to the California Department of Corrections and Rehabilitation to conduct a mental health evaluation on a defendant sentenced to state prison. While I understand the author's intent, the California Department of Corrections and Rehabilitation already conducts mental health evaluations on every defendant sentenced to state prison, regardless of a recommendation from the court. Sincerely, Edmund G. Brown Jr.

**AB 547**

**AUTHOR:** Chavez  
**TITLE:** California Prompt Payment Act: disabled veteran business enterprises  
**STATUS:** 10/10/2017-Vetoed by the Governor

**SUMMARY:** This bill would have required state agencies to pay an undisputed invoice from a certified disabled veteran business enterprise that is also a small business, as defined, within 30 days of initial receipt. The bill would have required a state agency to submit a claim on an undisputed invoice to the Controller for a payment within 15 calendar days of the agency's receipt. If an agency fails to submit a correct claim schedule within 15 days of receiving an invoice, and payment is not made within 30 days of receipt, the bill would have required the agency to pay penalties from its funds, as specified.

**GOVERNOR'S MESSAGE:** I am returning Assembly Bill 547 without my signature. This bill would require the state to pay invoices within 30 days when submitted by a disabled veteran business enterprise that is also small business. The Prompt Payment Act already requires invoices to be paid within 45 days. While I am supportive of our small disabled veteran business enterprises, I think that it is important for the state to continue to focus on making timely payments on all state contracts. Rather than introducing a new process that could undo the state's progress, I would simply encourage state agencies to accelerate payments on invoices whenever possible. Sincerely, Edmund G. Brown Jr.

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

Vetoed Bills

[AB 662](#)

**AUTHOR:** Choi  
**TITLE:** Restitution: tracking  
**STATUS:** 9/11/2017-Vetoed by the Governor

**SUMMARY:** Existing law establishes a local Community Corrections Partnership (CCP) in each county and requires the CCP to recommend a local plan to the county board of supervisors for the implementation of the 2011 public safety realignment. Current law allows the plan to include recommendations to maximize the effective investment of criminal justice resources in evidence-based correction sanctions and programming, including specifically, among other things, victim restitution programs. This bill would have required a county agency or department administering the collection of restitution in the above circumstances to track restitution payments and send monthly notices to the individual responsible for paying restitution and quarterly statements to the victim, if victim contact information is available, detailing the payment status of the restitution order.

**GOVERNOR'S MESSAGE:** I am returning Assembly Bill 662 without my signature. This bill would require a county agency or department administering the collection of restitution to track restitution payments and send monthly notices to the individual responsible for paying restitution and quarterly statements to the victim. It would appear that the author intends to ensure the timely collection of restitution payments, a laudable goal. It is unclear, however, how this bill would have the desired effect. In fact, the increased workload it would place on counties could well dis-incentivize the development of restitution collection programs, a permissive activity on the part of the county. I don't believe this level of proscription - imposing a uniform state wide rule - is warranted. Sincerely, Edmund G. Brown Jr.

[AB 811](#)

**AUTHOR:** Gipson  
**TITLE:** Juveniles: rights: computing technology  
**STATUS:** 10/11/2017-Vetoed by the Governor

**SUMMARY:** This bill would have required a youth confined in a facility of the Division of Juvenile Justice, commencing January 1, 2021, to be provided reasonable access to computer technology and the Internet for the purposes of education and maintaining contact with family members. The bill would also have required a minor detained in or committed to a juvenile hall or juvenile ranch, camp, or forestry camp, to be provided with reasonable access to computer technology and the Internet for the purposes of education, and would have allowed him or her to be provided with reasonable access to computer technology and the Internet for the purpose of maintaining relationships with family.

**GOVERNOR'S MESSAGE:** I am returning Assembly Bill 811 without my signature. This bill requires that reasonable access to computer technology and the internet be provided to foster youth, as well as youth confined in Department of Juvenile Justice or local juvenile facilities. While I agree with this bill's intent, the inclusion of state facilities alone will cost upwards of \$15 million for infrastructure upgrades. Also, the reasonable access standard in this bill is vague, and could lead to implementation questions on top of the potentially costly state mandate created by the legislation. I therefore urge the proponents to revisit the local aspects of this bill in the future, taking these concerns under advisement. In the meantime I am

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Vetoed Bills**

directing the Department of Juvenile Justice to present a plan in the coming year to provide computer and internet access as soon as is practicable, and that can be budgeted for accordingly. Sincerely, Edmund G. Brown Jr.

**AB 961**

**AUTHOR:** Quirk-Silva  
**TITLE:** Disabled Veteran Business Enterprise Program  
**STATUS:** 10/13/2017-Vetoed by the Governor

**SUMMARY:** Existing law requires the Department of Veterans Affairs to perform designated activities in connection with the California Disabled Veteran Business Enterprise (DVBE) Program, including maintaining complete records of its promotional efforts, and tracking the effectiveness of its efforts to promote the program with periodic surveys of newly certified DVBEs to determine specified information about the DVBE's experience with the program. This bill would have required the records of the department's promotional efforts to include specified information about the business attending or participating in those promotional efforts.

**GOVERNOR'S MESSAGE:** I am returning Assembly Bill 961 without my signature. This bill would require the Department of Veteran Affairs to maintain specific records of promotional efforts related to the disabled veteran business enterprise program. The department should continue to review its outreach strategies for this important program within its existing authority. This bill is unnecessary to fulfill such efforts and adds another layer of bureaucratic monitoring. Sincerely, Edmund G. Brown Jr.

**AB 1068**

**AUTHOR:** Gonzalez-Fletcher  
**TITLE:** Prison Industry Authority: private employer: pilot program  
**STATUS:** 10/14/2017-Vetoed by the Governor

**SUMMARY:** This bill would have required the Prison Industry Authority to establish a pilot program by selecting one private employer that employs ex-felons, as defined, to provide goods to the Department of Corrections and Rehabilitation or other state agencies pursuant to a procurement contract with the Department of General Services. The bill would have entitled the selected private employer to a bid preference of 20% if half or more of the employer's nonexempt employees performing work on the contract are full-time employees who are ex-felons, 10% if one-quarter or more, but less than one-half, of the employer's nonexempt employees performing work on the contract are full-time employees who are ex-felons, 10% if the employer provides employer-funded health care coverage and a retirement plan, and 10% if the employer has executed a labor peace agreement.

