

California Department of Corrections and Rehabilitation
Office of Legislation

2018 Legislative Digest



December 2018

STATE OF CALIFORNIA

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Governor

California Department of Corrections and Rehabilitation

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INTRODUCTION

This Legislative Digest is composed of bills that were chaptered, vetoed, or failed passage during the second 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, 2019, 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.

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Chaptered Bills – Assembly

[Assembly Bill \(AB\) 748](#)

AUTHOR: Ting

TITLE: Peace officers: video and audio recordings: disclosure

STATUS: 9/30/2018-Chaptered by Secretary of State, Chapter 960, Statutes of 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, commencing July 1, 2019, allow a video or audio recording that relates to a critical incident, as defined, to be withheld for 45 calendar days if disclosure would substantially interfere with an active investigation, subject to extensions, as specified.

[AB 865](#)

AUTHOR: Levine

TITLE: Military personnel: veterans: resentencing: mitigating circumstances

STATUS: 9/19/2018-Chaptered by Secretary of State, Chapter 523, Statutes of 2018

SUMMARY: This bill authorizes any person who was sentenced to 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 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 petition for a recall of sentence under specified conditions. The bill requires the court, upon receiving a petition, to determine, at a public hearing held after not less than 15 days' notice to the prosecution, the defense, and any victim of the offense, as specified, whether the person satisfies the specified criteria and, if so, would authorize the court, in its discretion, to resentence the person following a resentencing hearing.

[AB 1436](#)

AUTHOR: Levine

TITLE: Board of Behavioral Sciences: licensees: suicide prevention training

STATUS: 9/19/2018-Chaptered by Secretary of State, Chapter 527, Statutes of 2018

SUMMARY: This bill on or after January 1, 2021, requires an applicant for licensure as a marriage and family therapist, an educational psychologist, a clinical worker, or a professional clinical counselor to complete a minimum of 6 hours of coursework or applied experience under supervision in suicide risk assessment and intervention. The bill requires, as a one-time requirement, a licensed marriage and family therapist, educational psychologist, clinical social worker, or professional clinical counselor to have completed the suicide risk assessment and intervention training requirement prior to the time of his or her first renewal after January 1, 2021.

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[AB 1749](#)

AUTHOR: Daly

TITLE: Workers' compensation: off-duty peace officer

STATUS: 9/23/2018-Chaptered by Secretary of State, Chapter 707, Statutes of 2018

SUMMARY: This bill states that an employer, at its discretion or in accordance with specified policies, is not precluded from accepting liability for compensation for an injury sustained by a peace officer by reason of engaging in the apprehension or attempted apprehension of law violators or suspected law violators, or protection or preservation of life or property, or the preservation of the peace, outside the State of California, but who was not at the time acting under the immediate direction of his or her employer, including any claims for injuries sustained by peace officers during the October 1, 2017, mass shooting in Las Vegas, Nevada, if the employer determines providing compensation serves its public purposes.

[AB 1810](#)

AUTHOR: Committee on Budget

TITLE: Health

STATUS: 6/27/2018-Chaptered by Secretary of State, Chapter 34, Statutes of 2018

SUMMARY: Existing law creates the continuously appropriated Medical Providers Interim Payment Fund for the purposes of paying Medi-Cal providers, providers of drug treatment services for persons infected with HIV, and providers of services for the developmentally disabled, during a fiscal year for which the budget has not yet been enacted or there is a deficiency in the Medi-Cal budget. During a fiscal year in which these payments are necessary, current law requires the Controller to transfer up to \$1 billion from the General Fund in the form of loans to the continuously appropriated Medical Providers Interim Payment Fund, and appropriates \$1 billion from the Federal Trust Fund to that fund. Existing law requires those loans to be repaid by debiting the appropriate Budget Act item following a procedure prescribed by the Department of Finance. Upon the enactment of the annual Budget Act or a deficiency bill, current law requires the Controller to transfer expenditures and unexpended funds in the Medical Providers Interim Payment Fund to the appropriate Budget Act item. This bill requires the Controller to make those loan transfers upon order of the Department of Finance.

[AB 1812](#)

AUTHOR: Committee on Budget

TITLE: Public safety omnibus

STATUS: 6/27/2018-Chaptered by Secretary of State, Chapter 36, Statutes of 2018

SUMMARY: This bill makes statutory changes necessary to enact the public safety provisions of the Budget Act of 2018.

[AB 1834](#)

AUTHOR: Committee on Budget

TITLE: Corrections: omnibus

STATUS: 6/27/2018-Chaptered by Secretary of State, Chapter 44, Statutes of 2018

SUMMARY: Existing law authorizes CDCR to design and construct new, or renovate existing, buildings

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and any necessary ancillary improvements, at facilities under the jurisdiction of the Department to provide medical, dental, and mental health treatment or housing. Existing law prohibits costs for design and construction, including, without limitation, renovation, and construction-related costs for all projects approved for financing by the State Public Works Board from exceeding \$1.046 billion. This bill increases the maximum amount of costs authorized for those purposes to \$1.089 billion.

AB 1987

AUTHOR: Lackey

TITLE: Discovery: postconviction

STATUS: 9/18/2018-Chaptered by Secretary of State, Chapter 482, Statutes of 2018

SUMMARY: Existing law requires, in a case in which a sentence of death or life in prison without the possibility of parole has been imposed, a court to order that a defendant be provided reasonable access to discovery materials upon prosecution of a postconviction writ of habeas corpus or a motion to vacate judgment and a showing that good faith efforts to obtain discovery materials from trial counsel were made and were unsuccessful. Existing law defines “discovery materials” for these purposes. This bill expands this right of access to discovery materials to any case in which a defendant is convicted of a serious or violent felony resulting in a sentence of 15 years or more.

AB 1976

AUTHOR: Limon

TITLE: Employment: lactation accommodation

STATUS: 9/30/2018-Chaptered by Secretary of State, Chapter 940, Statutes of 2018

SUMMARY: Existing law requires every employer to provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee’s infant child and requires an employer to make reasonable efforts to provide the employee with the use of a room or other location, other than a toilet stall, in close proximity to the employee’s work area for the employee to express milk in private. Existing law makes a violation of these provisions subject to a civil penalty and makes the Labor Commissioner responsible for enforcement. This bill instead requires an employer to make reasonable efforts to provide an employee with use of a room or other location, other than a bathroom, for these purposes.

AB 1994

AUTHOR: Cervantes

TITLE: Sex offenders: county or local custodial facilities

STATUS: 9/27/2018-Chaptered by Secretary of State, Chapter 811, Statutes of 2018

SUMMARY: Existing law requires specified sex offenders to register with local law enforcement within five working days of coming into, or changing his or her residence within, a city, county, or city and county. If the person’s new address is in a CDCR facility or a state mental institution, existing law requires an official of the institution to forward the registrant’s change of address information to the Department of Justice within 90 working days. This bill instead requires the change of address to be forwarded within 15 working days of both receipt and release of the person. This bill contains other related provisions.

