



CPPCA Legislative Update

February 9, 2021

California State Legislature Reconvenes

The California State Legislature returned to the California State Capitol Building on Monday, January 11. Members approved the rules for the 2021-2022 Legislative Session for each house, with both houses recognizing the need for increased flexibility given the COVID-19 pandemic. We continue to see bills introduced each day leading up to the February 19 deadline for all bills to be introduced.

Legislative Committee Assignments

As part of the new 2021-2022 Legislative Session, the Assembly and Senate leadership have announced committee membership, and in some cases, new Chairs of committees. Senator Nancy Skinner (D – Berkeley) will be taking over as Chair of the Senate Budget Committee with Holly Mitchell’s election to the Los Angeles County Board of Supervisors. The Senate also announced that Senator Steven Bradford (D – Gardena) will be taking over Senator Skinner’s role as Chair of the Senate Public Safety Committee.

Below are the Chair and Vice-Chairs for public safety and budget committees:

Assembly Public Safety Committee

- Reginald Byron Jones-Sawyer, Sr. (D – Los Angeles) (Chair)
- Tom Lackey (R – Palmdale) (Vice Chair)

Assembly Budget Committee

- Philip Y. Ting (D – San Francisco) (Chair)
- Vince Fong (R – Bakersfield) (Vice Chair)

Assembly Budget Subcommittee No. 5 on Public Safety

- Cristina Garcia (D – Downey) (Chair)

Senate Public Safety Committee

- Senator Steven Bradford (D - Gardena), (Chair)
- Senator Rosilicie Ochoa Bogh (R - Yucaipa), (Vice Chair)

Senate Budget and Fiscal Review Committee

- Senator Nancy Skinner (D - Berkeley), (Chair)
- Senator Jim Nielsen (R - Tehama), (Vice Chair)

Senate Budget Subcommittee #5 on Corrections, Public Safety, Judiciary, Labor and Transportation

- Senator María Elena Durazo (D - Los Angeles), (Chair)

Recent Legislative Reports/Studies

- Legislative Analyst's Office (LAO)
 - [Budget: Funding for County Probation Departments](#)
 - [Budget: Correctional Staff Training Proposals](#)
 - [Budget: Prison Maintenance and Repair Proposals](#)
- Office of the Inspector General
 - [COVID-19 Review of CDCR: Part 3](#)

Bills of Interest

Below is a list of bills that have been introduced thus far in the session that we are tracking on behalf of CPPCA. The Legislature has until February 19 for all bills to be introduced.

Measure	Topic	Status	Summary
AB 17 Cooper D	Peace officers: disqualification from employment.	1/13/2021-Re-referred to Com. on PUB. S.	Would disqualify a person from being a peace officer if the person has been discharged from the military for committing an offense that would have been a felony if committed in California or if the person has been certified as a peace officer and has had that certification revoked by the Commission on Peace Officer Standards and Training.
AB 26 Holden D	Peace officers: use of force.	1/11/2021-Referred to Com. on PUB. S.	Current law requires each law enforcement agency, on or before January 1, 2021, to maintain a policy that provides a minimum standard on the use of force. Current law requires that policy, among other things, to require that officers report potential excessive force to a superior officer when present and observing another officer using force that the officer believes to be unnecessary, and to require that officers intercede when present and observing another officer using force that is clearly beyond that which is necessary, as specified. This bill would require those law enforcement policies to require those officers to immediately report potential excessive force, and to intercede when present and observing an officer using excessive force, as defined.

<p><u>AB 27</u> <u>Rivas, Luz D</u></p>	<p>Homeless children and youths and unaccompanied youths: reporting.</p>	<p>1/11/2021-Referred to Com. on ED.</p>	<p>Under current state law, public schools, including charter schools, and county offices of education are required to immediately enroll a homeless child or youth seeking enrollment, except as specified. Current law requires a local educational agency liaison for homeless children and youths to ensure that public notice of the educational rights of homeless children and youths is disseminated in schools within the liaison’s local educational agency that provide services pursuant to the McKinney-Vento Homeless Assistance Act. This bill would require a local educational agency to ensure that each school within the local educational agency identifies all homeless children and youths and unaccompanied youths, as defined, enrolled at the school, administer a housing questionnaire, as specified, for purposes of identifying homeless children and youths and unaccompanied youths, and annually provide the housing questionnaire to all parents or guardians of pupils and unaccompanied youths of the local educational agency.</p>
<p><u>AB 31</u> <u>Lackey R</u></p>	<p>Child abuse.</p>	<p>12/8/2020-From printer. May be heard in committee January 7.</p>	<p>Would state the intent of the Legislature to enact legislation relating to child abuse and neglect.</p>
<p><u>AB 38</u> <u>Cooper D</u></p>	<p>Statewide bail schedule.</p>	<p>1/15/2021-Re-referred to Com. on PUB. S.</p>	<p>Would require the Judicial Council to prepare, adopt, and annually revise a statewide bail schedule for all bailable felony offenses and for all misdemeanor and infraction offenses except Vehicle Code infractions, as specified. This bill would require that bail for a person charged with 2 or more offenses be the amount computed under the bail schedule for the charge having the highest amount of bail, except as provided.</p>
<p><u>AB 46</u> <u>Rivas, Luz D</u></p>	<p>California Youth Empowerment Act.</p>	<p>1/11/2021-Referred to Coms. on A. & A.R. and HUM. S.</p>	<p>Would create the California Youth Empowerment Act to address, among other issues, the growing need to engage youth directly with policymakers. The bill would establish the California Youth Empowerment Commission in state government consisting of 25 voting commissioners between 14 and 25 years of age and meeting specified requirements, with 21 members appointed by the Governor, 2 at-large members appointed by the Senate Committee on Rules, and 2 at-large members appointed by the Speaker of the</p>

