

# Legislative Summary Report



## 2016 Legislative Year

2016 Legislation Affecting the  
Department of State Hospitals

**STATE OF CALIFORNIA**

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## INTRODUCTION

This Legislative Summary focuses on all legislation introduced or enacted in the 2016 legislative year that affected the Department of State Hospitals (DSH).

The DSH was established on July 1, 2012, and is the successor agency to the former Department of Mental Health (DMH). The DSH is responsible for the operation of the State Hospital system, as well as three forensic mental health programs: the Sex Offender Commitment Program, the Mentally Disordered Offender program, and the Forensic Conditional Release Program.

The DSH oversees the operation of eight state inpatient mental health facilities:

- Atascadero State Hospital (DSH-Atascadero)
- Coalinga State Hospital (DSH-Coalinga)
- Metropolitan State Hospital (DSH-Metropolitan LA)
- Napa State Hospital (DSH-Napa)
- Patton State Hospital (DSH-Patton)
- Salinas Valley Psychiatric Program (DSH-Salinas Valley)
- Stockton Psychiatric Program (DSH-Stockton)
- Vacaville Psychiatric Program (DSH-Vacaville)

In operating these programs and serving our patients, the DSH adheres to its core values, vision, mission, and goals:

**Core Values:** *Safety, Treatment, and Responsibility.*

**Vision:** *Caring Today for a Safe and Healthy Tomorrow.*

**Mission:** *Providing evaluation and treatment in a safe and responsible manner, seeking innovation and excellence in hospital operations, across a continuum of care and settings.*

**Goals:** *A safe environment; Responsible stewardship; Excellence in forensic evaluation; Excellence in treatment.*

For more information about the legislation summarized in this document, please contact the DSH Office of Legislation at (916) 654-2316. For more information about the establishment of the DSH, including the Department's values, vision, mission, or goals, please contact the DSH Director's Office at (916) 654-2309, or visit our Internet Web site at <http://www.dsh.ca.gov>.

## ACRONYMS COMMONLY USED

AB	Assembly Bill
ACR	Assembly Concurrent Resolution
DMH	Department of Mental Health
DSH	Department of State Hospitals
DSH-Atascadero	Atascadero State Hospital
DSH-Coalinga	Coalinga State Hospital
DSH-Metropolitan	Metropolitan State Hospital
DSH-Napa	Napa State Hospital
DSH-Patton	Patton State Hospital
DSH-Salinas Valley	Salinas Valley Psychiatric Program
DSH-Stockton	Stockton Psychiatric Program
DSH-Vacaville	Vacaville Psychiatric Program
SB	Senate Bill
SCR	Senate Concurrent Resolution

## ENACTED PRIORITY LEGISLATION

### Assembly

#### **AB 1836 (Maienschein)**

**Subject:** Mental health: referral of conservatees.

**Status:** Chapter 819

**Effective Date:** January 1, 2017

**Summary:** This bill authorizes a court, if a conservatorship has already been established under the Probate Code, to refer a conservatee for an assessment by the local mental health system or plan to determine if the conservatee is gravely disabled as a result of a mental disorder or chronic alcoholism and is unwilling or incapable of accepting treatment voluntarily. The bill requires the local mental health system or plan to file a copy of the assessment with the court that made the referral.

#### **AB 1906 (Melendez)**

**Subject:** Mental health: sexually violent predators.

**Status:** Chapter 878

**Effective Date:** January 1, 2017

**Summary:** This bill requires the Department of State Hospitals (DSH), when petitioning a county district attorney to commit an individual as a Sexually Violent Predator (SVP), to submit that petition no later than 20 days prior to the individual's scheduled release date from state prison. The bill also clarifies state law regarding how long a prison inmate may be held for good cause while they are evaluated for potential SVP status, by providing that "good cause" includes a situation where there has been a recalculation or a restoration of credits by any custodial agency or court.

#### **AB 1962 (Dodd)**

**Subject:** Criminal proceedings: mental competence.

**Status:** Chapter 405

**Effective Date:** January 1, 2017

**Summary:** This bill requires the Department of State Hospitals (DSH), by July 1, 2017, to adopt guidelines providing training and education standards for court-appointed mental health evaluators in cases where a criminal defendant is suspected of being Incompetent to Stand Trial (IST). These standards are to be developed by a workgroup convened by DSH and consisting of experts and stakeholders; however, the bill provides that if there is no available expert who meets these standards, the court hearing the case has discretion to appoint an expert who does not meet the standards.

**AB 2119 (Chu)**

**Subject:** Medical information: disclosure: medical examiners and forensic pathologists.

**Status:** Chapter 690

**Effective Date:** January 1, 2017

**Summary:** This bill updates current law to add medical examiner and forensic pathologist to the list of professionals in a coroner's office that may request confidential medical records during a death investigation and authorizes mental health facilities, including the Department of State Hospitals (DSH), to release notes, summaries, transcripts, tapes, or records of conversations to a medical examiner, forensic pathologist, or county coroner in a county coroner's office when requested for the purposes of a death investigation. The bill prohibits the disclosure of these records to third parties without a court order or authorization by next-of-kin.

**AB 2165 (Bonta)**

**Subject:** Firearms: prohibitions: exemptions.

**Status:** Chapter 640

**Effective Date:** January 1, 2017

**Summary:** This bill expands the list of entities employing peace officers, including the Department of State Hospitals (DSH) that may legally purchase certain types of firearms. Current law authorizes only specified entities, such as local law enforcement agencies, the Department of Corrections and Rehabilitation (CDCR), and the California Highway Patrol (CHP), to purchase firearms that are not certified for sale to the general public, sometimes known as "non-roster" firearms. This bill extends that authorization to several state and local entities employing peace officers, provided those officers have completed a training course prescribed by the Commission on Peace Officer Standards and Training. The bill requires a person who obtains a handgun pursuant to this exemption to, when leaving the handgun in a vehicle, lock the gun in the vehicle's trunk or in a locked container.

**Senate**

**SB 843 (Committee on Budget and Fiscal Review)**

**Subject:** Public Safety – Budget Trailer Bill

**Status:** Chapter 33

**Effective Date:** January 1, 2017

**Summary:** This budget trailer bill implements the public safety provisions of the 2016-17 Budget Act. As it applies to the Department of State Hospitals (DSH), this bill will enable DSH to activate 60 patient beds at DSH-Napa, by removing the statutory limit on the number of beds that may serve Penal Code (PC) patients, as well as by removing the requirement to make 20 percent of licensed beds available to counties for contracted services.

**SB 955 (Beall)**

**Subject:** State hospital commitment: compassionate release.

**Status:** Chapter 715

**Effective Date:** January 1, 2017

**Summary:** This bill establishes a compassionate release process for state hospital patients who are terminally ill or permanently incapacitated, by authorizing the Department of State Hospitals (DSH) to petition a court for the suspension of a state hospital patient's commitment if the patient is either a.) Terminally ill and likely to die within six months, or b.) Permanently medically incapacitated and unable to benefit from mental health treatment. The bill applies only to patients whose release would not pose a threat to public safety, and requires that each patient have a verified placement – such as a family or nursing home – before being released. The bill authorizes a court to reinstate a suspended patient's commitment if they no longer meet the criteria for compassionate release.