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AB 2080

AUTHOR: Cervantes

TITLE: Criminal offender record information: reporting

STATUS: 9/27/2018-Chaptered by Secretary of State, Chapter 814, Statutes of 2018

SUMMARY: Existing law requires criminal justice agencies to compile records and data, including a summary of arrests, pretrial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation, and release about criminal offenders. Existing law requires admissions or releases from detention facilities to be reported by the detention agency to the Department of Justice within 30 days of that action. This bill clarifies the requirement that both admission and release from detention facilities be reported by the detention agency to the Department within 30 days.

AB 2088

AUTHOR: Santiago

TITLE: Patient records: addenda

STATUS: 9/6/2018-Chaptered by Secretary of State, Chapter 275, Statutes of 2018

SUMMARY: This bill requires a health care provider to allow a patient, regardless of his or her age, who inspects his or her patient records to provide to the health care provider a written addendum with respect to any item or statement in his or her records that the patient believes to be incomplete or incorrect. This bill creates a state-mandated local program and additionally corrects an erroneous cross reference.

AB 2172

AUTHOR: Weber

TITLE: Redistricting: inmates

STATUS: 8/28/2018-Chaptered by Secretary of State, Chapter 232, Statutes of 2018

SUMMARY: Existing law requires CDCR to furnish the Citizens Redistricting Commission specified information regarding the last place of residence of each inmate incarcerated in a state adult correctional facility on April 1, 2020, and on each decennial Census Day thereafter, except an inmate in federal custody or whose last known place of residence is outside of California or unknown. This bill requires CDCR to furnish both the Legislature and the Citizens Redistricting Commission residential address and other information, as specified, for each inmate incarcerated in a facility under the Department's control on the dates specified above, including an inmate whose last place of residence is outside of California or unknown, but excluding an inmate who has been transferred to a facility outside of California.

AB 2193

AUTHOR: Maienschein

TITLE: Maternal mental health

STATUS: 9/26/2018-Chaptered by Secretary of State, Chapter 755, Statutes of 2018

SUMMARY: This bill requires, by July 1, 2019, a licensed health care practitioner who provides prenatal or postpartum care for a patient to offer to screen or appropriately screen a mother for maternal mental health conditions.

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[AB 2225](#)

AUTHOR: Limon

TITLE: State government: storing and recording: public records

STATUS: 9/19/2018-Chaptered by Secretary of State, Chapter 535, Statutes of 2018

SUMMARY: This bill requires the Secretary of State, in consultation with the Department of Technology, to approve and adopt appropriate uniform statewide standards, as specified, for the purpose of storing and recording public records, described as permanent and nonpermanent documents, in electronic media or in a cloud computing storage system. This bill requires a cloud computing storage service that complies with specified requirements that provide administrative users with controls to prevent stored public records from being overwritten, deleted, or altered to be considered a trusted system, and requires all public records stored or recorded in electronic media or in a cloud computing service by a state agency to comply with a trusted system as defined in the uniform statewide standards and as otherwise specified.

[AB 2256](#)

AUTHOR: Santiago

TITLE: Law enforcement agencies: opioid antagonist

STATUS: 9/5/2018-Chaptered by Secretary of State, Chapter 259, Statutes of 2018

SUMMARY: This bill authorizes a pharmacy, wholesaler, or manufacturer to furnish naloxone hydrochloride or other opioid antagonists to a law enforcement agency, as provided.

[AB 2327](#)

AUTHOR: Quirk

TITLE: Peace officers: misconduct: employment

STATUS: 9/30/2018-Chaptered by Secretary of State, Chapter 966, Statutes of 2018

SUMMARY: This bill requires each Department or agency in this state that employs peace officers to make and retain a record of any investigations of misconduct involving a peace officer in his or her general personnel file or separate file designated by the Department or agency. This bill also requires a peace officer seeking employment with a department or agency to give written permission for the hiring Department or agency to view his or her general personnel file or separate file.

[AB 2448](#)

AUTHOR: Gipson

TITLE: Juveniles: rights: computing technology

STATUS: 9/30/2018-Chaptered by Secretary of State, Chapter 997, Statutes of 2018

SUMMARY: This bill requires a minor detained in or committed to a juvenile hall or juvenile ranch, camp, or forestry camp, to be provided with access to computer technology and the Internet for purposes of education, and allows him or her to be provided with access to computer technology and the Internet for the purpose of maintaining relationships with family. The bill specifies that these provisions do not limit the authority of the chief probation officer, or his or her designee, to limit or deny access to computer technology or the Internet for safety and security or staffing reasons.

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[AB 2533](#)

AUTHOR: Stone

TITLE: Inmates: indigence

STATUS: 9/26/2018-Chaptered by Secretary of State, Chapter 764, Statutes of 2018

SUMMARY: This bill requires that an inmate in a state prison who has maintained an inmate trust account with \$25 or less for 30 consecutive days be deemed indigent. This bill requires that an inmate who is indigent receive basic supplies necessary for maintaining personal hygiene and be provided with sufficient resources to communicate with and access the courts, as specified.

[AB 2550](#)

AUTHOR: Weber

TITLE: Prisons: female inmates and male correctional officers

STATUS: 8/20/2018-Chaptered by Secretary of State, Chapter 174, Statutes of 2018

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.

[AB 2595](#)

AUTHOR: Obernolte

TITLE: Wards: confinement

STATUS: 9/26/2018-Chaptered by Secretary of State, Chapter 766, Statutes of 2018

SUMMARY: Existing law prohibits a ward committed to CDCR's Division of Juvenile Justice from being held in physical confinement for a period of time in excess of the maximum period of imprisonment that could be imposed upon an adult convicted of the offense that brought or continued the minor under the jurisdiction of the court, or in excess of the maximum term of physical confinement set by the court, as specified. Existing law states that those provisions do not limit the power of the Board of Juvenile Hearings to retain the ward on parole status for the period permitted by specified provisions governing discharge of the person from the division. This bill states that those limitations on the length of the physical confinement of a ward do not limit the power of the Board of Juvenile Hearings to discharge specified wards. This bill authorizes the committing juvenile court to retain jurisdiction and to establish the conditions of supervision of a ward upon discharge from commitment to the custody of the division. The bill requires the juvenile court to set a maximum term based upon the facts and circumstances of the matter or matters that brought or continued the ward under the jurisdiction of the court and as deemed appropriate to achieve rehabilitation.