**GOVERNOR'S MESSAGE:** I am returning Assembly Bill 1068 without my signature. This bill requires the California Prison Industry Authority to establish a pilot program to contract with a company that employs ex-offenders to provide goods to state agencies. The selected company would receive a 10% to 40% bid preference depending on whether it met certain criteria. A bid preference pilot program is an idea that has merit, but it should more closely mirror existing preferences in state law. I urge the proponents to work with

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Vetoed Bills**

the Administration to explore additional ways to incentivize the hiring of formerly incarcerated individuals, a goal that I strongly support. Sincerely, Edmund G. Brown Jr.

**AB 1320**

**AUTHOR:** Bonta  
**TITLE:** State prisons: private, for-profit administration services  
**STATUS:** 10/5/2017-Vetoed by the Governor

**SUMMARY:** This bill would have prohibited CDCR from entering into a contract with an out-of state, private, for-profit prison on or after January 1, 2018, and would have prohibited the Department from renewing a contract with an out-of-state, private, for-profit prison on or after January 1, 2020. The bill would also have prohibited, after January 1, 2021, any state prison inmate or other person under the jurisdiction of the department from being housed in any out-of-state, private, for-profit prison facility.

**GOVERNOR'S MESSAGE:** I am returning Assembly Bill 1320 without my signature. This bill prohibits, as of 2021, the California Department of Corrections and Rehabilitation from contracting with private prisons located out of state. I agree that out-of-state inmates should be returned to California as soon as possible, which is why the administration's 2017-18 budget outlines a plan to accomplish this goal. In order, however, to maintain the prison population at or below 137.5% of design capacity, as required by the Federal courts, the Department of Corrections and Rehabilitation needs to maintain maximum flexibility in the short term. Sincerely, Edmund G. Brown Jr.

**AB 1408**

**AUTHOR:** Calderon  
**TITLE:** Crimes: supervised release  
**STATUS:** 10/15/2017-Vetoed by the Governor

**SUMMARY:** Existing law requires CDCR to provide specified information to local law enforcement agencies regarding an inmate released by the department to the agency's jurisdiction on parole or postrelease community supervision, including a record of the offense for which the inmate was convicted that resulted in parole or postrelease community supervision. This bill would require the department to also provide the local law enforcement agency with copies of the record of supervision during any prior period of parole.

**GOVERNOR'S MESSAGE:** I am returning Assembly Bill 1408 without my signature. This bill-among other requirements placed on both the local and state correctional systems-would limit local probation departments' ability to use intermediate sanctions for individuals under post release community supervision. This bill was introduced as a response to the senseless and horrifying murder of a Whittier police officer, an event that shocked and saddened our entire state. Unfortunately-as history has taught us repeatedly- legislative responses to specific individual crimes often do not produce the intended results, and more often than not are found to be counterproductive once they are implemented. I believe this is such a bill, and while I appreciate the author's sincere attempt to respond to a truly terrible crime, I do not agree that a three-strikes and you're out approach is the correct solution. This measure would undermine

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Vetoed Bills**

the sound discretion of local probation authorities who, by training and sworn responsibility, are in the best position to make determinations on what type of sanctions or punishment should be imposed. Sincerely, Edmund G. Brown Jr.

**AB 1479**

**AUTHOR:** Bonta  
**TITLE:** Public records: custodian of records: civil penalties  
**STATUS:** 10/13/2017-Vetoed by the Governor

**SUMMARY:** This bill would have required, commencing January 1, 2023, public agencies to designate a person or persons, or office or offices to act as the agency's custodian of records who is responsible for responding to any request made pursuant to the California Public Records Act and any inquiry from the public about a decision by the agency to deny a request for records. The bill also would have made other conforming changes.

**GOVERNOR'S MESSAGE:** I am returning Assembly Bill 1479 without my signature. This bill requires public agencies designate a person or office to act as the agency's custodian of records to respond to any California Public Records Act request. I am not convinced this bill would have any measurable impact on the speed or accuracy in responding to Public Record Act requests. While I am open to future discussions about strengthening public record disclosures for all branches of California government, this bill has the potential to further confuse an already complex process. Sincerely, Edmund G. Brown Jr.

**SB 304**

**AUTHOR:** Portantino  
**TITLE:** Juvenile court school pupils: joint transition planning policy: individualized transition plan  
**STATUS:** 10/14/2017-Vetoed by the Governor

**SUMMARY:** This bill would have required a pupil detained for more than 20 consecutive schooldays to have an individualized transition plan, as specified, to be developed by the county office of education in collaboration with the county probation department, and to have a transition portfolio, as described, developed by the county office of education to be accessible to the pupil upon his or her release. The bill would have required, for pupils detained for 20 consecutive schooldays or less, the pupil's individualized learning plan, if one exists, to be made available by the county office of education to the pupil upon his or her release.

**GOVERNOR'S MESSAGE:** I am returning Senate Bill 304 without my signature. This bill requires a county office of education and county probation department to include in their joint transition planning policy an individualized plan and transition portfolio for juvenile court school students detained for more than 20 consecutive days. I signed Assembly Bill 2276 in 2014, which requires a county office of education and probation department to develop a joint transition planning policy to assist students transitioning from juvenile court schools to other schools. I believe this provides sufficient guidance to get the job done. Sincerely, Edmund G. Brown Jr.

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Vetoed Bills**

**[SB 345](#)**

**AUTHOR:** Bradford

**TITLE:** Law enforcement agencies: public records

**STATUS:** 10/14/2017-Vetoed by the Governor

**SUMMARY:** This bill would commencing January 1, 2019, have required CDCR, the Department of Alcoholic Beverage Control, the Department of the California Highway Patrol, the Department of Fish and Wildlife, the Department of Justice, the Commission on Peace Officer Standards and Training, and each local law enforcement agency to conspicuously post on their Internet Web sites all current standards, policies, practices, operating procedures, and education and training materials that would otherwise be available to the public if a request was made pursuant to the California Public Records Act.

**GOVERNOR'S MESSAGE:** I am returning Senate Bill 345 without my signature. This bill requires law enforcement agencies, including certain state agencies, to post on their websites all current standards, policies, practices, operating procedures, education and training materials that would otherwise be available if a request was made under the California Public Records Act. This bill is too broad in scope and vaguely drafted. I appreciate the author's desire for additional transparency of police practices and local law enforcement procedures, but I believe this goal can be accomplished with a more targeted and precise approach. Sincerely, Edmund G. Brown Jr.

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

Legislation of Interest

[AB 43](#)

**AUTHOR:** Thurmond  
**TITLE:** Taxation: prison contracts: goods and services  
**STATUS:** 5/26/17-In committee: Hearing postponed by Assembly Appropriations.  
**SUMMARY:** This bill would impose a 10% tax on the privilege of contracting with a state prison to provide state prison goods or services, and establishes the State Incarceration Prevention Fund for preschool and afterschool programs for purposes of providing services to prevent incarceration.