			Assembly, along with several ex officio, nonvoting members from various geographic regions of the state. The bill would establish the commission to be advisory in nature, for the main purpose of providing meaningful opportunities for civic engagement to improve the quality of life for California's disconnected and disadvantaged youth.
<u>AB 48</u> <u>Gonzalez,</u> <u>Lorena D</u>	Law enforcement: kinetic energy projectiles and chemical agents.	1/11/2021-Referred to Com. on PUB. S.	Would prohibit the use of kinetic energy projectiles or chemical agents, as defined, by any law enforcement agency to disperse any assembly, protest, or demonstration, except in compliance with specified standards set by the bill, and would prohibit their use solely due to a violation of an imposed curfew, verbal threat, or noncompliance with a law enforcement directive. The bill would prohibit the use of chloroacetophenone tear gas or 2-chlorobenzalmalononitrile gas by law enforcement agencies to disperse any assembly, protest, or demonstration. The bill would include in the standards for the use of kinetic energy projectiles and chemical agents to disperse gatherings the requirement that, among other things, those weapons only be used to defend against a threat to life or serious bodily injury to any individual, including a peace officer.
<u>AB 60</u> <u>Salas D</u>	Law enforcement.	1/11/2021-Referred to Com. on PUB. S.	Would disqualify a person from being employed as a peace officer if that person has been convicted of, or has been adjudicated by a military tribunal as having committed an offense that would have been a felony if committed in this state. The bill would also disqualify any person who has been certified as a peace officer by the Commission on Peace Officer Standards and Training and has had that certification revoked by the commission.
<u>AB 89</u> <u>Jones-Sawyer D</u>	Peace officers: minimum qualifications.	1/11/2021-Referred to Com. on PUB. S.	Current law requires peace officers in this state to meet specified minimum standards, including age and education requirements. This bill would increase the minimum qualifying age from 18 to 25 years of age. This bill would permit an individual under 25 years of age to qualify for employment as a peace officer if the individual has a bachelor's or advanced degree from an accredited college or university. The bill would provide legislative findings in support of the measure.
<u>AB 90</u>	Consumer credit	1/11/2021-Referred to	Current state law requires a consumer credit

<u>Valladares R</u>	reports: security freezes: protected consumers.	Com. on B. & F.	reporting agency to place a security freeze on the provision of consumer reports for certain protected consumers, as defined, if specified requirements are met. For these purposes, existing law defines a “protected consumer” as including, among others, an individual under the jurisdiction of a county welfare department or a county probation department who has been placed in foster care and is under 16 years of age at the time the security freeze request is made. This bill would revise the definition of a protected consumer, as described above, to include individuals under the jurisdiction of a county welfare department or a county probation department who have been placed in foster care and are under 18 years of age at the time the security freeze request is made.
<u>AB 94</u> <u>Jones-Sawyer D</u>	Correctional officers.	12/8/2020-From printer. May be heard in committee January 7.	Current law establishes the Commission on Correctional Peace Officer Standards and Training (CPOST) within the Department of Corrections and Rehabilitation and requires the CPOST to develop, approve, and monitor standards for the selection and training of state correctional peace officers. This bill would state the intent of the Legislature to enact legislation to require all correctional officers to receive annual mental health evaluations.
<u>AB 102</u> <u>Holden D</u>	College and Career Access Pathways partnerships.	1/11/2021-Read first time. Referred to Coms. on HIGHER ED. and ED.	Current law, until January 1, 2027, authorizes the governing board of a community college district to enter into a College and Career Access Pathways (CCAP) partnership with the governing board of a school district or the governing body of a charter school with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness. This bill would extend those provisions related to CCAP partnerships indefinitely. The bill would also make nonsubstantive changes.
<u>AB 103</u> <u>Holden D</u>	Pupil instruction: College and Career Access Pathways partnerships: county offices of education.	1/11/2021-Read first time. Referred to Coms. on HIGHER ED. and ED.	Current law, until January 1, 2027, authorizes the governing board of a community college district to enter into a College and Career Access Pathways (CCAP) partnership with the governing board of a school district or the governing body of a charter school with the goal of developing seamless pathways from

			high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness. This bill would specify that “high school,” as used in the bill, includes a community school, continuation high school, or juvenile court school.
<u>AB 110</u> <u>Petrie-Norris</u> D	Fraudulent claims: inmates.	1/11/2021-Read first time. Referred to Coms. on P. & C.P. and INS.	Would require the Department of Corrections and Rehabilitation to provide the names and social security numbers of current inmates to the Employment Development Department for the purposes of preventing payments on fraudulent claims for unemployment compensation benefits. The bill would also require a county to provide the names and social security numbers of inmates currently serving a sentence in the county’s jail to the Employment Development Department for those same purposes. The bill would require the names and social security numbers to be provided to the Employment Development Department on the first of every month and upon the Employment Development Department’s request.
<u>AB 112</u> <u>Holden</u> D	Medi-Cal eligibility.	1/11/2021-Read first time. Referred to Com. on HEALTH.	Would require the suspension of Medi-Cal benefits to an inmate of a public institution who is not a juvenile to end on the date they are no longer an inmate of a public institution or 3 years from the date they become an inmate of a public institution, whichever is sooner. The bill would also require the suspension of Medi-Cal benefits to an inmate of a public institution who is a juvenile on the date that the individual is no longer an inmate of a public institution or 3 years after the date the individual is no longer an eligible juvenile under federal law, whichever is sooner.
<u>AB 124</u> <u>Kamlager</u> D	Sentencing.	1/11/2021-Read first time. Referred to Com. on PUB. S.	Current law, until January 1, 2022, authorizes the court, when a judgment of imprisonment is imposed and specifies 3 possible terms, to pick the term that best serves the interests of justice. Current law, after January 1, 2022, requires the court, in those circumstances, to impose the middle term unless there are circumstances in aggravation or mitigation of the crime. This bill would, until January 1, 2022, require the court, when selecting the term that best serves the interests of justice, to consider if the inmate experienced intimate