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[AB 2661](#)

AUTHOR: Arambula

TITLE: Mental health: sexually violent predators

STATUS: 9/27/2018-Chaptered by Secretary of State, Chapter 821, Statutes of 2018

SUMMARY: Existing law requires a petition for commitment as a sexually violent predator to be filled in the county in which the person was convicted of the sexual offense for which the person was committed to the jurisdiction of CDCR. This bill provides that if the person who is the subject of the petition for commitment is convicted of an offense that is not a sexually violent offense while in the custody of CDCR or DSH prior to resolution of the commitment petition, the jurisdiction for the petition for commitment would remain with the county in which the person was convicted of the offense for which he or she was committed to the jurisdiction of the department.

[AB 2669](#)

AUTHOR: Jones-Sawyer

TITLE: Peace officers: communications

STATUS: 8/20/2018-Chaptered by Secretary of State, Chapter 175, Statutes of 2018

SUMMARY: Existing law establishes various prohibitions against eavesdropping and recording or intercepting certain communications. Violations of these prohibitions are crimes. Under existing law, specified law enforcement officers are not prohibited by those provisions from overhearing or recording any communication that they could lawfully overhear or record prior to January 1, 1968. This bill adds peace officers of the CDCR Office of Internal Affairs to the list of law enforcement officers to whom the prohibitions described above do not apply.

[AB 2760](#)

AUTHOR: Wood

TITLE: Prescription drugs: prescribes: naloxone hydrochloride and other FDA-approved drugs

STATUS: 9/10/2018-Chaptered by Secretary of State, Chapter 324, Statutes of 2018

SUMMARY: This bill requires a prescriber, as defined, to offer a prescription for naloxone hydrochloride or another drug approved by the United States Food and Drug Administration for the complete or partial reversal of opioid depression to a patient when certain conditions are present and to provide education on overdose prevention and the use of naloxone hydrochloride or another drug to the patient and specified others, except as specified. The bill subjects a prescriber to referral to the Medical Board of California charged with regulating his or her license for the imposition of administrative sanctions, as that board deems appropriate, for violating those provisions. This bill does not apply to a prescriber when prescribing to an inmate or youth under the jurisdiction of CDCR or the Division of Juvenile Justice within CDCR.

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[AB 2764](#)

AUTHOR: Chau
TITLE: State acquisition of information technology goods and services: exemptions
STATUS: 8/27/2018-Chaptered by Secretary of State, Chapter 220, Statutes of 2018
SUMMARY: This requires that contracts entered into by the California Department of Technology are subject to the same anti-discrimination prohibitions, certifications, and restrictions that currently apply to contracts approved by the Department of General Services.

[AB 2777](#)

AUTHOR: Daly
TITLE: State employees: travel reimbursements
STATUS: 9/23/2018-Chaptered by Secretary of State, Chapter 719, Statutes of 2018
SUMMARY: Existing law, until January 1, 2019, requires a state agency to permit state employees traveling on official state business to use transportation provided by a transportation network company, as defined, or lodging in a short-term rental, as defined. Existing law requires a state agency to reimburse the actual and necessary expenses of a state employee in this context consistently with the agency's standard reimbursement policies. Existing law requests and encourages the University of California to adopt travel reimbursement policies in accordance with these provisions. This bill extends, until January 1, 2022, the requirement that a state agency permit state employees traveling on official state business to use transportation provided by a transportation network company or lodging in a short-term rental.

[AB 2845](#)

AUTHOR: Bonta
TITLE: Criminal procedure: pardons
STATUS: 9/27/2018-Chaptered by Secretary of State, Chapter 824, Statutes of 2018
SUMMARY: Existing law, upon request of the Governor, requires the Board of Parole Hearings to investigate and report on all applications for reprieves, pardons, and commutation of sentence and to make recommendations to the Governor. This bill instead does not condition the Board's duties relating to the applications on the request of the Governor. This bill authorizes the Board to make recommendations to the Governor at any time, and authorizes the Governor to request investigation into candidates for pardon or commutation at any time. This bill requires the Board to consider expedited review of the application if a petitioner indicates an urgent need for the pardon or commutation, as specified.

[AB 2942](#)

AUTHOR: Ting
TITLE: Criminal procedure: recall of sentencing
STATUS: 9/30/2018-Chaptered by Secretary of State, Chapter 1001, Statutes of 2018
SUMMARY: Existing law authorizes a court on its own motion and within 120 days after sentencing, or at any time upon the recommendation of the CDCR Secretary or the Board of Parole Hearings in the case of state prison inmates, or the county correctional administrator in the case of county jail inmates, to recall the sentence of a defendant who has been committed to state prison or county jail and resentence the

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defendant to a lesser sentence, as specified. This bill allows the court to also recall and resentence a defendant upon the recommendation of the district attorney of the county in which the defendant was sentenced.

[AB 3211](#)

AUTHOR: Kalra

TITLE: Advance health care directives

STATUS: 9/6/2018-Chaptered by Secretary of State, Chapter 287 Statutes of 2018

SUMMARY: The Health Care Decisions Law, among other things, establishes the requirements for executing a written advance health care directive that is legally sufficient to direct health care decisions. This bill revises and recasts the portion of the form relating to a person's donation of his or her organs, tissues, and parts, as specified, and includes a provision relating to authorizing an agent to consent to any temporary medical procedure if necessary for purposes of that donation.

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[Senate Bill \(SB\) 244](#)

AUTHOR: Lara

TITLE: Privacy: personal information

STATUS: 9/28/2018-Chaptered by Secretary of State, Chapter 885, Statutes of 2018

SUMMARY: This bill makes it clear, in relation to local government identification card programs, driver's license applications, and certain aspects of public health programs, that personal information collected, recorded, or used for the purpose of administering the program is exempt from California's Public Records Act, may only be used for the purpose of furthering the program, and cannot be disclosed absent the consent of the individual to whom the information relates, except when otherwise required by law or court order, or in response to exigent circumstances. This bill, in addition, specifies that it constitutes unlawful discrimination to provide notification to a law enforcement agency that an individual holds a driver's license that is issued to persons who are unable to submit satisfactory proof that they are in the United States lawfully when such notification is not required by law, or would not have been provided if the person held a standard driver's license. Finally, this bill prohibits a driver's license issued to a person who is unable to submit satisfactory proof that they are in the United States lawfully from being used as evidence of an individual's citizenship or immigration status for any purpose.

[SB 439](#)

AUTHOR: Mitchell

TITLE: Jurisdiction of the juvenile court

STATUS: 9/30/2018-Chaptered by Secretary of State, Chapter 1006, Statutes of 2018

SUMMARY: Existing law places a person who is under 18 years of age when he or she violates any law of this state or of the United States or specified ordinances of any city or county of this state to be within the jurisdiction of the juvenile court. Existing law authorizes a juvenile court to adjudge a person under these circumstances to be a ward of the court. This bill modifies the ages that a person must be to fall within the jurisdiction of the juvenile court or adjudged a ward of the court under these circumstances to between 12 years of age and 17 years of age, inclusive, except that any minor who is under 12 years of age when he or she is alleged to have committed murder or rape, sodomy, oral copulation, or sexual penetration by force, violence, or threat of great bodily harm would still be within the jurisdiction of the juvenile court and may be adjudged a ward of the court.