[AB 183](#)

**AUTHOR:** Lackey  
**TITLE:** Bill of Rights for State Excluded Employees  
**STATUS:** 9/7/17-Ordered to inactive file at the request of Assembly Member Lackey.  
**SUMMARY:** Existing law under the Bill of Rights for State Excluded Employees (bill of rights) prescribes various rights and terms and conditions of employment for excluded employees, defined as certain supervisory, managerial, and confidential state employees, among other specified employees. This bill would amend the bill of rights to require the management of each state entity, as specified, on or before January 1, 2019, to develop policies for their supervisory employees regarding shift assignments, vacations, and overtime, and to meet with the supervisory employee organizations that represent the excluded employees. This bill would not apply to the Department of the California Highway Patrol.

[AB 285](#)

**AUTHOR:** Melendez  
**TITLE:** Drug and alcohol free residences  
**STATUS:** 5/26/2017- Failed Deadline pursuant to Rule 61(a)(5). (Last location was Assembly Appropriations on 5/26/2017) (May be acted upon Jan. 2018)  
**SUMMARY:** This bill would, among other things, define a "drug and alcohol free residence" as a residential property that is operated as a cooperative living arrangement to provide an alcohol and drug free environment for persons recovering from alcoholism or drug abuse, or both, who seek a living environment that supports persons recovering from alcoholism or drug abuse, or both, who seek a living environment that supports personal recovery. This bill would authorize a drug and alcohol free residence to demonstrate its commitment to providing a supportive recovery environment by applying and becoming certified by an approved certifying organization that is approved by the State Department of Health Care Services.

[AB 387](#)

**AUTHOR:** Thurmond  
**TITLE:** Minimum wage: health professionals: interns  
**STATUS:** 6/2/2017-Failed Deadline pursuant to Rule 61(a)(8). (Last location was inactive file on 6/1/2017) (May be acted upon Jan. 2018)  
**SUMMARY:** Existing law requires the minimum wage for all industries to not be less than specified amounts to be increased from January 1, 2017, to January 1, 2022, inclusive, for employers employing 26 or more employees and from January 1, 2018, to January 1, 2023, inclusive, for employers employing 25 or

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

Legislation of Interest

fewer employees, except when the scheduled increases are temporarily suspended by the Governor, based on certain determinations. Current law defines an employer for purposes of those provisions. This bill would expand the definition of "employer" for purposes of these provisions to include a person who directly or indirectly, or through an agent or any other person, employs or exercises control over the wages, hours, or working conditions of a person engaged in a period of supervised work experience longer than 100 hours to satisfy requirements for licensure, registration, or certification as an allied health professional, as defined.

[AB 538](#)

**AUTHOR:** Acosta  
**TITLE:** Sentencing  
**STATUS:** 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was Assembly Public Safety on 2/27/2017) (May be acted upon Jan. 2018)

**SUMMARY:** Existing law provides that certain specified felonies are punished by imprisonment in a county jail, but requires that the sentence be served in state prison if the defendant has a prior or current conviction for a serious or violent felony, has a prior felony conviction in another jurisdiction that has all the elements of a serious or violent felony, is required to register as a sex offender, or has an aggravated white collar crime enhancement imposed as part of the sentence. This bill would additionally require a sentence to be served in state prison if the defendant is convicted of a felony or felonies otherwise punishable in a county jail and is sentenced to an aggregate term of more than three years.

[AB 587](#)

**AUTHOR:** Chiu  
**TITLE:** State government: pharmaceuticals: procurement: collaborative  
**STATUS:** 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was Senate Appropriations on 7/12/2017) (May be acted upon Jan. 2018)

**SUMMARY:** Existing law authorizes the Department of General Services to explore additional strategies for managing prescription drug costs and investigate and implement those strategies in consultation with other specified state agencies. This bill would revise these provisions and instead require the department to convene the California Pharmaceutical Collaborative cochaired by the Deputy Director of the Procurement Division of the department and the Assistant Secretary of California Health and Human Services to address the rising cost of pharmaceuticals.

[AB 610](#)

**AUTHOR:** O'Donnell  
**TITLE:** Victims of crime: notification  
**STATUS:** 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was Assembly Public Safety on 3/23/2017) (May be acted upon Jan. 2018).

**SUMMARY:** Existing law requires CDCR to give notice of any hearing to review or consider the parole suitability of an inmate to any victim of a crime committed by the inmate at least 90 days before his or her hearing before the Board of Parole Hearings. Existing law requires the victim to make a request and keep

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Legislation of Interest**

the Board apprised of his or her current contact information in order to receive the notice. Existing law also requires the department to provide a form to enable victims of crime to request and receive notification from CDCR of the release, escape, scheduled execution, or death of a violent offender. This bill would require CDCR to create a victim outreach program to conduct outreach to victims, witnesses, or next of kin of victims that have not yet requested notification and to make the right to notification services public, as provided.

[AB 620](#)

**AUTHOR:** Holden

**TITLE:** Prisoners: trauma-focused programming

**STATUS:** 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was Assembly Appropriations on 5/3/2017) (May be acted upon Jan. 2018)

**SUMMARY:** This bill would require CDCR to implement a four year pilot program at four state prisons to offer trauma-focused programming, which includes, among other things, programs that provide tools for coping and dealing with trauma and individual therapy, to qualified incarcerated persons during the five years preceding his or her parole date. This bill would require CDCR, by July 1, 2018, to convene a stakeholder group, as specified, and develop trauma-focused programming for use in the pilot program.

[AB 627](#)

**AUTHOR:** Bigelow

**TITLE:** Prisons: contracts for food

**STATUS:** 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was Assembly Appropriations on 5/26/2017) (May be acted upon Jan. 2018)

**SUMMARY:** Existing law authorizes CDCR to contract for provisions, clothing, medicines, forage, fuel, and all other staple supplies needed for the support of the provisions for any period of time, not exceeding one year, as specified. This bill would require contracts entered into or renewed on or after January 1, 2018, for the supply of food for the prisons to require that not less than 50% of the food supplied be California grown, as specified.