			partner violence, commercial sex trafficking, commercial sexual exploitation, or human trafficking, and if the trauma of those experiences was a contributing factor to the defendant’s criminal behavior that would make a sentence other than the lowest possible sentence unduly harsh. The bill would, after January 1, 2022, require the court to consider those factors in mitigation of the crime.
<u>AB 127</u> <u>Kamlager</u> D	Arrest warrants: declaration of probable cause.	1/11/2021-Read first time. Referred to Com. on PUB. S.	Current law governs the procedure for issuing a warrant of arrest by a magistrate. If a declaration of probable cause is made by a peace officer, existing law requires the magistrate to issue a warrant of probable cause for the arrest of the defendant described in the declaration only if the magistrate is satisfied that there is probable cause that the offense described in the declaration has been committed and that the defendant has committed the offense. Current law allows the issuing magistrate to examine the person seeking the warrant and any witnesses the person may produce under oath. Current law provides additional requirements for making and signing the declaration of probable cause, as specified. This bill would make these requirements applicable whenever a declaration of probable cause is made to a magistrate, without regard to whether the declaration is made by a peace officer.
<u>AB 216</u> <u>Ramos</u> D	Peace officers: firearms: establishment serving the public.	1/28/2021-Referred to Com. on PUB. S.	Would make it unlawful for an establishment serving the public to prohibit or otherwise restrict a peace officer from carrying a weapon on the establishment’s premises that the peace officer is authorized to carry, regardless of whether the peace officer is engaged in the actual discharge of the officer’s duties while carrying the weapon. The bill would make a first offense punishable as an infraction by a fine not exceeding \$500, and as a misdemeanor for a 2nd or subsequent violation, punishable by imprisonment in a county jail not exceeding 6 months, by a fine not exceeding \$1,000, or by both that fine and imprisonment. By creating a new crime, this bill would impose a state-mandated local program.
<u>AB 226</u> <u>Ramos</u> D	Children’s crisis psychiatric residential treatment facilities.	1/28/2021-Referred to Com. on HUM. S.	Would amend the California Community Care Facilities Act and related CalWORKS provisions to instead use the term “children’s

			crisis psychiatric treatment facility.” The bill would delete the requirement for residential mental health program approval and instead require a children’s crisis psychiatric residential treatment facility to obtain and have in good standing a certification that conforms to federal Medicaid psychiatric residential treatment facility requirements and makes the facility eligible for federal reimbursement as a Medicaid psychiatric residential treatment facility, as specified.
<u>AB 228</u> <u>Rodriguez D</u>	Theft: receiving stolen property: firearms.	1/28/2021-Referred to Com. on PUB. S.	Under current law, theft of any property of a value exceeding \$950 is grand theft and is punishable as either a misdemeanor or a felony. Under current law, theft of any firearm, regardless of value, is grand theft and is punishable as a felony. This bill would, upon approval by the voters, make knowingly buying or receiving a stolen firearm, as specified, regardless of the value of the firearm, punishable as either a misdemeanor or a felony.
<u>AB 229</u> <u>Holden D</u>	Use of force instruction: private security guards: alarm company responders.	1/28/2021-Referred to Com. on B. & P.	The Private Security Services Act prohibits a person required to be registered as a security guard from engaging in specified conduct, including, but not limited to, carrying or using a firearm unless they possess a valid and current firearms permit. The law requires a successful applicant for a firearm qualification card to complete a specified course in the carrying and use of firearms. This bill would, in addition, prohibit them from carrying or using a firearm or baton unless the security guard is an employee of a private patrol operator licensee, and commencing January 1, 2023, would require the course in the carrying and use of firearms to include training in the appropriate use of force, as specified.
<u>AB 234</u> <u>Ramos D</u>	Office of Suicide Prevention	1/28/2021-Referred to Com. on HEALTH.	Current law authorizes the State Department of Public Health to establish the Office of Suicide Prevention within the department, and requires the office to perform specified duties, including providing information and technical assistance to statewide and regional partners regarding best practices on suicide prevention policies and programs and reporting on progress to reduce rates of suicide, and authorize the office to apply for and use federal, state, and foundation grants. This bill would remove the limitation that, should the

			office be established, all duties and responsibilities of the office be carried out using existing staff and resources.
<u>AB 254</u> <u>Jones-Sawyer D</u>	Contraband in state prisons.	1/15/2021-From printer. May be heard in committee February 14.	Would express the intent of the Legislature to enact legislation to reduce contraband use within prisons under CDCR's jurisdiction.
<u>AB 256</u> <u>Kalra D</u>	Criminal procedure: discrimination.	1/28/2021-Referred to Com. on PUB. S.	Current law prohibits the state from seeking a criminal conviction or sentence on the basis of race, ethnicity, or national origin, as specified, and, in a case in which judgment has not been entered prior to January 1, 2021, allows a petition to be filed alleging a violation of that prohibition. Current law authorizes a court that finds a violation of that prohibition to impose specified remedies, including, among other things, modifying the judgment and resentencing the defendant. This bill would authorize that petition to be filed for cases in which a judgment was entered prior to January 1, 2021. The bill would additionally make other technical changes.
<u>AB 261</u> <u>Sevarto R</u>	Authorized emergency vehicles.	1/28/2021-Referred to Com. on TRANS.	Would permit an authorized emergency vehicle to operate on an HOV lane if specified conditions are met, including, among others, that the vehicle is being driven while responding to, or returning from, an urgent or emergency call and the driver of the vehicle determines that the use of the HOV lane will likely improve the arrival time of the authorized emergency vehicle and its delivery of essential public safety services.
<u>AB 262</u> <u>Patterson R</u>	Human trafficking: vacatur relief for victims: fines.	1/28/2021-Referred to Com. on PUB. S.	Current law allows a person who was arrested or convicted of a nonviolent offense while they were a victim of human trafficking to petition the court for vacatur relief. Current law requires the petitioner to establish by clear and convincing evidence that the arrest and conviction was the direct result of being a victim of human trafficking. Current law requires that a petition be made and heard within a reasonable time after the person has ceased to be a victim of human trafficking, or within a reasonable time after the petitioner has sought services, whichever is later. Current law allows a petitioner, or the petitioner's attorney, to be excused from appearing in person at a hearing on the petition only if the court finds a compelling reason why the petitioner cannot attend, in which case