[SB 820](#)

AUTHOR: Leyva

TITLE: Settlement agreements: confidentiality

STATUS: 9/30/2018-Chaptered by Secretary of State, Chapter 953, Statutes of 2018

SUMMARY: This bill prohibits a provision in a settlement agreement that prevents the disclosure of factual information relating to certain claims of sexual assault, sexual harassment, or harassment or discrimination based on sex, that are filed in a civil or administrative action. This bill makes a provision in a settlement agreement that prevents the disclosure of factual information related to the claim, as described in the bill, entered into on or after January 1, 2019, void as a matter of law and against public policy.

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[SB 840](#)

AUTHOR: Mitchell
TITLE: Budget Act of 2018
STATUS: 6/27/2018-Chaptered by Secretary of State, Chapter 29, Statutes of 2018
SUMMARY: This bill makes appropriations for the support of state government for the 2018/19 fiscal year.

[SB 852](#)

AUTHOR: Committee on Budget and Fiscal Review
TITLE: State public employment: memorandum of understanding: State Bargaining Unit 6: approval
STATUS: 6/27/2018-Chaptered by Secretary of State, Chapter 49, Statutes of 2018
SUMMARY: This bill approves provisions requiring the expenditure of funds in the memorandum of understanding entered into between the state employer and State Bargaining Unit 6, California Correctional Peace Officers Association.

[SB 866](#)

AUTHOR: Committee on Budget and Fiscal Review
TITLE: Employment
STATUS: 6/27/2018-Chaptered by Secretary of State, Chapter 53, Statutes of 2018
SUMMARY: Existing law prescribes various duties of the Controller in connection with deductions requested by employee organizations and other bona fide organizations regarding requests for deduction from the salaries and wages of their members. Existing law prescribes the duties of the governing boards of school districts in regard to requests by certificated and classified employees for deductions from their salaries and wages and prescribes similar duties for the governing boards of community college districts with respect to academic and classified employees. Existing law authorizes a trial court employee or interpreter to permit a dues deduction from his or her salary in the same manner provided to public agency employees pursuant to specified law applicable to the state and the Controller, as specified. This bill revises and recasts these provisions.

[SB 873](#)

AUTHOR: Committee on Budget and Fiscal Review
TITLE: State public employment: memorandum of understanding: approval: State Bargaining Units 9 and 10
STATUS: 9/17/2018-Chaptered by Secretary of State, Chapter 452, Statutes of 2018
SUMMARY: This bill approves provisions requiring the expenditure of funds in the memorandum of understanding entered into between the state employer and State Bargaining Unit 9, Professional Engineers, and State Bargaining Unit 10, Professional Scientific.

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[SB 923](#)

AUTHOR: Wiener

TITLE: Criminal investigations: eyewitness identification

STATUS: 9/30/2018-Chaptered by Secretary of State, Chapter 977, Statutes of 2018

SUMMARY: Commencing January 1, 2020, this bill requires all law enforcement agencies and prosecutorial entities to adopt regulations for conducting photo lineups and live lineups with eyewitnesses, as those terms would be defined by the bill, to ensure reliable and accurate suspect identifications. This bill requires the regulations to comply with specified requirements, including that prior to conducting the identification procedure, and as close in time to the incident as possible, the eyewitness provide the description of the perpetrator of the offense.

[SB 960](#)

AUTHOR: Leyva

TITLE: Department of Corrections and Rehabilitation: suicide prevention: reports

STATUS: 9/26/2018-Chaptered by Secretary of State, Chapter 782, Statutes of 2018

SUMMARY: This bill requires CDCR to submit a report, as specified, to the Legislature on or before October 1 of each year, to include, among other things, descriptions of progress toward meeting the Department's goals related to the completion of suicide risk evaluations, progress toward completion of 72 hour treatment plans, and progress in identifying and implementing initiatives that are designed to reduce risk factors associated with suicide. The bill requires the report to be posted on the Department's website.

[SB 1050](#)

AUTHOR: Lara

TITLE: Exonerated inmates

STATUS: 9/30/2018-Chaptered by Secretary of State, Chapter 979, Statutes of 2018

SUMMARY: This bill requires CDCR to offer transitional services within the first week of an individual's exoneration from a conviction for which he or she is serving a state prison sentence, and again within the first 30 days of exoneration, as defined. This measure also requires CDCR to assist the exonerated person with enrollment in Medi-Cal, Cal Fresh, and federal supplemental security income benefits, and the state supplemental program. This bill requires each exonerated person to be paid \$1,000 upon release from funds made available upon appropriation by the Legislature. In addition, this measure also relieves a person from the requirement to continue to register as a sex offender if the person is exonerated and he or she is otherwise required to register.

[SB 1085](#)

AUTHOR: Skinner

TITLE: Public employees: leaves of absence: exclusive bargaining representative service

STATUS: 9/28/2018-Chaptered by Secretary of State, Chapter 893, Statutes of 2018

SUMMARY: This bill requires public employers upon request of the exclusive representative of an employee, to grant reasonable leaves of absence without loss of compensation or other benefits for the

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purpose of enabling employees to serve as stewards or officers of the exclusive representative, or of any statewide or national employee organization with which the exclusive representative is affiliated.

[SB 1086](#)

AUTHOR: Atkins

TITLE: Workers' compensation: firefighters and peace officers

STATUS: 9/23/2018-Chaptered by Secretary of State, Chapter 734, Statutes of 2018

SUMMARY: Existing law specifies the time period within which various proceedings may be commenced under provisions of law relating to workers' compensation. With certain exceptions, a proceeding to collect death benefits is required to be commenced within one year from several circumstances, including, but not limited to, from the date of death if it occurs within one year from the date of injury. Existing law, for specified deceased members, including peace officers and active firefighting members, extends until January 1, 2019, the time period to commence proceedings to collect death benefits, if the proceedings are brought by, or on behalf of, a person who was a dependent on the date of death, from 240 weeks from the date of injury to no later than 420 weeks from the date of injury, not to exceed one year after the date of death for certain injuries, as specified. This bill deletes the January 1, 2019, date of repeal operation of the above-referenced extension indefinitely.

[SB 1089](#)

AUTHOR: Jackson

TITLE: California Law Enforcement Telecommunications System

STATUS: 7/9/2018-Chaptered by Secretary of State, Chapter 89, Statutes of 2018

SUMMARY: Existing law requires a court, upon the issuance of certain types of protective orders, to transmit to the order and other specified information to the California Law Enforcement Telecommunications System (CLETS), within one business day. This bill clarifies, as a statement of current law, that all protective orders subject to transmittal to CLETS are required to be so transmitted. The bill makes legislative findings and declarations in support of this measure.