**SB 1120 (Wolk)**

**Subject:** Director of General Services: state medical facilities: leases.

**Status:** Chapter 482

**Effective Date:** January 1, 2017

**Summary:** This bill allows The Department of General Services (DGS), with the consent of the Department of State Hospitals (DSH) and the Department of Corrections and Rehabilitation (CDCR), to renew existing lease agreements with the Napa and Solano County Offices of Education (COE) for the operation of special needs and alternative education programs on land located within the grounds of DSH-Napa and adjacent to the Medical Facility at DSH-Vacaville. This bill will update the names of the programs being offered and authorizes the lease to be renewed for up to 50 years.

**SB 1295 (Nielsen)**

**Subject:** Mentally ill prisoners.

**Status:** Chapter 430

**Effective Date:** January 1, 2017

**Summary:** This bill allows documentary evidence, including preliminary hearing transcripts, trial transcripts, probation and sentencing reports, and evaluations by the Department of State Hospitals (DSH) to be used in Mentally Disordered Offenders (MDO) parole hearings. This bill is in response to a 2015 California Supreme Court ruling.

## VETOED PRIORITY LEGISLATION

### Assembly

#### **AB 840 (Ridley-Thomas)**

**Subject:** Nurses and certified nursing assistants: overtime.

**Summary:** This bill, operative January 1, 2019, prohibits a Registered Nurse (RN), Licensed Vocational Nurse (LVN), or a Certified Nursing Assistant (CNA) employed by the State of California in a state facility, including facilities operated by the Department of State Hospitals (DSH), from being required to work overtime, except under certain circumstances. This bill authorizes a nurse to volunteer or agree to work hours in addition to his or her regularly scheduled workweek or work shift, but the refusal to accept additional hours would not constitute patient abandonment, neglect, or be grounds for penalty or adverse action. This bill also requires facilities to establish a joint labor management task force to make recommendations and develop a plan to reduce or eliminate mandatory overtime.

**–Governor’s Veto Message:** I am returning Assembly Bill 840 without my signature. This bill prohibits mandatory overtime for registered nurses, license vocational nurses, or certified nursing assistants who are employed in state hospitals and facilities beginning January 1, 2019. As I stated in a prior veto message, this matter is more appropriately settled through the collective bargaining process.

## **OTHER PRIORITY LEGISLATION Affecting the Department of State Hospitals**

### **Assembly**

#### **AB 1707 (Linder)**

**Subject:** Public records: response to request.

**Status:** Died in committee

**Summary:** This bill would have required that when a public agency, including the Department of State Hospitals (DSH), withholds a record requested pursuant to the Public Records Act (PRA), the written response demonstrating that a record in question is exempt shall identify the type or types of record withheld and the specific exemption that justifies withholding that type of record.

#### **AB 1857 (Rodriguez)**

**Subject:** Criminal history information: medical facilities.

**Status:** Died in committee

**Summary:** This bill would have required a peace officer transporting a patient to an acute care hospital, including Hospital Police Officers (HPOs) employed by the Department of State Hospitals (DSH), to inform clinical staff associated with the care of the patient when the patient could be a danger to staff. This bill defines a patient as a danger to hospital staff if the patient has been convicted of a violent offense within the last five years. Peace officers would only be required to verbally inform clinicians that the patient could be a danger but should not disclose specific records.

#### **AB 1955 (Wilk)**

**Subject:** State contracts: information technology goods and services: cybersecurity insurance.

**Status:** Died in committee

**Summary:** This bill would have required a state agency procuring information technology goods or services to give a preference to vendors that carry cybersecurity insurance.

#### **AB 1983 (Lackey)**

**Subject:** Excluded employees: shift seniority.

**Status:** Died in committee

**Summary:** This bill would have required each state entity that employs specified excluded supervisory employees to develop policies that provide preference for supervisors based upon classification seniority as it pertains to shift assignments, vacations, and overtime.

**AB 2181 (Brown)**

**Subject:** Public contracts: contract specifications.

**Status:** Died in committee

**Summary:** This bill would have established the California Green Infrastructure Program to encourage State procurement of building materials from California companies.

**AB 2577 (Chu)**

**Subject:** Workers' Compensation: respiratory illness: presumption.

**Status:** Died in committee

**Summary:** This bill would have created a disputable presumption that, if specified active firefighters, peace officers, and fire and rescue service coordinators, including firefighters employed by the Department of State Hospitals (DSH), develop or manifest a respiratory illness or disease, that the respiratory illness or disease arose out of and in the course of employment. A respiratory illness or disease includes but is not limited to, occupational asthma, chronic obstructive pulmonary disease, chronic bronchitis, emphysema, asbestos-related lung diseases, and any other lung-related illnesses and diseases caused by inhalation exposure from employment activities. Note that this bill does not include peace officers employed by DSH.

**AB 2606 (Grove)**

**Subject:** Crimes against children, elders, dependent adults, and persons with disabilities.

**Status:** Died in committee

**Summary:** This bill would have required law enforcement agencies, including the Department of State Hospitals' (DSH) Office of Protective Services (OPS), that receive or make a report alleging specified crimes by a person who holds a state professional or occupational credential, a license, or permit allowing the person to provide a service to children, elders, dependent adults, or persons with disabilities, to provide a copy of the report to the state agency which issued the credential, license, or permit.

**Senate****SB 780 (Mendoza)**

**Subject:** Psychiatric technicians and psychiatric technician assistants: overtime.

**Status:** Failed deadline

**Summary:** This bill would have prohibited a Psychiatric Technician (PT) or Psychiatric Technician Assistant (PTA) employed by the State of California, including facilities operated by the Department of State Hospitals (DSH), from being required to work in excess of the regularly scheduled workweek or work shift, except under certain circumstances. This bill would have authorized a PT or PTA to volunteer or agree to work hours in addition to his or her regularly scheduled workweek or work shift, but the refusal to accept additional hours would not constitute patient abandonment, neglect, or be grounds for penalty or adverse

action. The bill would also have required management and supervisors to consider employees in a specified order of priority in order to fulfill additional staffing needs of a facility.

**SB 1058 (Pan)**

**Subject:** State employment: supervisors.

**Status:** Died in committee

**Summary:** This bill would have extended existing requirements to supervisors of State Bargaining Unit 7, receiving salary and benefit changes that are at least generally the economic equivalent to the salary and benefits granted to employees they supervise.

**SB 1443 (Galgiani)**

**Subject:** Incarcerated persons: health records.

**Status:** Died in committee

**Summary:** This bill would have required the Department of State Hospitals (DSH), the Department of Corrections and Rehabilitation (CDCR), and county agencies caring for inmate/patients to disclose medical, dental, and mental health information regarding any transferred or released inmate/patient to ensure continuity of care for the individual.

## **ADDITIONAL LEGISLATION: ENACTED**

This section includes all bills that relate to mental health, public safety, and other general government issues, but may not affect DSH specifically, that were signed into law by the Governor.