			existing law allows the petitioner to appear by electronic means. This bill would prohibit a court from refusing to hear the petition on the basis of the petitioner’s outstanding fines and fees or the petitioner’s failure to meet the conditions of probation.
<u>AB 266</u> <u>Cooper</u> D	Violent felonies: hate crimes.	1/28/2021-Referred to Com. on PUB. S.	Current law classifies certain felonies as violent felonies for purposes of various provisions of the Penal Code. Current law imposes an additional one-year term for a sexually violent felony and a 3-year term for a violent felony for each prior separate prison term served for a violent felony. This bill would additionally define felony hate crimes as a violent felony, as specified. By increasing the punishment for a crime, this bill would impose a state-mandated local program.
<u>AB 270</u> <u>Ramos</u> D	Core Behavioral Health Crisis Services System.	1/28/2021-Referred to Coms. on HEALTH and C. & C.	Would create the Core Behavioral Health Crisis Services System, using the digits “988” for the 988 Suicide Prevention and Behavioral Health Crisis Hotline, in compliance with existing federal law and standards governing the National Suicide Prevention Lifeline. The bill would require the department, as defined, to take specified actions to implement the hotline system. The bill would require the department to charge a fee on each resident of the state that is a subscriber of commercial mobile or IP-enabled voice services to pay for the costs of the program. The bill would create the 988 Fund, a new continuously appropriated fund, and would require the fees to be deposited along with other specified moneys into the 988 Fund.
<u>AB 277</u> <u>Valladares</u> R	Domestic violence: victims: address confidentiality.	1/28/2021-Referred to Com. on JUD.	Current law establishes an address confidentiality program for victims of domestic violence, sexual assault, stalking, human trafficking, or elder or dependent adult abuse, commonly known as the Safe at Home program, under which an adult person, or a guardian on behalf of a minor or an incapacitated person, states that they are a victim of domestic violence, sexual assault, stalking, human trafficking, or elder or dependent adult abuse, and designates the Secretary of State as the agent for service of process and receipt of mail. Under existing law, when the Secretary of State certifies the person as a program participant, the person’s actual address is confidential. This bill would

			require the Secretary of State to make the application form for participation in the program and various notices required under the program available in at least 5 languages and to maintain certain information relating to the program on the secretary's internet website, including, among other things, the contact information for community-based programs that can assist a person in applying to participate in the program.
<u>AB 282</u> <u>Lackey R</u>	Misdemeanor diversion.	1/28/2021-Referred to Com. on PUB. S.	Current law authorizes a judge in the superior court in which a misdemeanor is being prosecuted to offer misdemeanor diversion to a defendant over the objection of a prosecuting attorney, as specified. Current law prohibits a judge from offering diversion pursuant to these provisions for specified charged offenses, including, among other things, battery committed against a spouse and stalking. This bill would prohibit a judge from offering diversion pursuant to those provisions for the charged offenses of, among others, inflicting cruel or inhuman corporal punishment upon a child, elder abuse, criminal threats, specified hate crimes, and driving under the influence.
<u>AB 292</u> <u>Stone D</u>	Corrections: prison credits.	1/28/2021-Referred to Com. on PUB. S.	Current law generally awards an inmate 6 months of credit reductions for every 6 months of continuous incarceration. Current law, as added by Proposition 184 at the November 8, 1994, statewide general election, restricts the total amount of credits that an inmate convicted of a serious or violent felony, as defined, can receive to no more than 1/5 of the total term of imprisonment. This bill would direct the department to use its constitutional authority to award specified credits to incarcerated persons who are incarcerated for a violent felony or for a nonviolent second- or third-strike felony and who do not have a specified administrative classification determined by the department at a rate of a one-day reduction in the term of confinement for every day of incarceration.
<u>AB 307</u> <u>Lackey R</u>	Crimes: invasion of privacy.	1/26/2021-From printer. May be heard in committee February 25.	Current law makes it a misdemeanor to distribute intimate images of another person, as specified, that were intended to remain private, and that results in the serious emotional distress of the person depicted. This bill would expand that crime by removing the

			requirement that the person depicted suffer serious emotional distress. The bill would additionally require a person who violates this provision to register as a sex offender.
<u>AB 308</u> <u>Chen R</u>	Law enforcement: vehicle burglary task forces.	1/26/2021-From printer. May be heard in committee February 25.	Would require the Board of State and Community Corrections to administer grants to law enforcement agencies that participate in regional vehicle burglary reduction joint task forces. The bill would make law enforcement agencies in specified counties eligible to participate in the regional task forces. The bill would require participating law enforcement agencies in each region to form a joint task force coordination council consisting of the sheriff or chief of police, or their representatives, of each participating law enforcement agency, and would authorize the Commissioner of the Department of the California Highway Patrol to designate a representative of the California Highway Patrol to serve as an ex officio member for each task force.
<u>AB 317</u> <u>Patterson R</u>	Foster care.	1/27/2021-From printer. May be heard in committee February 26.	Current law requires the Office of the State Foster Care Ombudsperson to be established in the State Department of Social Services with prescribed powers and duties relating to the management of foster children, including the dissemination of information on the rights of children and youth in foster care. Current law requires the Director of Social Services, in consultation with a committee of interested individuals chosen by the director, to appoint the ombudsperson for a term of 4 years. This bill would instead require the Secretary of California Health and Human Services to appoint the ombudsperson.
<u>AB 328</u> <u>Chiu D</u>	Reentry Housing Program.	1/27/2021-From printer. May be heard in committee February 26.	Would establish the Reentry Housing Program. The bill would require the Department of Housing and Community Development to, on or before July 1, 2022, take specified actions to, upon appropriation by the Legislature, provide grants to counties and continuums of care, as defined, for evidence-based housing and housing-based services interventions to allow people with recent histories of incarceration to exit homelessness and remain stably housed.
<u>AB 329</u> <u>Bonta D</u>	Bail.	1/28/2021-From printer. May be heard in committee February	Current law provides for the procedure of approving and accepting bail, and issuing an order for the appearance and release of an