[SB 1109](#)

AUTHOR: Bates

TITLE: Controlled substances: Schedule II drugs: opioids

STATUS: 9/22/2018-Chaptered by Secretary of State, Chapter 693, Statutes of 2018

SUMMARY: Existing law requires a physician and surgeon to complete a mandatory continuing education course in the subjects of pain management and the treatment of terminally ill and dying patients. This bill requires, for physicians and surgeons licensed on or after January 1, 2019, the mandatory continuing education course to also include the subject of the risk of addiction associated with the use of Schedule II drugs.

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[SB 1138](#)

AUTHOR: Skinner
TITLE: Food options: plant-based meals
STATUS: 9/18/2018-Chaptered by Secretary of State, Chapter 512, Statutes of 2018
SUMMARY: Existing law requires a licensed general acute care hospital, acute psychiatric hospital, skilled nursing facility, intermediate care facility, special hospital, and nursing facility to employ a dietitian. Existing law imposes criminal sanctions for a violation of provisions, or willful or repeated violations of rules or regulations adopted pursuant to provisions, relating to these licensed facilities. This bill requires these licensed facilities to make available wholesome, plant-based meals of such variety as to meet the needs of patients in accordance with their physicians' orders.

[SB 1199](#)

AUTHOR: Wilk
TITLE: Sex offenders: release
STATUS: 8/28/2018-Chaptered by Secretary of State, Chapter 226, Statutes of 2018
SUMMARY: This bill requires an inmate who is released on parole or postrelease community supervision who was committed to prison for a registerable sex offense to be returned through all efforts reasonably possible to the city that was the last legal residence of the inmate prior to incarceration or a close geographic location in which he or she has family, social ties, or other economic ties and access to reentry services, unless return to that location would violate any other law or pose a risk to his or her victim.

[SB 1281](#)

AUTHOR: Stern
TITLE: Juvenile records
STATUS: 9/26/2018-Chaptered by Secretary of State, Chapter 786, Statutes of 2018
SUMMARY: Existing law prohibits a minor who has committed certain serious, violent, drug-related, or firearm-related offenses, as enumerated, from owning, or having in his or her possession, custody, or control, any firearm until he or she turns 30 years of age. This bill prohibits the destruction of a sealed record of a ward who is subject to those firearm restrictions until the date upon which he or she turns 33 years of age.

[SB 1312](#)

AUTHOR: Jackson
TITLE: State public employees: sick leave: veterans with service-related disabilities
STATUS: 9/18/2018-Chaptered by Secretary of State, Chapter 516, Statutes of 2018
SUMMARY: This bill extends eligibility for an existing benefit – “disabled veteran sick leave” – to all eligible disabled veterans serving in state employment regardless of the date of hire.

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[SB 1355](#)

AUTHOR: Hill
TITLE: Unmanned aircraft systems: correctional facilities
STATUS: 9/10/2018-Chaptered by Secretary of State, Chapter 333, Statutes of 2018
SUMMARY: This bill makes a person who knowingly and intentionally operates an unmanned aircraft system on or above the grounds of a state prison, a jail, or a juvenile hall camp, or ranch guilty of an infraction punishable by a fine of \$500. The bill makes provisions inapplicable to a person employed by the prison, jail, or county department that operates a juvenile hall, camp, or ranch acting within the scope of that employment, or a person who receives prior permission from CDCR, the county sheriff, or department that operates the juvenile hall, camp, or ranch.

[SB 1391](#)

AUTHOR: Lara
TITLE: Juveniles: fitness for juvenile court
STATUS: 9/30/2018-Chaptered by Secretary of State, Chapter 1012, Statutes of 2018
SUMMARY: This bill repeals the authority of a district attorney to make a motion to transfer a minor from juvenile court to a court of criminal jurisdiction in a case in which a minor is alleged to have committed a specified serious offense when he or she was 14 or 15 years of age, unless the individual was not apprehended prior to the end of juvenile court jurisdiction, thereby amending Proposition 57.

[SB 1421](#)

AUTHOR: Skinner
TITLE: Peace officers: release of records
STATUS: 9/30/2018-Chaptered by Secretary of State, Chapter 988, Statutes of 2018
SUMMARY: This bill requires, notwithstanding any other law, certain peace officer or custodial officer personnel records and records relating to specified incidents, complaints, and investigations involving peace officers and custodial officers to be made available for public inspection pursuant to the California Public Records Act. This bill defines the scope of disclosable records.

[SB 1447](#)

AUTHOR: Hernandez
TITLE: Pharmacy: automated drug delivery systems
STATUS: 9/21/2018-Chaptered by Secretary of State, Chapter 666, Statutes of 2018
SUMMARY: Existing law generally requires a pharmacy that owns or provides dangerous drugs or dangerous devices dispensed through an automated drug delivery system (ADDS) to register the system, as provided, and authorizes the pharmacy to use the ADDS only if certain conditions are satisfied. This bill, beginning on July 1, 2019, repeals the general ADDS provisions and the additional conditions for an ADDS located in a health facility. The bill instead requires an ADDS, as defined, to meet specified requirements in order to be installed, leased, owned or operated in the state, including a license for the ADDS issued by the California State Board of Pharmacy to the holder of a current, valid, and active

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pharmacy license of a pharmacy located and licensed in the state.

[SB 1494](#)

AUTHOR: Committee on Public Safety

TITLE: Public Safety Omnibus

STATUS: 9/15/2018-Chaptered by Secretary of State, Chapter 423, Statutes of 2018

SUMMARY: This is the Senate Public Safety Committee's annual omnibus measure that makes technical and corrective changes to various provisions of law. As it pertains to CDCR, this bill, among other things, clarifies that CDCR is authorized to submit all outstanding victim restitution orders for parolees and discharged offenders to the Franchise Tax Board in circumstances in which the individual has failed to make restitution payments. In addition, this bill renumbers a specific statute governing a sex offense and makes approximately 80 cross reference changes under the presumption that it will eliminate confusion.

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Vetoed Bills

AB 183

AUTHOR: Lackey
TITLE: Bill of Rights for State Excluded Employees
STATUS: 9/6/2018-Vetoed by the Governor

SUMMARY: The current 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 have amended 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. The bill would not have applied to the Department of the California Highway Patrol.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 183 without my signature. This bill requires state agencies that operate two or more shifts per day to develop, by January 1, 2019, policies for supervisory employees around shift assignments, vacations, and overtime. This bill, however well-intentioned, would require a policy that is unduly rigid and not reflective of the different circumstances in various state offices and departments. In essence, it would limit the sound discretion of management to make necessary personnel assignments. Sincerely, Edmund G. Brown Jr.