### **Assembly**

#### **AB 847 (Mullin)**

**Subject:** Mental health: community-based services.

**Status:** Chapter 6

**Effective Date:** April 11, 2016

**Summary:** The Protecting Access to Medicare Act of 2014, requires the United States Secretary of Health and Human Services to no later than September 1, 2017, select from among those states awarded a planning grant, the states that may participate in a time-limited demonstration program that is designed to improve access to community mental health and substance use treatment services provided by certified community behavioral health clinics. This bill requires the State Department of Health Care Services to develop a proposal for the United States Secretary of Health and Human Services to be selected and receive enhanced federal matching funds for mental health services provided by certified community behavioral health clinics to Medi-Cal beneficiaries.

#### **AB 1671 (Gomez)**

**Subject:** Confidential communications: disclosure.

**Status:** Chapter 855

**Effective Date:** January 1, 2017

**Summary:** This bill makes it a crime for a person who unlawfully eavesdrops upon or records a confidential communication as described above with a health care provider, as defined, to intentionally disclose or distribute the contents of the confidential communication without the consent of all parties to the confidential communication unless specified conditions are met.

#### **AB 1703 (Santiago)**

**Subject:** Inmates: medical treatment.

**Status:** Chapter 65

**Effective Date:** January 1, 2017

**Summary:** Current law authorizes a sheriff or jailer who determines that a prisoner in a city or county jail under his or her charge is in need of immediate medical or hospital care, and that the health and welfare of the prisoner will be injuriously affected unless the prisoner is forthwith removed to a hospital, to authorize the immediate removal of the prisoner under guard to a hospital, without first obtaining a court order. This bill specifies that "immediate medical or hospital care" includes, but is not limited to, critical specialty medical procedures or treatment, such as dialysis, which cannot be furnished, performed, or supplied at a city or county jail.

**AB 1705 (Rodriguez)****Subject:** Jails: searches.**Status:** Chapter 162**Effective Date:** January 1, 2017

**Summary:** Current law generally prohibits strip searches and body cavity searches of prearrest detainees arrested for infraction or misdemeanor offenses. Current law allows a person who has been arrested and taken into custody to be subjected to pat-down searches, metal detector searches, and thorough clothing searches in order to discover and retrieve concealed weapons and contraband substances prior to being placed in a booking cell. This bill also allows law enforcement personnel to subject a person who is arrested and taken into custody to a body scanner search for those weapons or substances.

**AB 1999 (Achadjian)****Subject:** Prohibited Armed Persons File: initial review.**Status:** Chapter 638**Effective Date:** January 1, 2017

**Summary:** Current law requires the Attorney General to establish and maintain an online database known as the Prohibited Armed Persons File, sometimes referred to as the Armed Prohibited Persons System, to cross-reference persons who have ownership or possession of a firearm on or after January 1, 1996, and who, subsequent to the date of that ownership or possession of a firearm, fall within a class of persons who are prohibited from owning or possessing a firearm. This bill requires the Department of Justice to complete an initial review of a match, as defined, in the daily queue of the Armed Prohibited Persons System within 7 days of the match being placed in the queue and to periodically reassess whether the department can complete those reviews more efficiently.

**AB 2048 (Gray)****Subject:** National Health Service Corps State Loan Repayment Program.**Status:** Chapter 454**Effective Date:** January 1, 2017

**Summary:** Current law provides that in administering the National Health Service Corps State Loan Repayment Program in accordance with federal law and regulations, the Office of Statewide Health Planning and Development is required to strive, whenever feasible, to equitably distribute loan repayment awards between eligible urban and rural program sites, after taking into account the availability of health care services in the communities to be served and the number of individuals to be served in each program site. This bill requires the office to include all federally qualified health centers located in California in the program's certified eligible site list.

**AB 2298 (Weber)****Subject:** Criminal gangs.**Status:** Chapter 752**Effective Date:** January 1, 2017

**Summary:** Current law requires a law enforcement agency, before designating a person as a suspected gang member, associate, or affiliate in the database, to provide a written notice to the person's parent or guardian, if the person is a minor. This bill requires the notice described above to be provided to an adult before designating a person as a suspected gang member, associate, or affiliate in the database. The bill requires these databases to comply with federal requirements regarding the privacy and accuracy of information in the database, and other operating principles for maintaining these databases.

**AB 2396 (McCarty)****Subject:** Solid waste: annual reports.**Status:** Chapter 466**Effective Date:** January 1, 2017

**Summary:** The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program. Current law requires each state agency to submit an annual report to the department summarizing its progress in reducing solid waste, which is due on or before May 1 of each year. This bill requires each state agency to include in that annual report a summary of the state agency's compliance with specified requirements relating to recycling commercial solid waste and organic waste.

**AB 2466 (Weber)****Subject:** Voting: felons.**Status:** Chapter 757**Effective Date:** January 1, 2017

**Summary:** Current law provides that a person is entitled to register to vote if he or she is a United States citizen, a resident of California, not imprisoned or on parole for the conviction of a felony, and at least 18 years of age at the time of the next election. This bill, for purposes of determining who is entitled to register to vote, defines imprisoned as currently serving a state or federal prison sentence and would define parole as a term of supervision by the Department of Corrections and Rehabilitation.

**AB 2499 (Maienschein)****Subject:** Sexual assault evidence kits.**Status:** Chapter 884**Effective Date:** January 1, 2017

**Summary:** This bill requires the Department of Justice, on or before July 1, 2018, and in consultation with law enforcement agencies and crime victims groups, to establish a process by which victims of sexual assault may inquire regarding the location and information regarding their sexual assault evidence kits.

**AB 2563 (Committee on Veterans Affairs)**

**Subject:** Veterans: service advocate: correctional facilities.

**Status:** Chapter 203

**Effective Date:** January 1, 2017

**Summary:** The Department of Corrections and Rehabilitation is required to develop guidance policies relative to the release of veterans who are inmates with the intent to assist them in pursuing claims for federal veterans' benefits, or in establishing rights to any other privilege, preference, care, or compensation provided under federal or state law because of honorable service in the military. This bill revises the definition of "veteran" for the purposes described above by deleting the reference to the American Red Cross and including a person who has been discharged from the National Guard of any state.

**AB 2765 (Weber)**

**Subject:** Proposition 47: sentence reduction.

**Status:** Chapter 767

**Effective Date:** January 1, 2017

**Summary:** Under the provisions of the Safe Neighborhoods and Schools Act, a person currently convicted of a felony or felonies who would have been guilty of a misdemeanor under the act if the act had been in effect at the time of the conviction may petition or apply to have the sentence reduced in accordance with the act. That act requires that this petition or application be filed before November 4, 2017, or at a later date upon a showing of good cause. This bill instead authorizes a person to petition or apply for a reduction of sentence before November 4, 2022, or at a later date upon a showing of good cause. Because the bill extends the period of time in which a person could file a petition or application without a showing of good cause, the bill amends the act and requires a 2/3 vote of the Legislature.

**AB 2812 (Gordon)**

**Subject:** Solid waste: recycling: state agencies and large state facilities.

**Status:** Chapter 530

**Effective Date:** January 1, 2017

**Summary:** This bill requires the Department of Resources Recycling and Recovery, on or before July 1, 2017, to develop guidance for collecting and recycling recyclable materials in office buildings of state agencies and large state facilities, except buildings and facilities of community college districts or their campuses. The bill requires that a covered state agency and large state facility, on and after July 1, 2018, provide adequate receptacles, signage, education, and staffing, and arrange for recycling services consistent with specified law, for each office building of the state agency or large state facility.