		27.	arrested person. Current law authorizes specified sheriff, police, and court employees to approve and accept bail in the amount fixed by the warrant of arrest, schedule of bail, or order admitting to bail. Current law requires the superior court judges in each county to prepare, adopt, and annually revise a uniform countywide schedule of bail, as specified. This bill would require bail to be set at \$0 for all offenses except, among others, serious or violent felonies, violations of specified protective orders, battery against a spouse, sex offenses, and driving under the influence. The bill would require the Judicial Council to prepare, adopt, and annually revise a bail schedule for the exempt offenses.
<u>AB 331</u> <u>Jones-Sawyer D</u>	Organized theft.	1/28/2021-From printer. May be heard in committee February 27.	Current law, until July 1, 2021, makes a person guilty of organized retail theft, punishable as a misdemeanor or a felony, as specified, if the person acts in concert with one or more persons to steal merchandise from one or more merchant's premises or online marketplaces with the intent to sell or return the merchandise for value, acts in concert with 2 or more persons to receive, purchase, or possess merchandise knowing or believing it to have been stolen, acts as an agent of another to steal merchandise from one or more merchant's premises or online marketplaces as part of an organized plan to commit theft, or recruits, coordinates, organizes, supervises, directs, manages, or finances another to undertake acts of theft. This bill would extend the operation of the crime of organized retail theft indefinitely.
<u>AB 333</u> <u>Kamlager D</u>	Participation in a criminal street gang: enhanced sentence.	1/28/2021-From printer. May be heard in committee February 27.	Current law makes it a crime, punishable as either a misdemeanor or a felony, to actively participate in a criminal street gang with knowledge that its members engage in, or have engaged in, a pattern of criminal gang activity and to actively promote, further, or assist in felonious criminal conduct by members of that gang. Would also require that the crimes committed to form a pattern of criminal gang activity have commonly benefited at least one specified member of the gang other than the person who committed the offenses and that the common benefit from the offense be more than reputational. The bill would remove burglary, looting, felony vandalism, and

			specified personal identity fraud violations from the crimes that define a pattern of criminal gang activity. The bill would prohibit the use of the currently charged crime to prove the pattern of criminal gang activity. The bill would require that an organization, association, or group of three or more persons have an established hierarchy to meet the definition of a criminal street gang.
<u>AB 366</u> <u>Rubio, Blanca D</u>	Foster youth.	2/2/2021-From printer. May be heard in committee March 4.	Would require a county social worker or probation officer to include in certain reports to the juvenile court a factual discussion of whether a youth or nonminor dependent has received comprehensive sexual health education and whether the youth or nonminor dependent has been informed of the topics relating to reproductive and sexual health care. This bill would require a county social worker or probation officer to include in certain reports to the juvenile court the identity of the person or persons responsible for assisting the child or nonminor dependent with applications for postsecondary education and related financial aid, as specified. The bill would require the juvenile court to make a determination regarding whether the social worker has performed those duties.
<u>AB 395</u> <u>Lackey R</u>	Unlawful entry of a vehicle.	2/4/2021-From printer. May be heard in committee March 6.	Would make forcibly entering a vehicle, as defined, with the intent to commit a theft therein a crime punishable by imprisonment in a county jail for a period not to exceed one year or imprisonment in a county jail for 16 months, or 2 or 3 years. By creating a new crime, this bill would impose a state-mandated local program.
<u>AB 408</u> <u>Quirk-Silva D</u>	Homeless children and youths: reporting.	2/4/2021-From printer. May be heard in committee March 6.	Would require a local educational agency, as defined to include a school district, county office of education, charter school, or special education local plan area, to establish homeless education program policies that are consistent with specified state laws, and would further require the local educational agency to update these policies at intervals not exceeding 3 years. The bill would require local educational agencies to provide training at least annually on designated subjects to its classified and certificated employees who work with pupils, as specified.
<u>AB 409</u> <u>Seyarto R</u>	Crimes: public records: disclosure of	2/4/2021-From printer. May be heard	Would require law enforcement to inform a victim or witness of certain gang-related

	information.	in committee March 6.	offenses that their name will be disclosed unless a law enforcement agency determines disclosure would endanger their safety, and that they may provide evidence to the law enforcement agency that disclosure of the person's name would endanger the person's safety, and would authorize a law enforcement agency to consider that when making the determination. By imposing new duties on law enforcement agencies, the bill would impose a state-mandated local program.
<u>AB 413</u> <u>Ting D</u>	Foster youth: housing.	2/4/2021-From printer. May be heard in committee March 6.	Current law, subject to an annual appropriation in the annual Budget Act, requires the Department of Housing and Community Development to provide funding to counties for allocation to child welfare services agencies to help young adults who are 18 to 24 years of age secure and maintain housing, with priority given to young adults formerly in the state's foster care or probation systems. Current law suspends this program on December 31, 2021, unless the Department of Finance makes a specified finding. This bill would delete the provisions conditionally suspending that program and subjecting the requirements of the program to an annual appropriation in the Budget Act.
<u>AB 414</u> <u>Maienschein D</u>	Local government: county regional justice facilities.	2/4/2021-From printer. May be heard in committee March 6.	the San Joaquin County Regional Justice Facility Financing Act specifies the procedure for adoption of the retail and use tax ordinance, specifies language of the ordinance, outlines the election procedure for adoption of the tax ordinance, specifies when the ordinance becomes operative, and provides that all local sales or transactions and use taxes shall not exceed 2.25%. The Act authorizes the agency to seek authorization to issue bonds, as specified, payable from the proceeds of the tax and establish the appropriations limit of the agency, as provided. The Act provides for the maximum bonded indebtedness which may be outstanding. The Act provides the procedure by which the validity of the adoption of the ordinance or the issuance of any bonds must be contested. This bill would repeal those provisions.
<u>AB 417</u> <u>McCarty D</u>	Rising Scholars Network: justice-involved students.	2/5/2021-From printer. May be heard in committee March 7.	Would authorize the office of the Chancellor of the California Community Colleges to establish a program, named the Rising Scholars Network, to enter into agreements