AB 1116

AUTHOR: Grayson
TITLE: Peer Support and Crisis Referral Services Pilot Program
STATUS: 9/27/2018-Vetoed by the Governor

SUMMARY: This bill would have, until January 1, 2024, created the Peer Support and Crisis Referral Services Pilot Program. The bill would have, for purposes of the act, defined a "peer support team" as a team composed of emergency service personnel, as defined, hospital staff, clergy, and educators who have been appointed to the team by a Peer Support Labor-Management Committee, as defined, and who have completed a peer support training course developed and delivered by the California Firefighter Joint Apprenticeship Committee or the Commission on Correctional Peace Officer Standards and Training, as specified.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 1116 without my signature. This bill creates a pilot peer support program for state correctional and parole officers, firefighters, paramedics, emergency medical technicians, and dispatchers. I appreciate the author's sincere attempt to address the occupational stress experienced by some of our bravest public servants. However, I believe that the scope of confidentiality afforded under this bill is too broad and fails to strike the right balance between fostering collegial trust and concealing information necessary to ensure safe and healthy workplaces. Further, peer support programs are already in place for many public safety personnel, making this narrow pilot program largely duplicative and potentially in conflict with existing programs. I would recommend that instead of new statutory provisions, the sponsors and author work with the affected agencies to improve existing programs. Sincerely, Edmund G. Brown Jr.

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Vetoed Bills

[AB 2028](#)

AUTHOR: Rodriguez

TITLE: Prisons: security assessments

STATUS: 9/10/2018-Vetoed by the Governor

SUMMARY: This bill would have required CDCR to conduct a security inspection and audit, as specified, of each facility that houses inmates at regular intervals to be determined by CDCR.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 2028 without my signature. This bill requires the California Department of Corrections and Rehabilitation to conduct a security inspection and audit of all state correctional institutions, address any deficiencies found, and prepare a confidential report to the Legislature detailing the findings of the inspection. The Office of Audits and Court Compliance is tasked with conducting security audits, which began in July 2017. The Department anticipates that all 35 of its institutions will have undergone the first round of security audits by October 27, 2019, and will continue to be audited regularly thereafter. Given that these audits are ongoing, I see no reason to create a duplicative legislative mandate. If the Legislature desires additional information or updates on this process, direct briefings, as well as updates through the annual budget process are the appropriate venue. Sincerely, Edmund G. Brown Jr.

[AB 2153](#)

AUTHOR: Thurmond

TITLE: Teachers: in-service training: lesbian, gay, bisexual, transgender, queer, and questioning pupil resources

STATUS: 9/30/2018-Vetoed by the Governor

SUMMARY: Contingent upon an appropriation, this bill would have required each school operated by a school district or county office of education and each charter school to annually provide in-service training to teachers of pupils in grades 7 to 12, inclusive, and to all other certificated employees at that school, on school-site and community resources for the support of lesbian, gay, bisexual, transgender, queer, and questioning (LGBTQ) pupils as well as strategies to increase support for LGBTQ pupils and thereby improve overall school climate, as specified.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 2153 without my signature. This bill requires local schools to provide annual in-service training on available community and school site resources for lesbian, gay, bisexual, transgender, queer (LGBTQ) students to teachers and supporting staff of grades 7-12 students. I signed AB 827 (O'Donnell) in 2015, which required the Department of Education, as part of its compliance monitoring, to assess whether local schools have provided information to certificated staff serving of grades 7-12 on school site and community resources for LGBTQ students. Current law also requires the Department to monitor local schools to ensure the adoptions of policies prohibiting discrimination, harassment, intimidation, and bullying on the basis of sexual orientation, gender, gender identity, or gender expression. If local schools find that more training or resources on this topic is needed, they have the flexibility to use their resources as they see best. Sincerely, Edmund G. Brown Jr.

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[AB 2720](#)

AUTHOR: Waldron
TITLE: Juveniles: juvenile reentry
STATUS: 9/30/2018-Vetoed by the Governor

SUMMARY: This bill would have expanded the use of Juvenile Reentry Grant Special Account funds to allow counties to use any unexpended Juvenile Reentry Grant allocation to provide rehabilitative services for reentry youth who have been discharged from the jurisdiction of the juvenile court within the prior two years. By expanding the use of continuously appropriated funds, this bill would have made an appropriation.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 2720 without my signature. This bill-contingent upon future passage of a constitutional amendment- allows counties to use any unexpended Juvenile Reentry Grant allocation to provide rehabilitative services for reentry youth who have been discharged from the jurisdiction of the juvenile court within the prior two years. The 2011 Public Safety Realignment funding that this bill seeks to repurpose is constitutionally protected. While the proponents may well have creative and positive ideas for improving re-entry services for system-involved youth, these decisions under current law rest with local authorities and cannot be changed without a constitutional amendment. Sincerely, Edmund G. Brown Jr.

[AB 3131](#)

AUTHOR: Gloria
TITLE: Law enforcement agencies: military equipment: funding, acquisition, and use
STATUS: 9/27/2018-Vetoed by the Governor

SUMMARY: This bill would have required a law enforcement agency, defined to include specified state and local entities, to publish a military equipment use policy prior to taking certain actions relating to the funding, acquisition, or use of military equipment, as defined. The bill would have also imposed similar publishing requirements for the continued use of military equipment acquired prior to January 1, 2019. The bill would have required that the governing body of a law enforcement agency consider a proposed military equipment use policy at a regular meeting held pursuant to specified open meeting laws.

GOVERNOR'S MESSAGE: I am returning Assembly Bill 3131 without my signature. This bill establishes requirements that must be met before a law enforcement agency may take a number of specified actions related to the acquisition and use of "military" equipment. The list of equipment contemplated by this bill is overbroad-broader than that covered by now-repealed Executive Order 13688 which was the basis for AB 36 (Campos) in 2015, which I also vetoed. The current list not only includes items that are clearly "militaristic in style," but many that are commonly used by law enforcement and do not merit additional barriers to their acquisition. In my view this bill creates an unnecessary bureaucratic hurdle without commensurate public benefit, and I cannot sign it. Sincerely, Edmund G. Brown Jr.

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[SB 937](#)

AUTHOR: Wiener

TITLE: Lactation accommodation

STATUS: 9/30/2018-Vetoed by the Governor

SUMMARY: This bill would have required an employer to provide a lactation room or location that includes prescribed features and would have required an employer, among other things, to provide access to a sink and refrigerator in close proximity to the employee's workspace, as specified. The bill would have required an employer to develop and implement a policy regarding lactation accommodation and make it available to employees, as specified. The bill would also have required an employer to maintain records of requests for lactation accommodation for 3 years and to give the Labor Commission access to those records.