**AB 2828 (Chau)**

**Subject:** Personal information: privacy: breach.

**Status:** Chapter 337

**Effective Date:** January 1, 2017

**Summary:** This bill requires a person or business conducting business in California, and any agency that owns or licenses computerized data that includes personal information, to disclose a breach of the security of the data to a resident of California whose encrypted personal information was, or is reasonably believed to have been, acquired by an unauthorized person and the encryption key or security credential was, or is reasonably believed to have been, acquired by an unauthorized person and the person, business, or agency that owns or licenses the encrypted information has a reasonable belief that the encryption key or security credential could render that personal information readable or useable.

**AB 2843 (Chau)**

**Subject:** Public records: employee contact information.

**Status:** Chapter 830

**Effective Date:** January 1, 2017

**Summary:** The California Public Records Act exempts from public inspection the home addresses and home telephone numbers of state employees and employees of a school district or county office of education, provided that disclosure can be made in specified instances, including to an employee organization. This bill, with certain exceptions, extends the limitation on the disclosure of the personal information described above to all employees of a public agency and would extend the limitation to include personal cellular telephone numbers and birth dates.

**AB 2853 (Gatto)**

**Subject:** Public records.

**Status:** Chapter 275

**Effective Date:** January 1, 2017

**Summary:** This bill authorizes a public agency that posts a public record on its Internet Web site to refer a member of the public that requests to inspect the public record to the public agency's Internet Web site where the public record is posted. This bill requires, if a member of the public requests a copy of the public record due to an inability to access or reproduce the public record from the Internet Web site where the public record is posted, the public agency to promptly provide a copy of the public record to the member of the public, as specified.

**AB 2889 (Committee on Health)**

**Subject:** State government.

**Status:** Chapter 228

**Effective Date:** January 1, 2017

**Summary:** Current law authorizes specified state departments and authorities, upon determination that an advance payment is essential for the effective implementation of a program, to advance to a community-based private nonprofit

agency with which it has contracted for the delivery of services, funds not exceeding 25% of the annual allocation to be made to the agency during the fiscal year. Current law requires these departments and authorities to develop a plan to establish control procedures for advance payments. This bill includes the State Department of Public Health in the list of specified state departments and authorities.

## Senate

### **SB 6 (Galgiani)**

**Subject:** Parole: medical parole: compassionate release.

**Status:** Chapter 886

**Effective Date:** January 1, 2017

**Summary:** This bill exempts from medical parole eligibility and compassionate release eligibility a prisoner who was convicted of the first-degree murder of a peace officer or a person who had been a peace officer, as provided. This bill contains other existing laws.

### **SB 438 (Hill)**

**Subject:** Earthquake safety: statewide earthquake early warning program and system.

**Status:** Chapter 803

**Effective Date:** January 1, 2017

**Summary:** The California Emergency Services Act requires the Office of Emergency Services to develop, in collaboration with specified entities, a comprehensive statewide earthquake early warning system in California through a public-private partnership, as specified. The act requires the office to identify funding for the system through single or multiple sources of revenue, and requires those sources to exclude the General Fund and to be limited to federal funds, funds from revenue bonds, local funds, and funds from private sources. This bill discontinues the requirement that the funding sources for the system exclude the General Fund and be limited to federal funds, funds from revenue bonds, local funds, and funds from private sources.

### **SB 448 (Hueso)**

**Subject:** Sex offenders: Internet identifiers.

**Status:** Chapter 772

**Effective Date:** January 1, 2017

**Summary:** This bill states the intent of the Legislature to amend the CASE Act to further its objectives. The bill deletes the requirement that a person subject to sex offender registration list on his or her sex offender registration all Internet service providers used by him or her. The bill requires a person who is convicted of a felony on or after January 1, 2017, that requires registration pursuant to the Act, and one or more specified circumstances, including that the person used the Internet to collect any private information to identify a victim of the crime to further the commission of the crime, to register his or her Internet identifiers, as defined,

and to send written notice to the law enforcement agency or agencies with which he or she is currently registered within 30 days of establishing or changing an Internet identifier, as specified.

**SB 759 (Anderson)**

**Subject:** Prisoners: segregation housing.

**Status:** Chapter 191

**Effective Date:** January 1, 2017

**Summary:** Current law requires a prisoner of the Department of Corrections and Rehabilitation to be awarded credit reductions from his or her term of confinement of 6 months for every 6 months of continuous confinement, as specified. Current law makes a person who is placed in a Security Housing Unit, Psychiatric Services Unit, Behavioral Management Unit, or an Administrative Segregation Unit for specified misconduct, or upon validation as a prison gang member or associate, ineligible to earn credits pursuant to these provisions. This bill repeals those provisions regarding ineligibility to earn credits and instead requires the department, no later than July 1, 2017, to establish regulations to allow specified inmates placed in segregation housing to earn credits during the time he or she is in segregation housing.

**SB 813 (Leyva)**

**Subject:** Sex offenses: statute of limitations.

**Status:** Chapter 777

**Effective Date:** January 1, 2017

**Summary:** This bill allows the prosecution of rape, sodomy, lewd or lascivious acts, continuous sexual abuse of a child, oral copulation, and sexual penetration, that are committed under certain circumstances, as specified, to be commenced at any time. The bill applies to these crimes committed after January 1, 2017, and to crimes for which the statute of limitations that was in effect prior to January 1, 2017, has not run as of January 1, 2017. This bill contains other related provisions.

**SB 859 (Committee on Budget and Fiscal Review)**

**Subject:** Public resources: greenhouse gas emissions and biomass.

**Status:** Chapter 368

**Effective Date:** January 1, 2017

**Summary:** The Cannella Environmental Farming Act of 1995 requires the Secretary of Food and Agriculture to convene a 5-member Scientific Advisory Panel on Environmental Farming, as prescribed, for the purpose of providing advice and assistance to federal, state, and local government agencies on issues relating to air, water, and wildlife habitat, as specified. This bill increases the number of members on the panel from 5 to 9 members and requires that the Secretary appoint 5 instead of 3 of these members, the Secretary for Environmental Protection appoint 2 instead of one of these members, and the Secretary of the Natural Resources Agency appoint 2 instead of one of these members, as prescribed.

**SB 869 (Hill)**

**Subject:** Firearms: securing handguns in vehicles.

**Status:** Chapter 651

**Effective Date:** January 1, 2017

**Summary:** This bill requires a person, when leaving a handgun in an unattended vehicle, to secure the handgun by locking it in the trunk of the vehicle, locking it in a locked container and placing the container out of plain view, or locking the handgun in a locked container that is permanently affixed to the vehicle's interior and not in plain view. The bill would make a violation of these requirements an infraction punishable by a fine not exceeding \$1,000. The bill expressly make those requirements inapplicable to the transportation of unloaded firearms by a licensed common carrier in conformance with applicable federal law.