			with up to 50 community colleges to provide additional funds for services in support of postsecondary education for justice-involved students, as defined. The bill would require a community college district that wishes to participate in the Rising Scholars Network to apply to the board of governors for funding pursuant to these provisions, as provided, and would require the board of governors to adopt regulations for the Rising Scholars Network that fulfill certain goals and guidance. The bill would require the board of governors, on or before December 31, 2023, and every 2 years thereafter, to submit a report, as specified, describing its efforts to serve justice-involved students, and including recommendations on whether and how the Rising Scholars Network can be expanded to all community college districts and campuses.
<u>AB 419</u> <u>Davies R</u>	Criminal procedure: victim and witness privacy.	2/5/2021-From printer. May be heard in committee March 7.	Current law prohibits an attorney from disclosing to a defendant, members of the defendant's family, or anyone else, the address or telephone number of a victim or witness whose name is disclosed to the attorney through discovery, unless specifically permitted to do so by the court after a hearing and a showing of good cause. Current law makes a willful violation of these provisions a misdemeanor. This bill would further prohibit the disclosure of any personal identifying information, as defined, of the victim or witness. The bill would also remove the provision making a willful violation of these provisions a misdemeanor.
<u>AB 429</u> <u>Dahle, Megan R</u>	Child support: access to records.	2/5/2021-From printer. May be heard in committee March 7.	The Uniform Parentage Act governs actions to determine a parent and child relationship. These provisions authorize a local child support agency to bring an action under the act in any case in which the agency determines it to be appropriate. Current law also provides that, notwithstanding any other law concerning public hearings and records, a hearing or trial under the act may be held in closed court, as specified, and all papers and records, other than the final judgment, pertaining to the action or proceeding are subject to inspection only in exceptional cases upon an order of the court for good cause shown. However, this provision also provides that papers and records pertaining to an action or proceeding that are

			part of the permanent record of the court are subject to inspection by the parties to the action and their attorneys, pursuant to written authorization, as specified. This bill would instead authorize specified hearings or trials under the act, for actions that are filed on or after January 1, 2023, to be held in closed court. The bill would require the Judicial Council, on or before January 1, 2023, to create a new form or modify an existing form, as it deems appropriate, to require a party initiating those specified hearings or trials to designate the action or proceeding filed under those provisions
<u>SB 2</u> <u>Bradford D</u>	Peace officers: certification: civil rights.	1/28/2021-Referred to Com. on RLS.	Would state the intent of the Legislature to enact legislation amending the Tom Bane Civil Rights Act and to provide a decertification process for peace officers.
<u>SB 16</u> <u>Skinner D</u>	Peace officers: release of records.	1/28/2021-Referred to Coms. on PUB. S. and JUD.	Would, commencing July 1, 2022, make every incident involving use of force to make a member of the public comply with an officer, force that is unreasonable, or excessive force subject to disclosure. The bill would, commencing July 1, 2022, require records relating to sustained findings of unlawful arrests and unlawful searches to be subject to disclosure. The bill would, commencing July 1, 2022, also require the disclosure of records relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer engaged in conduct involving prejudice or discrimination on the basis of specified protected classes. The bill would require the retention of all complaints and related reports or findings currently in the possession of a department or agency. The bill would require that records relating to an incident in which an officer resigned before an investigation is completed to also be subject to release.
<u>SB 17</u> <u>Pan D</u>	Public health crisis: racism.	1/28/2021-Referred to Com. on RLS.	Current law requires the Office of Health Equity to develop department-wide plans to close the gaps in health status and access to care among the state's diverse racial and ethnic communities, women, persons with disabilities, and the lesbian, gay, bisexual, transgender, queer, and questioning communities, as specified. Current law requires the office to work with the Health in

			All Policies Task Force to assist state agencies and departments in developing policies, systems, programs, and environmental change strategies that have population health impacts by, among other things, prioritizing building cross-sectoral partnerships within and across departments and agencies to change policies and practices to advance health equity. This bill would state the intent of the Legislature to enact legislation to require the department, in collaboration with the Health in All Policies Program, the Office of Health Equity, and other relevant departments, agencies, and stakeholders, to address racism as a public health crisis.
SB 24 Caballero D	Domestic violence: protective orders: information pertaining to a child.	1/28/2021-Referred to Com. on JUD.	Current law authorizes a court to issue an order enjoining a party from engaging in specified acts against another party, including threatening or harassing that party, and, in the discretion of the court, against other named family or household members. An intentional or knowing violation of this order is punishable as a misdemeanor. This bill would authorize a court to issue an ex parte order restraining a party from accessing records and information pertaining to the health care, education, daycare, or employment of a minor child of the parties, and would require the Judicial Council to develop or update any other forms or rules of court that are necessary to implement this provision. The bill would require the third party to develop protocols relating to the enforcement of the order, as specified.
SB 71 McGuire D	Infractions: community service: education programs.	1/28/2021-Referred to Com. on PUB. S.	Current law authorizes a court to sentence a person convicted of an infraction to perform community service in lieu of the total fine, as defined, that would otherwise be imposed, upon a showing that payment of the total fine would pose a hardship on the defendant or the person's family. This bill would additionally authorize the court to allow a person to participate in educational programs to satisfy community service hours.
SB 73 Wiener D	Probation: eligibility: crimes relating to controlled substances.	1/28/2021-Referred to Com. on PUB. S.	Current law prohibits granting probation or suspending a sentence for persons convicted of specified crimes relating to controlled substances, including possessing or agreeing to sell or transport opiates or opium derivatives, possessing or transporting