GOVERNOR'S MESSAGE: I am returning Senate Bill 937 without my signature. This bill requires employers to provide a space that meets specified standards for employees with a desire to express breast milk in private. I have signed AB 1976 which furthers the state's ongoing efforts to support working mothers and their families. Therefore, this bill is not necessary. Sincerely, Edmund G. Brown Jr.

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[AB 359](#)

AUTHOR: Jones-Sawyer

TITLE: In-custody informants

STATUS: 8/24/2018-Ordered to the inactive file.

SUMMARY: This bill would have revised the definition of an in-custody informant to refer to a person, other than a codefendant, percipient witness, accomplice, or coconspirator who provides testimony or information for use in the investigation or prosecution of a defendant based upon statements made by the defendant while both the defendant and the informant are housed within a correctional institution.

[AB 870](#)

AUTHOR: Levine

TITLE: Prisoners: mental health treatment

STATUS: 8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was Senate Inactive File on 5/21/2018)

SUMMARY: This bill would have required a court, upon the conviction of a defendant for a felony resulting in 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.

[AB 931](#)

AUTHOR: Weber

TITLE: Criminal procedure: use of force by peace officers

STATUS: 8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was Senate Rules on 8/16/2018)

SUMMARY: Existing law authorizes a peace officer to use reasonable force to effect the arrest, to prevent escape, or to overcome resistance. Existing law does not require an officer to retreat or desist from an attempt to make an arrest because of resistance or threatened resistance of the person being arrested. This bill would have, as of January 1, 2020, required peace officers to attempt to control an incident by using time, distance, communications, and available resources in an effort to deescalate a situation whenever it is safe, feasible, and reasonable to do so.

[AB 1929](#)

AUTHOR: Lackey

TITLE: Inspector General: Rehabilitation Programs

STATUS: 5/25/2018-Failed Deadline pursuant to Rule 61(b)(8). (Last location was Assembly Appropriations Suspense File on 5/9/2018)

SUMMARY: This bill would have required the Inspector General, commencing July 1, 2019, to develop and implement a monitoring program that evaluates all rehabilitation programs operated by CDCR for adult inmates and parolees, as specified. The bill would have required the evaluation report to include an analysis of whether the programs are evidence based, as specified. The bill would have additionally

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required the Inspector General to report to the Joint Legislative Budget Committee, the Assembly and Senate Committees on Public Safety, and the Governor biannually until 2029.

AB 1940

AUTHOR: McCarty

TITLE: Parole: reintegration credits

STATUS: 6/1/2018-Failed Deadline pursuant to Rule 61(b)(11). (Last location was Assembly Third Reading on 5/29/2018)

SUMMARY: This bill would have created a program under which the length of a parolee's period of parole would be reduced through the successful completion of specified education, training, or treatment programs, or by participating in volunteer service, while adhering to the conditions of parole. The bill would have required CDCR and the Board of Parole Hearings to adopt regulations to carry out the program.

AB 1998

AUTHOR: Rodriguez

TITLE: Opioids: safe prescribing policy

STATUS: 8/17/2018-Failed Deadline pursuant to Rule 61(b)(15). (Last location was Senate Appropriations Suspense File on 8/6/2018)

SUMMARY: This bill would have required, by July 1, 2019, every health care practitioner, with the exception of veterinarians, who prescribes, administers, or furnishes opioids classified as Schedule II and Schedule III to adopt, review, and periodically update a safe opioid prescribing policy, as specified. The bill would have prohibited the safe opioid prescribing policy from placing a limitation on the prescription, ordering, administration, or furnishing of opioids to patients with prescribed conditions.

AB 2303

AUTHOR: Thurmond

TITLE: Taxation: prison contracts: goods and services

STATUS: 8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was Assembly Education Committee on 8/24/2018)

SUMMARY: Prior to amendment, this bill would have imposed a 10 percent tax on all private, for-profit prisons for the privilege of contracting with CDCR to provide a state prison with goods, services, or both, and would have established the State Incarceration Prevention Fund for preschool and after school programs for the purposes of providing services that prevent people from being incarcerated and providing early intervention programs.

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[AB 2560](#)

AUTHOR: Thurmond
TITLE: Taxation: prison contracts: goods and services
STATUS: 8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was Assembly Revenue and Taxation on 3/22/2018)

SUMMARY: This bill, for the privilege of contracting with CDCR to provide a state prison with goods, services, or both, would have imposed a tax on vendors, as defined, at specified rates for the final contract price, as defined, for contracts entered into on or after January 1, 2019.

[AB 2706](#)

AUTHOR: Jones-Sawyer
TITLE: Juvenile wards: discharge
STATUS: 6/1/2018-Failed Deadline pursuant to Rule 61(b)(11). (Last location Assembly Public Safety on 5/31/2018)

SUMMARY: Existing law allows the Board of Juvenile Hearings to set a date on which a ward is to be discharged from the jurisdiction of CDCR, Division of Juvenile Justice under the supervision of the probation department of, and the jurisdiction of the court of, the committing county, or to deny discharge and hold the person for a total period of time that does not exceed the maximum term of physical confinement set by the juvenile court. Existing law requires the Division, not less than 60 days prior to the scheduled discharge consideration hearing of a ward, to provide to the probation department and the court of the committing county, and the ward's counsel, if known, the most recent written review, as specified. This bill would have authorized the probation department of the committing county to participate in the ward's reentry case conference with the Division of Juvenile Justice, in person or by video conferencing.

[AB 2724](#)

AUTHOR: Eggman
TITLE: Inmates: driver's licenses
STATUS: 5/25/2018-Failed Deadline pursuant to Rule 61(b)(8). (Last location was Assembly Appropriations Suspense File on 5/2/2018)

SUMMARY: This bill would have required CDCR and the Department of Motor Vehicles to ensure that all eligible inmates, as defined, have the privilege to operate a motor vehicle upon release from state prison. The bill would have additionally required the Department of Motor Vehicles and CDCR to provide an eligible inmate with a specified form to renew his or her driver's license by mail, upon request.

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[AB 2970](#)

AUTHOR: Cooper
TITLE: Public employees: new employee orientations
STATUS: 6/29/2018-Failed Deadline pursuant to Rule 61(b)(13). (Last location was Senate Judiciary on 6/11/2018)

SUMMARY: Existing law generally requires state and local public employers that conduct new employee orientations to provide the exclusive representative of those employees access to the orientation. Existing law requires the exclusive representative to receive at least 10 days' notice in advance of an orientation and requires that the structure, time, and manner of exclusive representative access shall be determined through mutual agreement between the employer and the exclusive representative, subject to specified requirements. This bill would have required the date, time, and place of the orientation be confidential and not be shared with anyone other than employees, the exclusive representative, or a vendor that is contracted to provide a service for purposes of the orientation.