**SB 947 (Pan)**

**Subject:** Public assistance: personal interviews.

**Status:** Chapter 798

**Effective Date:** January 1, 2017

**Summary:** Current law prohibits an applicant from being granted public assistance under CalWORKs until he or she is personally interviewed by the county human services agency or state hospital staff. Current law also requires the county department to verify if an applicant is incapable of acting on his or her own behalf by personal contact with the applicant before aid is authorized. This bill authorizes the county human services agency to conduct this personal interview telephonically or through electronic means, as specified. The bill requires a county, if that county elects to conduct the personal interview telephonically or through other electronic means, to conduct an in-person personal interview if requested by an applicant.

**SB 1001 (Mitchell)**

**Subject:** Employment: unfair practices.

**Status:** Chapter 782

**Effective Date:** January 1, 2017

**Summary:** Current law prohibits an employer or any other person from engaging in, or directing another person to engage in, an unfair immigration-related practice against a person for the purpose of or intent to retaliate against any person for exercising a protected right, as specified. This bill makes it unlawful for an employer to request more or different documents than are required under federal law, to refuse to honor documents tendered that on their face reasonably appear to be genuine, to refuse to honor documents or work authorization based upon the specific status or term of status that accompanies the authorization to work, or to reinvestigate or re-verify an incumbent employee's authorization to work, as specified.

**SB 1027 (Nielsen)****Subject:** Parks: property transfer.**Status:** Chapter 232**Effective Date:** January 1, 2017

**Summary:** Authorizes the County of Tehama to transfer to the Evergreen Union School District certain parkland if the county and the district enter into an agreement with the Department of Parks and Recreation that transfers to the district all ongoing obligations of the county relating to the property, as specified, and certain other conditions are met.

**SB 1084 (Hancock)****Subject:** Sentencing.**Status:** Chapter 867**Effective Date:** January 1, 2017

**Summary:** Current law authorizes a prisoner who was under 18 years of age at the time of committing an offense for which the prisoner was sentenced to life without the possibility of parole to submit a petition for recall and resentencing after he or she has served at least 15 years of his or her sentence. Current law prohibits a prisoner who tortured his or her victim or whose victim was a public safety official, as defined, from filing a petition for recall and resentencing. Current law establishes certain criteria, at least one of which shall be asserted in the petition, to be considered when a court decides whether to conduct a hearing on the petition for recall and resentencing and additional criteria to be considered by the court when deciding whether to grant the petition. Current law requires the court to hold a hearing if the court finds that the statements in the defendant's petition are true, as specified, and grants the court discretion to recall and resentence the defendant in the same manner as if he or she had not previously been sentenced, provided that the new sentence, if any, is not greater than the initial sentence. This bill would authorize the prisoner to submit the petition for recall and resentencing after he or she has been incarcerated for 15 years. This bill allows a defendant whose sentence was recalled, but who was resentenced to life without the possibility of parole, to make additional petitions as specified above.

**SB 1121 (Leno)****Subject:** Privacy: electronic communications.**Status:** Chapter 541**Effective Date:** January 1, 2017

**Summary:** This bill authorizes a government entity, without a warrant or other order, to access electronic device information by means of physical interaction or electronic communication with the device: (1) if the device is seized from an authorized possessor, as defined, who is serving a term of parole or post-release community supervision, as specified; (2) if the device is seized from an authorized possessor who is subject to an electronic device search as a condition of probation, mandatory supervision, or pretrial release, as specified; or (3) for the purpose of accessing information concerning the location or the telephone number

of the electronic device in order to respond to an emergency 911 call from that device.

**SB 1177 (Galgiani)**

**Subject:** Physician and Surgeon Health and Wellness Program.

**Status:** Chapter 591

**Effective Date:** January 1, 2017

**Summary:** This bill authorizes the Medical Board of California to establish a Physician and Surgeon Health and Wellness Program for the early identification of, and appropriate interventions to support a physician and surgeon in his or her rehabilitation from substance abuse, as specified. If the board establishes a program, the bill would require the board to contract for the program's administration with a private 3rd-party independent administering entity meeting certain requirements.

**SB 1238 (Pan)**

**Subject:** Inmates: biomedical data.

**Status:** Chapter 197

**Effective Date:** January 1, 2017

**Summary:** Current law prohibits biomedical research, as defined, from being conducted on any prisoner in the state. This bill specifies that biomedical research does not include the accumulation of statistical data in the assessment of the effectiveness of nonexperimental public health programs or treatment programs in which inmates routinely participate. The bill authorizes records-based biomedical research involving inmates that uses current information, but which does not include prospective interaction with human subjects.

**SB 1365 (Hernandez)**

**Subject:** Hospitals.

**Status:** Chapter 501

**Effective Date:** January 1, 2017

**Summary:** This bill requires a general acute care hospital, except as specified, to provide a delineated notice to each patient scheduled for a service in a hospital-based outpatient clinic, as defined, when that service is available in a nonhospital-based location. By expanding the application of an existing crime, the bill creates a state-mandated local program. This bill contains other related provisions and other existing laws.

**SB 1389 (Glazer)**

**Subject:** Interrogation: electronic recordation.

**Status:** Chapter 791

**Effective Date:** January 1, 2017

**Summary:** Current law requires the electronic recording of the entire custodial interrogation of a minor who is in a fixed place of detention, as defined, and who, at the time of the interrogation, is suspected of committing or accused of committing murder. This bill makes this electronic recording requirement

applicable to the custodial interrogation of any person suspected of committing murder.

**SB 1406 (Mendoza)**

**Subject:** Construction-related accessibility: education entities.

**Status:** Chapter 892

**Effective Date:** January 1, 2017

**Summary:** This bill, with specified exceptions, requires an attorney who provides a prelitigation letter or sends or serves a complaint alleging a construction-related accessibility claim, as defined, against an education entity, as defined, to send a copy of the prelitigation letter or complaint to the commission within 5 business days of providing the prelitigation letter or sending or serving the complaint, would require the attorney to also submit information about the complaint with the copy of the complaint, and would further require the attorney to submit the notification of judgment, settlement, or dismissal to the California Commission on Disability Access, as specified.

**SB 1433 (Mitchell)**

**Subject:** Incarcerated persons: contraceptive counseling and services.

**Status:** Chapter 311

**Effective Date:** January 1, 2017

**Summary:** This bill provides that any person incarcerated in state prison who menstruates shall, upon request, have access to and be allowed to use materials necessary for personal hygiene with regard to their menstrual cycle and reproductive system. The bill provides that any incarcerated person who is capable of becoming pregnant shall, upon request, have access to and be allowed to obtain contraceptive counseling and their choice of birth control method, as specified, unless medically contraindicated.

## ADDITIONAL LEGISLATION: VETOED

This section includes all bills that relate to mental health, public safety, and other general government issues, but may not affect DSH specifically, that were vetoed by the Governor.

### Assembly

#### **AB 2086 (Cooley)**

**Subject:** Workers' compensation: neuropsychologists.

**Status:** Vetoed

**Summary:** Current law requires the Administrative Director of the Division of Workers' Compensation to appoint qualified medical evaluators in each of the respective specialties as required for the evaluation of medical-legal issues, including medical doctors and osteopaths who meet specified requirements. This bill would have provided that a medical doctor or osteopath who has successfully completed a residency or fellowship program accredited by a predecessor to the Accreditation Council for Graduate Medical Education would satisfy the residency training requirement.