[AB 665](#)

**AUTHOR:** Levine

**TITLE:** Military personnel: veterans: resentencing: mitigating circumstances

**STATUS:** 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was Senate Appropriations on 8/21/2017) (May be acted upon Jan. 2018)

**SUMMARY:** Existing law, effective January 1, 2015, requires the court, if it concludes that a defendant convicted of a felony offense is, or was, a member of the United States military who may be suffering from sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems as a result of his or her military service, to consider that circumstance as a factor in mitigation when imposing a term pursuant to specified sentencing provisions. Under current law, this consideration does not preclude the court from considering similar trauma, injury, substance abuse, or mental health due

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Legislation of Interest**

to other causes, as evidence or factors in mitigation. This bill would authorize any person who was sentenced for a felony conviction prior to January 1, 2015, and who is, or was, a member of the United States military and who may be suffering from any of the above-described conditions as a result of his or her military service to petition for a recall of sentence under specified conditions.

**[AB 700](#)**

**AUTHOR:** Jones-Sawyer  
**TITLE:** Public health: alcoholism or drug abuse recovery: substance use disorder counseling  
**STATUS:** 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was Senate Health on 6/14/2017) (May be acted upon Jan. 2018)

**SUMMARY:** This bill would establish a career ladder for substance use disorder counseling, as defined, to be maintained and updated by the State Department of Health Care Services. The bill would establish classifications for substance use disorder (SUD) counselor certification or registration, as specified, to be implemented by the certifying organizations, as defined. The bill would require any person who engages in the practice of SUD counseling to be certified by, or registered with, a certifying organization, unless specifically exempted.

**[AB 748](#)**

**AUTHOR:** Ting  
**TITLE:** Peace officers: video and audio recordings: disclosure  
**STATUS:** 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was Senate Judiciary on 8/23/2017) (May be acted upon Jan. 2018)

**SUMMARY:** The California Public Records Act requires that public records, as defined, be available to the public for inspection and made promptly available to any person. Current law makes records of investigations conducted by any state or local police agency exempt from these requirements. Current law requires specified information regarding the investigation of crimes to be disclosed to the public unless disclosure would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation. This bill would, notwithstanding the above provisions, allow a video or audio recording that relates to a matter of public concern because it depicts an incident involving a peace officer's use of force, or is reasonably believed to involve a violation of law or agency policy by a peace officer, to be withheld for a maximum of 120 calendar days if disclosure would substantially impede an active investigation.

**[AB 887](#)**

**AUTHOR:** Cooper  
**TITLE:** Public safety officers: investigations and interviews  
**STATUS:** 9/6/2017-Ordered to inactive file at the request of Senator Mendoza

**SUMMARY:** The Public Safety Officers Procedural Bill of Rights Act requires, when a public safety officer is under investigation and is interrogated by his or her commanding officer, or another member of the employing agency, on matters than that could lead to punitive action, the interrogation be conducted under

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Legislation of Interest**

certain conditions, including that the public safety officer under investigation shall be informed of the nature of the investigation prior to any interrogation. This bill would specify that a public safety officer under investigation is required to be informed of the time, date, and location of any incident at issue, the internal affairs case number, if any, and the title of any policies, rules, and procedures alleged to have been violated with a general characterization of the event giving rise to any complaint.

**[AB 1017](#)**

**AUTHOR:** Santiago  
**TITLE:** Collective bargaining agreements: arbitration: litigation  
**STATUS:** 9/15/2017-Ordered to the Senate. In Senate. Held at Desk.

**SUMMARY:** Existing law, with regard to disputes concerning collective bargaining agreements for private employment, requires a court to award attorney's fees to a prevailing party in an action to compel arbitration of the disputes unless the other party has raised substantial and credible issues involving complex or significant questions of law or fact regarding whether or not the dispute is arbitrable. Existing law also creates, in this context, a right to attorney's fees for a prevailing party in a court action to compel compliance with the decision or award of an arbitrator or grievance panel regarding the disputes, or for a prevailing appellee in the appeal of the decision of an arbitrator regarding the disputes, unless the other party or appellant, respectively, has raised substantial issues involving complex or significant questions of law. This bill would apply these provisions to public employment.

**[AB 1033](#)**

**AUTHOR:** Garcia, Cristina  
**TITLE:** Sexual battery: condoms  
**STATUS:** 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was Senate Appropriations on 8/21/2017) (May be acted upon Jan. 2018).

**SUMMARY:** This bill would establish an additional sexual battery offense when an act of sexual intercourse is accomplished under certain circumstances, including, among others, when a person using a condom intentionally and without consent removes the condom prior to or during the act, when a person using the condom intentionally and without consent tampers with the condom and that condom is used during the act, or when the person intentionally and without consent uses a condom during the act that the person knows has been tampered with.

**[AB 1080](#)**

**AUTHOR:** Gonzalez-Fletcher  
**TITLE:** Public contracts: bid preferences: employee health care coverage  
**STATUS:** 9/15/2017-Ordered to inactive file at the request of Senator Monning.

**SUMMARY:** Existing law imposes various requirements with respect to contracting by public entities. This bill would require a state agency awarding specified contracts to provide a 5% bid preference to a bidder or subcontractor that provided credible health care coverage, as defined, to employees during the 12-month period immediately preceding submission of the bid. The bill would also require a bidder and its

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Legislation of Interest**

subcontractors to submit claim statements, on a form developed by the Department of General Services with the Department of Industrial Relations, certifying that the bidder and all of the listed subcontractors qualify for the bid preference.

**[AB 1116](#)**

**AUTHOR:** Grayson  
**TITLE:** Peer Support and Crisis Referral Services Act  
**STATUS:** 9/11/2017-Read second time. Ordered to third reading. Ordered to inactive file at the request of Senator Atkins.

**SUMMARY:** This bill would create the Peer Support and Crisis Referral Services Act. The bill would, for purposes of the Act, define a "peer support team" and provide that a communication made by emergency service personnel to a peer support team member while the emergency service personnel receives peer support services is confidential and shall not be disclosed in a civil or administrative proceeding, except as specified. The bill would provide that, except for an action for medical malpractice, a peer support team or a peer support team member providing peer support services is not liable for damages. The bill would also provide that communication made by emergency service personnel to a crisis hotline or crisis referral service is confidential and shall not be disclosed in a civil or administrative proceeding. In addition, the bill would establish a privilege for a communication between an individual employed as emergency service personnel and a peer support team member or a person or volunteer staffing a crisis hotline or crisis referral service for emergency service personnel for the purposes of a noncriminal proceeding, as specified.