[AB 3104](#)

AUTHOR: Cooper
TITLE: Murder
STATUS: 8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was Assembly Inactive File on 5/31/2018)

SUMMARY: This bill would have amended various propositions by limiting the sentence for specified instances of first degree murder to 25 years to life, specifically where the person is not the actual killer but acts with specified intent. The bill would have defined as 2nd degree murder, punishable by 15 years to life in state prison, a person who is not the actual killer and who does not act with reckless indifference to human life and is not a major participant in the crime, but who aids, abets, counsels, commands, induces, solicits, requests, or assists an actor in the commission or attempted commission of an enumerated crime that results in the death of a person.

[AB 3121](#)

AUTHOR: Kalra
TITLE: Evidentiary privileges: union agent-represented worker privilege
STATUS: 8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was Senate Inactive File on 8/29/2018)

SUMMARY: Existing law governs the admissibility of evidence in court proceedings and generally provides a privilege as to communications made in the course of certain relations, including the attorney-client, physician-patient, and psychotherapist-patient relationship, as specified. Under existing law, the right of any person to claim those evidentiary privileges is waived with respect to a communication protected by the privilege if any holder of the privilege, without coercion, has disclosed a significant part of the communication or has consented to a disclosure made by anyone. This bill would have provided that a union agent, as defined, and a represented employee or represented former employee have a privilege to refuse to disclose any confidential communication between the employee or former employee and the union agent while the union agent was acting in his or her representative capacity, except as specified.

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[SB 142](#)

AUTHOR: Beall
TITLE: Criminal offenders: mental health
STATUS: 8/17/2018-Failed Deadline pursuant to Rule 61(b)(15). (Last location was Assembly Appropriations Suspense File on 8/8/2018)

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 have authorized 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 825](#)

AUTHOR: Beall
TITLE: State prisons: preapprenticeship program
STATUS: 6/29/2018-Failed Deadline pursuant to Rule 61(b)(13). (Last location was Assembly Public Safety on 6/11/2018)

SUMMARY: This bill would have required CDCR to develop guidelines for inmate participation in preapprenticeship training programs, as specified. The bill would have also required the Department to coordinate with local state-approved apprenticeship programs and local building trade councils so that inmates who complete an inmate preapprenticeship program have a pathway to employment upon release.

[SB 990](#)

AUTHOR: Wiener
TITLE: Inmates
STATUS: 8/17/2018-Failed Deadline pursuant to Rule 61(b)(15). (Last location was Assembly Appropriations Suspense File on 8/8/2018)

SUMMARY: This bill would have required CDCR and local jails to recognize each inmate's gender identity and provide equal access to programs for inmates who are not housed with the general population because they require protection from harassment or victimization.

[SB 1010](#)

AUTHOR: Beall
TITLE: Parolees: Supportive Housing Pilot Program
STATUS: 8/17/2018-Failed Deadline pursuant to Rule 61(b)(15). (Last location was Assembly Appropriations Suspense File on 8/8/2018)

SUMMARY: Existing law requires CDCR to provide a supportive housing program that provides wraparound services to mentally ill parolees at risk of homelessness using funding appropriated for that purpose. This bill would have required the Department, on or before January 1, 2019, to create the Supportive Housing Pilot Program, which would have been in effect at the same time as the existing

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program and would have established a process and timeline for finalizing a memorandum of understanding with one or more counties that elect to participate in which the department would have agreed to, among other things, refer eligible parolees to participating counties for mental health treatment, housing navigation services, and supportive housing services, and to pay for bridge rental assistance, as defined, and services in supportive housing during the program participant's term of parole.

[SB 1146](#)

AUTHOR: Stone
TITLE: Prisoners: rights
STATUS: 7/6/2018-Failed Deadline pursuant to Rule 61(b)(14). (Last location was Assembly Public Safety on 6/12/2018)

SUMMARY: Existing law authorizes a court to issue a restraining order or protective order enjoining the restrained party from contacting the protected party, as specified. Under current law, violation of the terms of a restraining order is punishable as a misdemeanor and subsequent violations are punishable as a misdemeanor or felony. This bill would have authorized prison authorities to open and inspect outgoing mail for purposes of enforcing a restraining order or protective order against an inmate, but would have prohibited prison authorities from opening or inspecting outgoing confidential correspondence between a prisoner and his or her attorney.

[SB 1185](#)

AUTHOR: Hill
TITLE: Firearms: law enforcement agencies: agency firearm accounting
STATUS: 5/25/2018-Failed Deadline pursuant to Rule 61(b)(8). (Last location was Senate Appropriations Suspense File on 4/23/2018)

SUMMARY: This bill would have required a law enforcement agency, as defined, by January 1, 2020, to adopt a written procedure to account for firearms that are owned, acquired, maintained, sold, loaned, lost, stolen from, or in any way possessed by that agency, as specified. The bill would have required agency employees to report to the agency lost or stolen firearms owned by the agency, or used or carried by an employee within the course of his or her employment that are not owned by the agency, within 5 days of the date they know or reasonably should have known that the firearms were lost or stolen.

[SB 1198](#)

AUTHOR: Wilk
TITLE: Sex offenders: risk assessment research
STATUS: 8/17/2018-Failed Deadline pursuant to Rule 61(b)(15). (Last location was Assembly Appropriations Suspense File on 8/8/2018)

SUMMARY: This bill would have required the State-Authorized Risk Assessment Tool for Sex Offenders Review Committee to sponsor research specific to California sex offenders relating to recidivism and desistance from offending, as specified, and would have required the committee to submit an annual report to the Legislature on its ongoing research and the final results of its research studies. The bill would have

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also added two additional members with experience with juveniles, as specified, to the California Sex Offender Management Board.

[SB 1266](#)

AUTHOR: Portantino

TITLE: Burglary

STATUS: 6/29/2018-Failed Deadline pursuant to Rule 61(b)(13). (Last location was Assembly Public Safety on 6/7/2018)

SUMMARY: This bill would have established a pilot program requiring parolees convicted of first-degree burglary who are released to Los Angeles County to be subject to global positioning system monitoring as a condition of parole.

[SB 1279](#)

AUTHOR: Bradford

TITLE: Sentencing: double the base term

STATUS: 8/31/2018-Failed Deadline pursuant to Rule 61(b)(18). (Last location was Assembly Third Reading on 8/20/2018)

SUMMARY: Existing law requires a person convicted of 2 or more felonies to be sentenced to an aggregate term of imprisonment for all convictions at a sum of the principal term, the subordinate term, and any additional term imposed for applicable enhancements, prior convictions, and prior prison terms. This bill would, with exceptions, as specified, have limited the maximum term of imprisonment to twice the number of years imposed by the trial court as the base term.

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