**Governor's Message:** I am returning Assembly Bill 2086 without my signature. This bill requires the Division of Worker's Compensation to appoint qualified clinical neuropsychologists as Qualified Medical Examiners (QMEs). I have the same concerns with this bill as with its predecessor, AB 1542, which I vetoed last year. The changes contemplated by this bill relate to legal evaluations, not medical treatment of injured workers as suggested by the declaratory text of the measure. If enacted, the bill would create a unique lower standard for a select group of providers with a direct financial interest in being appointed as QMEs in California's workers' compensation system. In addition to increasing benefits and stabilizing costs, the 2013 workers' compensation reforms were intended to return medical treatment decisions to doctors and reduce the excessive litigation relating to medical treatment disputes. Treatment of injuries by neuropsychologists where medically appropriate as determined by injured workers' physicians will be unchanged by a signature or veto of this measure. However, a signature would be a step backwards in the ongoing efforts to reduce unnecessary costs that do not benefit injured workers.

#### **AB 2148 (Holden)**

**Subject:** Unmanned aircraft systems: operation or use within or over state-managed lands or waters.

**Status:** Vetoed

**Summary:** This bill would have made it unlawful for any person to operate an unmanned aircraft system in, or fly an unmanned aircraft system over, lands or waters managed by the Department of Fish and Wildlife and Department of Parks and Recreation, except as authorized or unless exempted from this prohibition.

The bill would have authorized the consideration of certain factors when reviewing a request for authorization for the use of an unmanned aircraft system.

**Governor's Message:** I am returning Assembly Bill 2148 without my signature. This bill prohibits the operation of a drone over lands managed by the Department of Parks and Recreation or the Department of Fish and Wildlife. These departments have authority to promulgate regulations regarding drone use within their respective jurisdictions. In fact, the Department of Parks and Recreation is in the process of developing a regulatory approach to this issue. I am directing both departments to explore how best to address the concerns raised by this bill.

**AB 2272 (Thurmond)**

**Subject:** Occupational safety and health standards: plume.

**Status:** Vetoed

**Summary:** This bill would have, by June 1, 2017, required the Division of Occupational Safety and Health to convene an advisory committee to develop a regulation that requires a health facility to evacuate or remove plume through the use of a plume scavenging system in all settings that employ techniques that involve the creation of plume and would authorize certain entities and people to be on the advisory committee, including, among others, practicing physicians and surgeons from affected specialties. The bill would have required the division, in developing the regulation to do certain things, including evaluating the use of certain standards adopted by specified organizations as a benchmark.

**Governor's Message:** I am returning Assembly Bill 2272 without my signature. This bill would require the Occupational Safety and Health Standards Board to adopt a regulation that requires a health facility to remove plume through the use of plume scavenging systems by July 1, 2019. I agree with the author and sponsor that the potentially hazardous effects of plume merits thorough review. By specifically requiring the adoption of the regulation, however, the bill divests the Standards Board of its discretion to consider a proposed standard for adoption and instead mandates it to do so. This Board was created as an independent body and I believe that independence must be maintained in order for it to effectively perform its mission and protect all California workers.

**AB 2320 (Calderon)**

**Subject:** Unmanned aircraft systems.

**Status:** Vetoed

**Summary:** This bill would have specifically prohibit a person who is prohibited from coming within a specified distance of another person, from operating an unmanned aircraft system in a way that causes an unmanned aircraft, as those terms are defined, to fly within the prohibited distance of the other person or from capturing images of the other person by using an unmanned aircraft system. By creating a new crime, this bill would have imposed a state-mandated local program. This bill contained other related provisions and other existing laws.

**Governor's Message:** I am returning Assembly Bill 2320 without my signature. This bill prohibits the operation of a drone in a manner that violates a protective order, constitutes stalking, interferes with emergency response personnel, or facilitates delivery of contraband into a jail or prison. The bill also allows a court to bar a registered sex offender from operating a drone. Current law is sufficient to prosecute the violations referenced in this bill. There is no need to add special reference to drones in multiple places in the penal code.

**AB 2607 (Ting)**

**Subject:** Firearm restraining orders.

**Status:** Vetoed

**Summary:** Current law authorizes a court to issue an ex parte gun violence restraining order prohibiting the subject of the petition from having in his or her custody or control, owning, purchasing, possessing, or receiving, or attempting to purchase or receive, a firearm or ammunition when it is shown that there is a substantial likelihood that the subject of the petition poses a significant danger of harm to himself, herself, or another in the near future by having in his or her custody or control, owning, purchasing, possessing, or receiving a firearm. This bill would have authorized an employer, a coworker, a mental health worker who has seen the person as a patient in the last 6 months, or an employee of a secondary or postsecondary school that the person has attended in the last 6 months to file a petition for an ex parte, one-year, or renewed gun violence restraining order. This bill would have specified that these provisions shall not be construed to require any of those persons to seek a gun violence restraining order.

**Governor's Message:** I am returning Assembly Bill 2607 without my signature. This bill expands the list of individuals who are authorized to petition for a gun violence restraining order. In 2014, I signed Assembly Bill 1014 which allowed immediate family members and members of law enforcement to petition for a gun violence restraining order. That law took effect on January 1, 2016, so at this point it would be premature to enact a further expansion.

**AB 2724 (Gatto)**

**Subject:** Unmanned aircraft.

**Status:** Vetoed

**Summary:** This bill would have required a person who manufactures an unmanned aircraft for sale in this state to include with the unmanned aircraft a link to the FAA Internet Web site containing safety regulations or best practices applicable to unmanned aircraft and, if the unmanned aircraft is required to be registered with the FAA, a notification of that requirement and a link to the FAA registration Internet Web site. The bill would have required an unmanned aircraft equipped with global positioning satellite mapping capabilities to also be equipped with geofencing technological capabilities that prohibit the unmanned aircraft from flying within any area prohibited by local, state, or federal law, as specified.

**Governor's Message:** I am returning Assembly Bill 2724 without my signature. This bill mandates that drone hobbyists be covered by adequate liability insurance when operating drones and requires drone manufacturers to install "geo-fencing" software on drones that are equipped with global positioning satellite technology. This bill creates significant regulatory confusion by creating a patchwork of federal, state, and local restrictions on airspace. Moreover, the Federal Aviation Administration will likely assert federal preemption on the bill's "geo-fencing" requirements. I believe it's more prudent to explore a more comprehensive approach that takes into account federal regulations on this subject. Piecemeal is not the way to go.

## Senate

### **SB 897 (Roth)**

**Subject:** Workers' compensation.

**Status:** Vetoed

**Summary:** Current law provides that certain peace officers, firefighters, and other specified public employees are entitled to a leave of absence without loss of salary while disabled by injury or illness arising out of and in the course of employment, for the period of the disability, not to exceed one year. The leave of absence is in lieu of temporary disability payments or maintenance allowance payments otherwise payable under the workers' compensation system. This bill allows certain employees of local agencies, including police officers, firefighters, and sheriffs, an additional year of a leave of absence without loss of salary when injured by a catastrophic injury at the hands of another, as defined.