**[AB 1161](#)**

**AUTHOR:** Ting  
**TITLE:** Hate crimes: law enforcement policies  
**STATUS:** 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was Assembly Appropriations on 5/26/2017) (May be acted upon Jan. 2018)

**SUMMARY:** This bill would require any hate crime policy adopted or revised by a state or local law enforcement agency to include, among other things, the model policy framework developed by California Commission on Peace Officer Standards and Training (POST) and information regarding bias motivation. The bill would require POST, if it updates the framework or other formal policy on hate crimes, to incorporate this information in its framework or other formal policy. This bill would also require any state or local law enforcement agency that adopts or revises a hate crime policy to consult with specified groups.

**[AB 1250](#)**

**AUTHOR:** Jones-Sawyer  
**TITLE:** Counties: contracts for personal services  
**STATUS:** 9/5/2017-Read second time. Re-referred to Senate Rules.

**SUMMARY:** This bill would establish specific standards for the use of personal services contracts by counties. This bill would allow a county or county agency to contract for personal services currently or

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Legislation of Interest**

customarily performed by employees, as applicable, when specified conditions are met. The bill would exempt certain types of contracts from its provisions, and would exempt a city and county from its provisions.

**[AB 1298](#)**

**AUTHOR:** Santiago  
**TITLE:** Public safety officers: procedural rights  
**STATUS:** 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was Senate Public Safety on 6/14/2017) (May be acted upon Jan. 2018)

**SUMMARY:** This bill would require, when any public safety officer is under investigation and subject to interrogation by his or her commanding officer, or any other member of the employing public safety department, on the allegation of making a false statement, that any administrative finding of the false statement shall require proof based on clear and convincing evidence. This bill would specify that this provision would apply only to allegations of false statements and would not apply to or affect any other allegation or charge against the public safety officer.

**[AB 1428](#)**

**AUTHOR:** Low  
**TITLE:** Peace officers: transparency  
**STATUS:** 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was Senate Appropriations on 8/21/2017) (May be acted upon Jan. 2018).

**SUMMARY:** Existing law requires a department or agency that employs peace officers to establish a procedure to investigate complaints by members of the public against those officers. Existing law requires the department or agency to provide written notification to the complaining party of the disposition of a complaint made pursuant to those provisions within 30 days of the disposition. This bill would also require a department or agency to provide written notification to the complaining party of the current procedural status of an ongoing complaint investigation at least every 45 days.

**[AB 1658](#)**

**AUTHOR:** Frazier  
**TITLE:** State agencies: accountability  
**STATUS:** 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was Assembly Appropriations on 5/17/2017) (May be acted upon Jan. 2018)

**SUMMARY:** Existing law establishes within state government eight agencies. Existing law requires each agency to be under the supervision of an executive officer known as the secretary. This bill would require the secretary of each agency, by January 1, 2019, and every year thereafter, to review all programs that were created or expanded either by statute or regulation in the previous year that a department, office, or unit of that agency is responsible for administering. The bill would require the secretary to establish metrics to determine the success of that program, and to continuously evaluate the performance of that program.

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

Legislation of Interest

[SB 8](#)

**AUTHOR:** Beall

**TITLE:** Diversion: mental disorders

**STATUS:** 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was Assembly Appropriations on 8/23/2017) (May be acted upon Jan. 2018)

**SUMMARY:** This bill would authorize a court, with the consent of the defendant and a waiver of the defendant's speedy trial right, to postpone prosecution of a misdemeanor or a felony punishable in a county jail, and place the defendant in a pretrial diversion program for up to 2 years if the court is satisfied the defendant suffers from a mental disorder, that the defendant's mental disorder played a significant role in the commission of the charged offense, and that the defendant would benefit from mental health treatment.

[SB 21](#)

**AUTHOR:** Hill

**TITLE:** Law enforcement agencies: surveillance: policies

**STATUS:** 9/1/2017-Failed Deadline pursuant to Rule 61(a)(12). (Last location was Assembly Appropriations on 8/23/2017)(May be acted upon Jan. 2018)

**SUMMARY:** This bill would, beginning July 1, 2018, require each law enforcement agency, as defined, to submit to its governing body at a regularly scheduled hearing, open to the public, a proposed Surveillance Use Policy for the use of each type of surveillance technology and the information collected, as specified. The bill would require the law enforcement agency to cease using the surveillance technology within 30 days if the proposed plan is not adopted. The bill would require the law enforcement agency to submit an amendment to the surveillance plan, pursuant to the same open meeting requirements, for each new type of surveillance technology sought to be used.

[SB 30](#)

**AUTHOR:** Lara

**TITLE:** California-Mexico border: federally funded infrastructure

**STATUS:** 8/31/2017-From committee with author's amendments. Read second time and amended. Re-referred to Assembly Committee on Accountability and Administrative Review

**SUMMARY:** This bill would make findings and declarations related to a wall on the border between California and Mexico. This bill, except as specified, would prohibit the state, commencing January 1, 2018, until January 1, 2026, from awarding or renewing any contract with any person that, at the time of bid or proposal for a new contract or renewal of an existing contract, is a prime contractor that is providing or has provided on or after January 1, 2018, goods or services to the federal government for the construction of a federally funded wall, fence, or other barrier along California's southern border.

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Legislation of Interest**

**SB 76**

**AUTHOR:** Nielsen  
**TITLE:** Excluded employees: arbitration  
**STATUS:** 9/11/2017-Ordered to inactive file on request of Assembly Member Calderon

**SUMMARY:** Existing law, under the Bill of Rights for State Excluded Employees permits, among other things, excluded employee organizations to represent their excluded members in their employment relations, including grievances, with the state. Existing law defines excluded employees as all managerial employees, confidential employees, supervisory employees, as well as specified employees of the Department of Personnel Administration, the Department of Finance, the Controller's Office, the Legislative Counsel Bureau, the Bureau of State Audits, the Public Employment Relations Board, the Department of Industrial Relations, and the State Athletic Commission. This bill would enact the Excluded Employee Arbitration Act to permit an employee organization that represents an excluded employee who has filed certain grievances with the Department of Human Resources to request arbitration of the grievance if specified conditions are met.

**SB 142**

**AUTHOR:** Beall  
**TITLE:** Criminal offenders: mental health  
**STATUS:** 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was Assembly Public Safety on 6/12/2017) (May be acted upon Jan. 2018)

**SUMMARY:** Existing law requires, if a person is convicted of a felony and is eligible for probation, before judgment is pronounced, the court to immediately refer the matter to a probation officer to investigate and report to the court upon the circumstances surrounding the crime and the prior history and record of the person. This bill would authorize a defendant to provide documentation to the court that he or she is currently, or was at any prior time, eligible for public mental health services due to a serious mental illness or eligible for Social Security Disability Insurance due to a diagnosed mental illness.