			cannabis, planting or cultivating peyote, and various crimes relating to forging or altering prescriptions, among other crimes, if the person has previously been convicted of any one of specified felony offenses relating to controlled substances. Current law also prohibits granting probation or suspending a sentence for persons convicted of specified crimes relating to controlled substances, including possessing for sale or selling 14.25 grams or more of a substance containing heroin and possessing for sale 14.25 grams or more of any salt or solution of phencyclidine or its analogs, among other crimes. This bill would delete various crimes relating to controlled substances, including, but not limited to, the crimes described above, from those prohibitions against granting probation or a suspended sentence.
<u>SB 75</u> <u>Bates</u> R	Southern California Fentanyl Task Force.	1/28/2021-Referred to Com. on RLS.	Would require the Attorney General to establish and chair the Southern California Fentanyl Task Force. The bill would require the task force to develop information, make recommendations, and report findings to the Department of Justice and to the Legislature regarding matters relating to the fentanyl crisis in southern California communities. The bill would establish the membership of the task force, as specified, and would require the task force to hold its first meeting no later than July 1, 2022, and 4 times annually thereafter, as specified.
<u>SB 76</u> <u>Nielsen</u> R	Crimes: punishment.	1/28/2021-Referred to Com. on RLS.	Current law lists the persons who are liable to punishment under the laws of this state, including all persons who commit any crime within the state, all who commit any specified offense without this state and bring the property stolen or embezzled within the state, as specified, those without the state who cause or aid, advise or encourage, another person to commit a crime within the state, and are afterwards found therein, and perjury when committed outside of California, to the extent provided by law, as specified. This bill would make technical, nonsubstantive changes to these provisions.
<u>SB 81</u> <u>Skinner</u> D	Sentencing: dismissal of enhancements.	2/8/2021-From committee with author's amendments. Read second time and	Current law generally authorizes a court to dismiss an action or to strike or dismiss an enhancement in the furtherance of justice. This bill would, with exceptions, require a court to

		amended. Re-referred to Com. on RLS.	dismiss an enhancement in specified circumstances unless overcome by clear and convincing evidence that dismissal of the enhancement would endanger public safety.
<u>SB 82</u> <u>Skinner D</u>	Petty theft.	2/8/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.	Would define the crime of petty theft in the first degree as taking the property from the person of another or from a commercial establishment by means of force or fear without the use of a deadly weapon or great bodily injury. The bill would define the crime of petty theft in the 2nd degree as all other petty theft. The bill would impose a penalty of imprisonment in county jail for up to one year, a \$1,000 fine, or both, for petty theft in the first degree and would prohibit an act of petty theft from being charged as robbery or burglary. By creating a new crime, this bill would impose a state-mandated local program.
<u>SB 98</u> <u>McGuire D</u>	Public peace: media access.	1/28/2021-Referred to Com. on PUB. S.	Would, if peace officers close the immediate area surrounding any emergency field command post or establish any other command post, police line, or rolling closure at a demonstration, march, protest, or rally where individuals are engaged primarily in constitutionally protected activity, as described, require that a duly authorized representative of any news service, online news service, newspaper, or radio or television station or network, as described, be allowed to enter those closed areas and would prohibit a peace officer or other law enforcement officer from intentionally assaulting, interfering with, or obstructing a duly authorized representative who is gathering, receiving, or processing information for communication to the public. The bill would also prohibit a duly authorized representative who is in a closed area from being cited for the failure to disperse, a violation of a curfew, or a violation of other, specified law. The bill would require that if a representative is detained by a peace officer or other law enforcement officer, the representative be permitted to contact a supervisory officer immediately for the purpose of challenging the detention.
<u>SB 100</u> <u>Hurtado D</u>	Extended foster care program working group.	1/28/2021-Referred to Com. on RLS.	Would require the State Department of Social Services to convene a working group to examine the extended foster care program make recommendations for improvements to the program within six months. The bill would

			require that the working group include representatives from specified state agencies and stakeholders. The bill would require the working group to evaluate on provide recommendations on the overall functioning of the extended foster care system, higher education opportunities and supports for nonminor dependents, job training and employment opportunities and supports for nonminor dependents, housing access, and transition support for nonminor dependents exiting care.
<u>SB 106</u> <u>Umberg D</u>	Mental Health Services Act: homelessness.	1/28/2021-Referred to Com. on RLS.	Current law, the Mental Health Services Act (MHSA), an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, establishes the continuously appropriated Mental Health Services Fund to fund various county mental health programs and requires counties to spend those funds as specified. This bill would state the intent of the Legislature that the MHSA be updated to better focus on people with mental illness who are also experiencing homelessness, who are involved in the criminal justice system, and for early intervention for youth.
<u>SB 110</u> <u>Wiener D</u>	Substance use disorder services: contingency management services.	1/28/2021-Referred to Com. on HEALTH.	Current law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, and under which qualified low-income individuals receive health care services, including substance use disorder services that are delivered through the Drug Medi-Cal Treatment Program and the Drug Medi-Cal organized delivery system. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. To the extent funds are made available in the annual Budget Act, this bill would expand substance use disorder services to include contingency management services, as specified, subject to utilization controls.
<u>SB 224</u> <u>Portantino D</u>	Pupil instruction: mental health education.	1/28/2021-Referred to Com. on ED.	Would require each school district to ensure that all pupils in grades 1 to 12, inclusive, receive medically accurate, age-appropriate mental health education from instructors trained in the appropriate courses at least once in elementary school, at least once in junior high school or middle school, as applicable, and at least once in high school. The bill