**Governor's Message:** I am returning Senate Bill 897 without my signature. This bill doubles from one to two years special leave benefits for police officers, firefighters, or sheriffs who are disabled by a qualifying catastrophic injury. This leave is required to be provided at full salary and tax-free, resulting in take home pay that is higher than pre-injury wages. I was concerned when told this bill was prompted by a City of Riverside police officer who nearly lost his health benefits while on temporary disability. In that case, the City chose to extend the officer's benefits. Upon closer review, I have not found any other city which terminates the health benefits of police officers while they are on temporary disability. As noted in my veto of AB 1451 last year, this disability leave benefit drives up costs significantly. Many local agencies are under significant financial stress. They must consider employee benefit increases in light of competing demands for critical services and long term pension and health care debts. In light of all this, I believe the decision on how to handle cases such as this is best left to the local jurisdiction.

**SB 1088 (Nguyen)****Subject:** Wrongful concealment: statute of limitations.**Status:** Vetoed**Summary:** Current law makes it a misdemeanor for a person who has knowledge of an accidental death to actively conceal or attempt to conceal that death. This bill would have provided that for the offense of actively concealing or attempting to conceal an accidental death, as described above, a criminal complaint may be filed within one year after the person is initially identified by law enforcement as a suspect in the commission of the offense.**Governor's Message:** I am returning Senate Bill 1088 without my signature. This bill states that a criminal complaint may be filed within one year after an individual is identified by law enforcement as a suspect in the concealment of an accidental death. Such identification could take place years or even decades later. I believe that the statute of limitations for most crimes, especially misdemeanors, should have a defined limit. Allowing the statute to commence when a suspect has been identified, with no other parameters, serves to undermine the very purpose of a limitations period.**SB 1157 (Mitchell)****Subject:** Incarcerated persons: visitation.**Status:** Vetoed**Summary:** This bill would have required a local detention facility, as defined, that elects to utilize video or other types of electronic devices for inmate visitations to also provide an inmate with in-person visitation that meets or surpasses the minimum number of weekly visits required by those regulations for a person detained in the facility. If a local detention facility does not have existing space available for in-person visitation, the bill would require the facility to comply no later than January 1, 2022.**Governor's Message:** I am returning Senate Bill 1157 without my signature. This bill would prohibit the exclusive use of video visitation at local correctional facilities. This bill as drafted does not provide adequate flexibility and creates a strict mandate. Nevertheless, I am concerned about the recent trend of making jail facilities unavailable for in-person visits. This practice could have an adverse impact on achieving rehabilitative goals and might affect in a negative way the families and loved ones of those incarcerated. I am directing the Board of State and Community Corrections to work with stakeholders to explore ways to address these issues.

## ADDITIONAL LEGISLATION: DIED

This section includes all bills that relate to mental health, public safety, and other general government issues, but may not affect DSH specifically, that failed a Legislative deadline or died in committee.

### Assembly

#### **AB 1566 (Wilk)**

**Subject:** Reports.

**Status:** Died in committee

**Summary:** This bill would have required a written report, submitted by any state agency or department to the Legislature, a Member of the Legislature, or any state legislative or executive body to include a signed statement by the head of the agency or department declaring that the factual contents of the written report are true, accurate, and complete.

#### **AB 1681 (Cooper)**

**Subject:** Smartphones

**Status:** Died in committee

**Summary:** This bill would have required a manufacturer or operating system provider of a smartphone sold or leased in California on or after January 1, 2017, that is unable to decrypt the smartphone pursuant to a state court order to be subject to a civil penalty of \$2,500 for each instance in which the smartphone is unable to be decrypted. The bill would have prohibited a manufacturer or operating system provider who has paid this civil penalty from passing any portion of the penalty on to purchasers of smartphones. The bill would have authorizes only the Attorney General or a district attorney to bring a civil suit to enforce these provisions.

#### **AB 1724 (Waldron)**

**Subject:** Unmanned aircraft: identification requirements.

**Status:** Died in committee

**Summary:** This bill would have required a person or public or private entity that owns or operates an unmanned aircraft, as defined, to place specified identifying information or digitally store identifying information on that unmanned aircraft. The bill would have exempted model aircraft, as defined, from that requirement. The bill would have made a person or entity that violates that provision liable for a civil fine not to exceed \$2,500. The bill would have authorized the Attorney General, a district attorney, county counsel, or a city attorney to bring an action to recover that fine, as specified.

**AB 1774 (Bonilla)**

**Subject:** Clinical laboratories: licensure.

**Status:** Died in committee

**Summary:** Current law provides for the licensure, registration, and regulation of clinical laboratories and various clinical laboratory personnel by the State Department of Public Health. Under current law the department inspects clinical laboratories and assesses a fee for licensure of those facilities. This bill would have repealed the laws requiring a clinical laboratory to be licensed by the department, including the licensing fee, and would recast the inspection role of the department to involve inspection and monitoring of specified issues for clinical laboratories that are not accredited by an accrediting organization approved under CLIA, investigation upon complaint, and sanctions, as provided.

**AB 1821 (Maienschein)**

**Subject:** Sex offenses: disabled victims.

**Status:** Died in committee

**Summary:** Current law makes a defendant subject to imprisonment in state prison for 25 years to life if convicted of certain crimes, including rape, spousal rape or sexual penetration in concert, sexual penetration, sodomy, or oral copulation if certain circumstances were present, including, among other things, in the commission of that offense, any person kidnapped the victim, committed the offense during the commission of a burglary, or used a dangerous or deadly weapon in the commission of the offense, or under other specified circumstances, and the crime was committed against a minor 14 years of age or older. This bill would have added the crimes of rape, sexual penetration, sodomy, and oral copulation, perpetrated against a person who is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, to the above provisions, if the victim is developmentally disabled, as defined.

**AB 1848 (Chiu)**

**Subject:** DNA evidence.

**Status:** Died in committee

**Summary:** This bill would have required law enforcement agencies to report information regarding rape kit evidence to the department through a database established by the department. The bill would have required that information to include, among other things, the number of kits collected, the number of kits from which one or more biological evidence samples were submitted to a DNA laboratory for analysis, and the number of kits from which a probative DNA profile was generated. The bill would additionally require a public DNA laboratory, or a law enforcement agency contracting with a private laboratory, to provide a reason for not testing a sample every 120 days the sample is untested, except as specified.

**AB 1852 (Lackey)**

**Subject:** State contracts: contract requirements.

**Status:** Died in committee

**Summary:** The State Contracting Act governs state contracts for public works projects and requires that a contract be awarded to the lowest responsible bidder, as specified. This act requires contracts awarded by state agencies to be submitted to the Attorney General or the appointed attorney as specified, and provides that the contract is not binding on the state until the attorney finds it to be in accordance with the act. This bill would have made a non-substantive change to that provision.

**AB 1912 (Achadjian)**

**Subject:** Sex offenders.

**Status:** Died in committee

**Summary:** This bill would require a person convicted of soliciting a minor who the person knew, or reasonably should have known, was a victim of human trafficking to register as a sex offender for a period of 5 years after a first conviction, 10 years after a second conviction, and 20 years after a third or subsequent conviction. By requiring more people to register and therefore expanding the scope of a crime, the bill would create a state-mandated local program. The bill would have additionally required the Department of Justice to make available to the public specified information regarding the person on the Internet Web site, for the time that the person has to register.