**SB 143**

**AUTHOR:** Beall  
**TITLE:** Sentencing: persons confined to a state hospital  
**STATUS:** 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was Senate Appropriations on 5/25/2017) (May be acted upon Jan. 2018)

**SUMMARY:** This bill would authorize a person who is committed to a state hospital after being found not guilty by reason of insanity to petition the court to have the maximum term of commitment reduced to what it would have been had Proposition 36 or 47 been in effect at the time of the original determination. This bill would require the petitioner to show that he or she would have been eligible to have his or her sentence reduced under the relevant proposition and to file the petition prior to January 1, 2021, or at a later date with a showing of good cause.

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

Legislation of Interest

[SB 183](#)

**AUTHOR:** Lara  
**TITLE:** State buildings: federal immigration agents  
**STATUS:** 9/11/2017-Withdrawn from committee. Re-referred to Com. on RLS.

**SUMMARY:** Existing law prohibits specified conduct inside public buildings owned and occupied, or leased and occupied by the state. This bill would prohibit federal immigration enforcement agents, officers, or personnel from entering a building owned and occupied, or leased and occupied, by the state, a public school, or a campus of the California Community Colleges, to perform surveillance, effectuate an arrest, or question an individual therein, without a valid federal warrant.

[SB 244](#)

**AUTHOR:** Lara  
**TITLE:** Privacy: agencies: personal information  
**STATUS:** 9/14/2017-Ordered to inactive file on request of Assembly Member Calderon.

**SUMMARY:** Existing law regulates various professions and vocations by various boards within the Department of Consumer Affairs. Existing law requires those boards, the State Bar of California, and the Department of Real Estate to require a licensee, at the time of issuance of a license, to provide specified information, including the licensee's federal employer identification number, if the licensee is a partnership, or his or her social security number or individual taxpayer identification number. Existing law provides that the applicant's federal employer identification number, social security number, or individual taxpayer identification number information is not a public record and is not open to the public for inspection. This bill would revise this provision to provide that information is not open for public inspection, is confidential, and shall not be disclosed, except as specified.

[SB 328](#)

**AUTHOR:** Portantino  
**TITLE:** Pupil attendance: school start time  
**STATUS:** 9/14/2017-Read third time. Refused passage. Motion to reconsider made by Assembly Member Gloria.

**SUMMARY:** Existing law requires the governing board of each school district to fix the length of the schoolday for the several grades and classes of the schools maintained by the school district in accordance with specified provisions of law. This bill would require the schoolday for middle schools and high schools, including those operated as charter schools, to begin no earlier than 8:30 a.m. by July 1, 2020, or the date on which a school district's collective bargaining agreement is operative on January 1, 2018, expires, whichever is later, except for rural school districts that obtain a waiver from the State Board of Education to delay implementation, as specified.

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

Legislation of Interest

[SB 350](#)

**AUTHOR:** Galgiani

**TITLE:** Incarcerated persons: health records

**STATUS:** 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was Senate Appropriations on 5/25/2017) (May be acted upon Jan. 2018)

**SUMMARY:** Existing law authorizes a provider of health care or a health care service plan to disclose medical information when, among other things, the information is disclosed to an insurer, employer, health care service plan, hospital service plan, employee benefit plan, governmental authority, contractor, or other person or entity responsible for paying for health care services rendered to the patient, to the extent necessary to allow responsibility for payment to be determined and payment to be made. This bill would require the disclosure of information between a county correctional facility, a county medical facility, a state correctional facility, or a state hospital to ensure the continuity of health care of an inmate being transferred between those facilities.

[SB 354](#)

**AUTHOR:** Portantino

**TITLE:** Special education: individualized education programs: translation services

**STATUS:** 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was Assembly Education on 6/8/2017) (May be acted upon Jan. 2018)

**SUMMARY:** This bill would revise the definition of "parent" to specify that it also includes the educational rights holder and the conservator of a child. The bill would require a local educational agency to communicate in the native language of the parent, or in another mode of communication used by the parent, during the planning process for the individualized education program, as provided, and to provide alternative communication services, including by providing translation services for a pupil's parent, as specified.

[SB 502](#)

**AUTHOR:** Portantino

**TITLE:** California Voluntary Tattoo Removal Program

**STATUS:** 9/11/2017-Re-referred to Assembly Rules pursuant to Assembly Rule 96.

**SUMMARY:** Prior to amendment, this bill would have reestablished and modified a recently repealed program known as the California Voluntary Tattoo Removal Program, to be administered by the Board of State and Community Corrections to the extent that funds are appropriated, to provide funding for the removal of certain tattoos for individuals between 14 and 24 years of age, who are in the custody of CDCR or county probation departments, who are on parole or probation, who are in a community-based program serving at-risk youth, or who are placed in foster care as either dependent children or nonminor dependents, as specified, and who meet specified criteria. The bill would have repealed the program on January 1, 2026.

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

Legislation of Interest

[SB 646](#)

**AUTHOR:** Galgiani

**TITLE:** State Civil Service Act: adverse action: notice

**STATUS:** 9/13/2017-Ordered to the inactive file on request of Assembly Member Calderon.

**SUMMARY:** Existing law, under the State Civil Service Act, provides that an adverse action based on fraud, embezzlement, or the falsification of records is valid if notice of the adverse action is served within three years after the discovery of fraud, embezzlement, or falsification. This bill would instead provide that for any adverse action not based on fraud, embezzlement, or falsification of records, if the cause for discipline was discovered on or after January 1, 2018, notice would be required to be served within one year of the discovery of the cause for discipline.

[SB 708](#)

**AUTHOR:** Skinner

**TITLE:** Supplemental Security Income and CalFresh: preenrollment

**STATUS:** 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was Senate Appropriations on 5/25/2017) (May be acted upon Jan. 2018)

**SUMMARY:** This bill would require the CDCR Secretary to establish and maintain a statewide memoranda of understanding with the federal Social Security Administration to allow a person incarcerated in a correctional institution to apply for and receive a replacement social security card and to allow the administration to process SSI claims under the prerelease program. This bill contains other related provisions and other existing laws.