			would require that instruction to include, among other things, reasonably designed instruction on the overarching themes and core principles of mental health. The bill would require that instruction and related materials to, among other things, be appropriate for use with pupils of all races, genders, sexual orientations, and ethnic and cultural backgrounds, pupils with disabilities, and English learners.
<u>SB 229</u> <u>Dahle</u> R	Pupil health: mental health staff.	1/28/2021-Referred to Com. on RLS.	Would express the intent of the Legislature in the annual Budget Act each fiscal year to provide \$500,000,000, on an equal per-pupil basis, to school districts, county offices of education, and charter schools for increasing mental health staff, specifically school psychologists and counselors, at each schoolsite to increase access for youth mental health services.
<u>SB 233</u> <u>Umberg</u> D	Impact of COVID-19.	1/28/2021-Referred to Com. on RLS.	The California Constitution vests the judicial power of the state in the Supreme Court, courts of appeal, and superior courts. Under current law, the Governor proclaimed a state of emergency on March 4, 2020, related to the pandemic caused by the novel coronavirus disease 2019 (COVID-19). This bill would state the intent of the Legislature to enact legislation to address challenges in the judiciary as a result of the pandemic caused by COVID-19.
<u>SB 234</u> <u>Wiener</u> D	Transition Aged Youth Housing Program.	1/28/2021-Referred to Coms. on HUMAN S. and HOUSING.	Would establish the Transition Aged Youth Housing Program for the purpose of creating housing for transition aged youth under 26 years of age, who have been removed from their homes, are experiencing homelessness unaccompanied by a parent or legal guardian, or are under the jurisdiction of a court, as specified, and would require the council to develop, implement, and administer the program.
<u>SB 248</u> <u>Bates</u> R	Sexually violent predators: open court proceedings.	2/3/2021-Referred to Com. on PUB. S.	Current law provides for the civil commitment of criminal offenders who have been determined to be sexually violent predators for treatment in a secure state hospital facility, as specified. Current law requires the Secretary of the Department of Corrections and Rehabilitation to refer a prisoner for evaluation by the State Department of State Hospitals when the secretary determines that the person may be a sexually violent predator

			and specifies the judicial processes necessary for civil commitment as a sexually violent predator, including, but not limited to, the right to a jury trial. This bill would require that proceedings for the civil commitment of a sexually violent predator be in open court, on the record, unless the court makes certain express findings, including that there exists an overriding interest, based on compelling and extraordinary circumstances, that overcomes the right of public access to the proceedings.
<u>SB 262</u> <u>Hertzberg D</u>	Bail.	2/3/2021-Referred to Com. on PUB. S.	Current law provides for the procedure of approving and accepting bail, and issuing an order for the appearance and release of an arrested person. Current law authorizes specified sheriff, police, and court employees to approve and accept bail in the amount fixed by the warrant of arrest, schedule of bail, or order admitting to bail. Current law requires the superior court judges in each county to prepare, adopt, and annually revise a uniform countywide schedule of bail, as specified. This bill would require bail to be set at \$0 for all offenses except, among others, serious or violent felonies, violations of specified protective orders, battery against a spouse, sex offenses, and driving under the influence. The bill would require the Judicial Council to prepare, adopt, and annually revise a bail schedule for the exempt offenses.
<u>SB 264</u> <u>Min D</u>	Firearms: state property.	2/3/2021-Referred to Com. on PUB. S.	Would prohibit a state officer or employee, or operator, lessee, or licensee of any state-owned property, from contracting for, authorizing, or allowing the sale of any firearm or ammunition on state property, as specified. The bill would exempt a gun buyback event held by a law enforcement agency from its provisions. Because a violation of this prohibition would be a crime, this bill would impose a state-mandated local program.
<u>SB 299</u> <u>Leyva D</u>	Victim compensation.	2/4/2021-From printer. May be acted upon on or after March 6.	Current law provides for the indemnification of victims of specified types of crimes, subject to specified criteria. Current law excludes a person from eligibility for compensation as a victim of crime under specified circumstances. This bill would make a nonsubstantive change to those provisions.
<u>SB 300</u> <u>Cortese D</u>	Crimes: murder: punishment.	2/4/2021-From printer. May be acted	Under current law, murder in the first degree is punishable by death, imprisonment in the state

		upon on or after March 6.	prison for life without the possibility of parole, or imprisonment in the state prison for a term of 25 years to life. Current law, added by Proposition 115 of the June 5, 1990, statewide primary election, provides that a person, not the actual killer, who is found guilty of first degree murder, and who, with reckless indifference to human life and as a major participant in certain specified violent felonies, aided, abetted, counseled, commanded, induced, solicited, requested, or assisted in the commission of that felony, shall be punished by death or imprisonment in the state prison without the possibility of parole. Current law provides for amendment of these provisions by a 2/3 vote of each house of the Legislature. This bill would repeal the aforementioned provision requiring punishment by death or imprisonment for life without the possibility of parole for a person convicted of murder in the first degree who is not the actual killer, but acted with reckless indifference for human life as a major participant in certain specified violent felonies.
<u>SB 317</u> <u>Stern D</u>	Competence to stand trial.	2/5/2021-From printer. May be acted upon on or after March 7.	Would repeal existing law providing the process for restoring competency for a person charged with a misdemeanor, or a violation of probation for a misdemeanor, including provisions regarding administration for antipsychotic medication. This bill would replace these provisions and authorize the court to conduct an inquiry into a defendant's competency, as specified. The bill would permit a court, upon finding the defendant incompetent to stand trial, to suspend the proceedings and take certain actions, including granting diversion not to exceed one year, referring the matter to alternative justice, diversion, or community treatment programs with the goal of improving mental health, evaluate whether to refer the matter for conservatorship proceedings, or to dismiss the charges, as specified.
<u>SB 320</u> <u>Eggman D</u>	Domestic violence protective orders: possession of a firearm.	2/5/2021-From printer. May be acted upon on or after March 7.	Current law prohibits a person subject to a protective order, as defined, from owning, possessing, purchasing, or receiving a firearm while that protective order is in effect and makes a willful and knowing violation of a protective order a crime. Current law requires the court, when issuing the order with both

			<p>parties present, to inform the parties of this information and to order the restrained person to relinquish any firearm in the person's immediate possession or control or subject to their immediate possession or control. This bill would require a court to notify the parties of how any firearms still in the restrained party's possession are to be relinquished and how to submit a receipt to the court. The bill would require the court to review the file to determine whether the receipt has been filed and inquire as to whether the person has complied with the requirement.</p>
<p><u>SB 325</u> <u>Bradford D</u></p>	<p>Criminal gangs: shared gang databases.</p>	<p>2/8/2021-From printer. May be acted upon on or after March 10. Read first time.</p>	<p>Current law defines a shared gang database, and requires the Department of Justice to administer and oversee any shared gang database in which California law enforcement agencies participate, as specified. This bill would make technical, nonsubstantive changes to those provisions.</p>