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Index by Chapter Number**

Chapter Number	Bill Number	Title	Author
17	<a href="#">AB 103</a>	Public safety: omnibus	Committee on Budget
37	<a href="#">AB 92</a>	Public contracts: payment	Bonta
45	<a href="#">AB 683</a>	Prisoners: support services	Garcia, Eduardo
151	<a href="#">AB 1456</a>	Professional licensure	Low
214	<a href="#">AB 1459</a>	Murder: peace officers	Quirk-Silva
269	<a href="#">SB 811</a>	Public safety: omnibus	Committee on Public Safety
291	<a href="#">AB 459</a>	Public records: video or audio recordings: crime	Chau
347	<a href="#">AB 720</a>	Inmates: psychiatric medication: informed consent	Eggman
348	<a href="#">AB 790</a>	Identification cards: replacement: reduced fees	Stone
363	<a href="#">SB 112</a>	State government	Committee on Budget and Fiscal Review
391	<a href="#">SB 373</a>	Public contracts: design-build: Stanislaus Regional Water Authority	Canella
406	<a href="#">AB 562</a>	California State Auditor: interference	Muratsuchi
460	<a href="#">SB 306</a>	Retaliation actions: complaints: administrative review	Hertzberg
492	<a href="#">AB 450</a>	Employment regulation: immigration worksite enforcement actions	Chiu
493	<a href="#">AB 699</a>	Educational equity: immigration and citizenship status	O'Donnell
495	<a href="#">SB 54</a>	Law enforcement sharing data	De León
523	<a href="#">AB 335</a>	Parole: placement at release	Kiley
541	<a href="#">SB 384</a>	Sex offenders: registration: criminal offender record information systems	Wiener
567	<a href="#">SB 285</a>	Public employers: union organizing	Atkins
585	<a href="#">AB 1223</a>	Construction contract payments: Internet Web site posting	Caballero
599	<a href="#">SB 776</a>	Corrections: veterans' benefits	Newman
659	<a href="#">AB 864</a>	California Conservation Corps: applicant selection	McCarthy
660	<a href="#">AB 878</a>	Juveniles: restraints	Gipson
663	<a href="#">AB 1176</a>	High school equivalency tests	Mullin
675	<a href="#">AB 1308</a>	Youth offender parole hearings	Stone
676	<a href="#">AB 1448</a>	Elderly Parole Program	Weber
678	<a href="#">SB 190</a>	Juveniles	Mitchell
679	<a href="#">SB 312</a>	Juveniles: sealing of records	Skinner
681	<a href="#">SB 395</a>	Custodial interrogation: juveniles	Lara
682	<a href="#">SB 620</a>	Firearms: crimes: enhancements	Bradford
683	<a href="#">SB 625</a>	Juveniles: honorable discharge	Atkins
684	<a href="#">SB 394</a>	Parole: youth offender parole hearings	Lara
694	<a href="#">AB 41</a>	DNA evidence	Chiu
728	<a href="#">SB 336</a>	Exonerated inmates: transitional services	Anderson
774	<a href="#">SB 613</a>	Immigration status	De León
780	<a href="#">AB 434</a>	State Web accessibility: standard and reports	Baker

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Index by Chapter Number**

Chapter Number	Bill Number	Title	Author
785	<a href="#">AB 822</a>	Institutional purchasers: sale of California produce	Caballero
790	<a href="#">AB 1022</a>	Information technology: Technology Recovery Plans: inventory	Irwin
796	<a href="#">AB 1344</a>	Voting rights: inmates and persons formerly incarcerated	Weber
815	<a href="#">SB 814</a>	State real property: surplus	Committee on Governmental Organization
816	<a href="#">AB 262</a>	Public contracts: bid specifications: Buy Clean California Act	Bonta
826	<a href="#">SB 31</a>	California Religious Freedom Act: state agencies: disclosure of religious affiliation information	Lara
853	<a href="#">SB 179</a>	Gender identity: female, male, or nonbinary	Atkins
856	<a href="#">SB 310</a>	Name and gender change: prisons and county jails	Atkins

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Index by Bill Number**

Bill Number	Chapter Number	Title	Author
<a href="#">AB 41</a>	694	DNA evidence	Chiu
<a href="#">AB 92</a>	37	Public contracts: payment	Bonta
<a href="#">AB 103</a>	17	Public safety: omnibus	Committee on Budget
<a href="#">AB 262</a>	816	Public contracts: bid specifications: Buy Clean California Act	Bonta
<a href="#">AB 335</a>	523	Parole: placement at release	Kiley
<a href="#">AB 434</a>	780	State Web accessibility: standard and reports	Baker
<a href="#">AB 450</a>	492	Employment regulation: immigration worksite enforcement actions	Chiu
<a href="#">AB 459</a>	291	Public records: video or audio recordings: crime	Chau
<a href="#">AB 562</a>	406	California State Auditor: interference	Muratsuchi
<a href="#">AB 683</a>	45	Prisoners: support services	Garcia, Eduardo
<a href="#">AB 699</a>	493	Educational equity: immigration and citizenship status	O'Donnell
<a href="#">AB 720</a>	347	Inmates: psychiatric medication: informed consent	Eggman
<a href="#">AB 790</a>	348	Identification cards: replacement: reduced fees	Stone
<a href="#">AB 822</a>	785	Institutional purchasers: sale of California produce	Caballero
<a href="#">AB 864</a>	659	California Conservation Corps: applicant selection	McCarthy
<a href="#">AB 878</a>	660	Juveniles: restraints	Gipson
<a href="#">AB 1022</a>	790	Information technology: Technology Recovery Plans: inventory	Irwin
<a href="#">AB 1176</a>	663	High school equivalency tests	Mullin
<a href="#">AB 1223</a>	585	Construction contract payments: Internet Web site posting	Caballero
<a href="#">AB 1308</a>	675	Youth offender parole hearings	Stone
<a href="#">AB 1344</a>	796	Voting rights: inmates and persons formerly incarcerated	Weber
<a href="#">AB 1448</a>	676	Elderly Parole Program	Weber
<a href="#">AB 1456</a>	151	Professional licensure	Low
<a href="#">AB 1459</a>	214	Murder: peace officers	Quirk-Silva
<a href="#">SB 31</a>	826	California Religious Freedom Act: state agencies: disclosure of religious affiliation information	Lara
<a href="#">SB 54</a>	495	Law enforcement sharing data	De León
<a href="#">SB 112</a>	363	State government	Committee on Budget and Fiscal Review
<a href="#">SB 179</a>	853	Gender identity: female, male, or nonbinary	Atkins
<a href="#">SB 190</a>	678	Juveniles	Mitchell
<a href="#">SB 285</a>	567	Public employees: union organizing	Atkins
<a href="#">SB 306</a>	460	Retaliation actions: complaints: administrative review	Hertzberg
<a href="#">SB 310</a>	856	Name and gender change: prisons and county jails	Atkins
<a href="#">SB 312</a>	679	Juveniles: sealing of records	Skinner
<a href="#">SB 336</a>	728	Exonerated inmates: transitional services	Anderson
<a href="#">SB 373</a>	391	Public contracts: design-build: Stanislaus Regional Water Authority	Canella
<a href="#">SB 384</a>	541	Sex offenders: registration: criminal offender record information systems	Wiener

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

Index by Bill Number

Bill Number	Chapter Number	Title	Author
<a href="#">SB 394</a>	684	Parole: youth offender parole hearings	Lara
<a href="#">SB 395</a>	681	Custodial interrogation: juveniles	Lara
<a href="#">SB 613</a>	774	Immigration status	De León
<a href="#">SB 620</a>	682	Firearms: crimes: enhancements	Bradford
<a href="#">SB 625</a>	683	Juveniles: honorable discharge	Atkins
<a href="#">SB 776</a>	599	Corrections: veterans' benefits	Newman
<a href="#">SB 811</a>	269	Public safety: omnibus	Committee on Public Safety
<a href="#">SB 814</a>	815	State real property: surplus	Committee on Governmental Organization

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Index by Subject Matter**

**Accounting**

Bill Number	Title	Author	Chapter Number
<a href="#">AB 92</a>	Public contracts: payment	Bonta	37
<a href="#">AB 1223</a>	Construction contract payments: Internet Web site posting	Caballero	585

**Adult Institutions**

Bill Number	Title	Author	Chapter Number
<a href="#">AB 41</a>	DNA evidence	Chiu	694
<a href="#">AB 822</a>	Institutional purchasers: sale of California produce	Caballero	785
<a href="#">SB 31</a>	California Religious Freedom Act: state agencies: disclosure of religious affiliation information	Lara	826
<a href="#">SB 54</a>	Law enforcement: sharing data	De León	495
<a href="#">SB 179</a>	Gender identity: female, male, or nonbinary	Atkins	853
<a href="#">SB 310</a>	Name and gender change: prisons and county jails	Atkins	856
<a href="#">SB 776</a>	Corrections: veterans' benefits	Newman	599

**Adult Parole**

Bill Number	Title	Author	Chapter Number
<a href="#">AB 864</a>	California Conservation Corps: applicant selection	McCarthy	659
<a href="#">AB 1344</a>	Voting rights: inmates and persons formerly incarcerated	Weber	796

**Audits and Court Compliance**

Bill Number	Title	Author	Chapter Number
<a href="#">AB 562</a>	California State Auditor: interference	Muratsuchi	406

**Board of Parole Hearings**

Bill Number	Title	Author	Chapter Number
<a href="#">AB 335</a>	Parole: placement at release	Kiley	523
<a href="#">AB 1308</a>	Youth offender parole hearings	Stone	675
<a href="#">AB 1448</a>	Elderly Parole Program	Weber	676
<a href="#">SB 394</a>	Parole: youth offender parole hearings	Lara	684

STATE OF CALIFORNIA  
 CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
 OFFICE OF LEGISLATION  
 Legislative Digest 2017

**Index by Subject Matter**

**Budgets**

Bill Number	Title	Author	Chapter Number
<a href="#">AB 103</a>	Public safety: omnibus	Committee on Budget	17
<a href="#">SB 112</a>	State government	Committee on Budget and Fiscal Review	363

**Enterprise Information Systems**

Bill Number	Title	Author	Chapter Number
<a href="#">AB 434</a>	State Web accessibility: standard and reports	Baker	780
<a href="#">AB 1022</a>	Information technology: Technology Recovery Plans: inventory	Irwin	790

**Facilities Management**

Bill Number	Title	Author	Chapter Number
<a href="#">AB 262</a>	Public contracts: bid specifications: Buy Clean California Act	Bonta	816
<a href="#">SB 373</a>	Public contracts : design-build: Stanislaus Regional Water Authority	Canella	391
<a href="#">SB 814</a>	State real property: surplus	Committee on Governmental Organization	815

**Health Care**

Bill Number	Title	Author	Chapter Number
<a href="#">AB 1456</a>	Professional licensure	Low	151

**Juvenile Justice (Division of)**

Bill Number	Title	Author	Chapter Number
<a href="#">AB 699</a>	Educational equity: immigration and citizenship status	O'Donnell	493
<a href="#">AB 878</a>	Juveniles: restraints	Gipson	660

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

**Index by Subject Matter**

<a href="#">AB 1176</a>	High school equivalency tests	Mullin	663
<a href="#">SB 190</a>	Juveniles	Mitchel	678
<a href="#">SB 312</a>	Juveniles: sealing of records	Skinner	679
<a href="#">SB 395</a>	Custodial interrogation: juveniles	Lara	681
<a href="#">SB 613</a>	Immigration status	De León	774
<a href="#">SB 625</a>	Juveniles: honorable discharge	Atkins	683

**Labor Relations**

Bill Number	Title	Author	Chapter Number
<a href="#">SB 285</a>	Public employers: union organizing	Atkins	567
<a href="#">SB 306</a>	Retaliation actions: complaints: administrative review	Hertzberg	460

**Legal Affairs (Office of)**

Bill Number	Title	Author	Chapter Number
<a href="#">AB 450</a>	Employment regulation: immigration worksite enforcement actions	Chiu	492
<a href="#">AB 459</a>	Public records: video or audio recordings: crime	Chau	291

**Legislation (Office of)**

Bill Number	Title	Author	Chapter Number
<a href="#">AB 683</a>	Prisoners: support services	Garcia, Eduardo	45
<a href="#">AB 720</a>	Inmates: psychiatric medication: informed consent	Eggman	347
<a href="#">SB 384</a>	Sex offenders: registration: criminal offender record information systems	Wiener	541
<a href="#">SB 811</a>	Public safety: omnibus	Committee on Public Safety	269

**Penalty Bills**

Bill Number	Title	Author	Chapter Number
<a href="#">AB 1459</a>	Murder: peace officers	Quirk-Silva	214
<a href="#">SB 620</a>	Firearms: crimes: enhancements	Bradford	682

STATE OF CALIFORNIA  
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION  
OFFICE OF LEGISLATION  
Legislative Digest 2017

Index by Subject Matter

Rehabilitative Programs (Division of)

Bill Number	Title	Author	Chapter Number
<a href="#">AB 790</a>	Identification cards: replacement: reduced fee	Stone	348
<a href="#">SB 336</a>	Exonerated inmates: transitional services	Anderson	728