**AB 1940 (Cooper)**

**Subject:** Peace officers: body-worn cameras: policies and procedures.

**Status:** Died in committee

**Summary:** This bill would have required a law enforcement agency, department, or entity, if it employs peace officers and uses body-worn cameras for those officers, to develop a body-worn camera policy. The bill would have required the policy to allow a peace officer to review his or her body-worn camera video and audio recordings before making a report, giving an internal affairs statement, or before any criminal or civil proceeding.

**AB 1957 (Quirk)**

**Subject:** Public records: body-worn cameras.

**Status:** Died in committee

**Summary:** This bill would have authorized the governing board of a law enforcement agency, in closed session, to review the footage from a body-worn camera when a peace officer who was wearing the camera is involved in, or was a witness to, an incident that results in great bodily injury to, or death of, a person other than the peace officer. The bill would have required, if there is an investigation into an allegation of misconduct by the peace officer, and the investigation leads to criminal prosecution of the peace officer within 60 days after the commencement of the investigation, the judge to determine the protocol for release of the footage from a body-worn camera.

**AB 1967 (Gaines)**

**Subject:** Local planning: prohibition: mental health facility.

**Status:** Died in committee

**Summary:** This bill would have, on and after January 1, 2017, prohibit the legislative body of a city, county, or city and county from adopting an ordinance for the construction or operation of a health facility, as defined, within 2000 feet of a school or childcare facility, as specified, if that facility is designated to accept patients taken into custody for 72-hour treatment and evaluation pursuant to the specified described involuntary commitment provisions. This bill contains other existing laws.

**AB 1990 (Jones)**

**Subject:** The Financial Information System for California (FISCal).

**Status:** Died in committee

**Summary:** This bill would have expanded the annual reporting requirements to include, among other additional information, a discussion of any changes in total projected quantitative benefits.

**AB 2008 (Wagner)**

**Subject:** Crimes: sex offender registration: notice of duty to register.

**Status:** Died in committee

**Summary:** The Sex Offender Registration Act, requires a person convicted of specified sex offenses to register with local law enforcement authorities. Current law requires that a person who is required to register be informed of his or her duty to register prior to his or her release, discharge, or parole from confinement in specified institutions, when he or she is released on probation, or when he or she is granted conditional release without supervised probation, or discharged upon payment of a fine. This bill would have required that the person be informed of his or her duty to register only if the release, discharge, or parole, as applicable, is related to a sentence imposed as the result of a conviction for an offense for which the person is required to register under the act, as specified.

**AB 2018 (Ridley-Thomas)**

**Subject:** Mandated Child Abuse Reporting Employee Training Act of 2016.

**Status:** Died in committee

**Summary:** This bill would have established the Mandated Child Abuse Reporting Employee Training Act of 2016, which would require each governing board of a community college district to: (1) annually train, using the online training module developed by the State Department of Education, or other training, as specified, employees and administrators of the district who are mandated reporters on the mandated reporting requirements, as specified; (2) develop a process for those persons required to receive training under the bill to provide proof of completing this training within the first 6 weeks of each academic year or within 6 weeks of that person's employment; and (3) develop a process to identify the students who are minors enrolled in classes at the community college district and provide that

information only to faculty members and other employees who are mandated reporters, as specified.

**AB 2046 (Harper)**

**Subject:** Division of Labor Standards Enforcement.

**Status:** Died in committee

**Summary:** Current law creates the Division of Labor Standards Enforcement, as the successor to the Division of Industrial Welfare, within the Department of Industrial Relations, and sets forth its powers and duties over labor standards enforcement. This bill would have made a technical, non-substantive change to these provisions.

**AB 2109 (Dahle)**

**Subject:** Greenhouse gas emissions reduction: state agencies.

**Status:** Died in committee

**Summary:** The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020. The act requires state agencies to consider and implement strategies to reduce their greenhouse gas emissions. This bill would have made technical, non-substantive changes to this provision.

**AB 2114 (Garcia, Eduardo)**

**Subject:** Prisoners: support services.

**Status:** Died in committee

**Summary:** This bill would have appropriated \$1,500,000 from the General Fund to the Department of Corrections and Rehabilitation for allocation to the Counties of Alameda, Los Angeles, Monterey, Riverside, and Santa Clara to implement pilot programs in those counties to provide re-entry services and support to persons who are, or who are scheduled to be, released from a county jail. The bill would have required the pilot programs to include specified components, including support services for parents and a mentorship program.

**AB 2188 (Grove)**

**Subject:** Criminal procedure: arrests.

**Status:** Died in committee

**Summary:** Current law authorizes a peace officer to arrest a person without a warrant if the officer has probable cause to believe that the person has committed a public offense in the officer's presence or if the officer has probable cause to believe that the person has committed a felony. This bill would have authorized a peace officer to arrest a person without a warrant if the officer has probable cause to believe that the person has committed the misdemeanor offense of soliciting a minor for prostitution.

**AB 2205 (Dodd)**

**Subject:** Supervised persons: credits.

**Status:** Died in committee

**Summary:** This bill would have revised the provisions to prohibit the period of time during any revocation, summary or otherwise, of mandatory supervision from being credited toward any period of supervision, and would provide that a person not remain in custody for a period longer than the term of supervision.

**AB 2225 (Low)**

**Subject:** State employment: State Bargaining Unit 19: memorandum of understanding.

**Status:** Died in committee

**Summary:** This bill would have approved provisions of a memorandum of understanding entered into between the state employer and State Bargaining Unit 19 that require the expenditure of funds and would provide that these provisions will become effective if these provisions are approved by the Legislature in legislation other than the annual Budget Act.

**AB 2229 (Grove)**

**Subject:** Firearms.

**Status:** Died in committee

**Summary:** This bill would have required a firearms dealer to immediately release a firearm to a recipient who is not prohibited from possessing, receiving, owning, or purchasing a firearm if the person is authorized to carry a concealed firearm, possesses a valid Certificate of Eligibility, or owns a firearm registered with the department, as specified. The bill would make additional conforming changes.

**AB 2262 (Levine)**

**Subject:** Prisoners: mental health treatment.

**Status:** Died in committee

**Summary:** This bill would have authorized a defendant who is or has been eligible for public mental health services due to a serious mental illness or who is eligible for Social Security Disability Insurance benefits due to a diagnosed mental illness to petition the court, after the defendant's plea or conviction but prior to sentencing, for a sentence that includes mental health treatment.

**AB 2327 (Cooley)**

**Subject:** Contacting or communicating with a minor.

**Status:** Died in committee

**Summary:** This bill would have made it a crime to contact or communicate with a minor, or attempt to contact or communicate with a minor, as specified, with the intent to commit human trafficking of the minor. By expanding the definition of a crime, the bill would impose a state-mandated local program.

**AB 2333 (Achadjian)**

**Subject:** Theft of merchandise.

**Status:** Died in committee

**Summary:** Current law makes petty theft involving merchandise taken from a merchant's premises punishable by a fine of not less than \$50 and not more than \$1,000, and imprisonment in the county jail not exceeding 6 months. This bill would have provided that nothing in that section or any other law precludes a merchant from offering a person suspected of theft an opportunity to complete a precomplaint diversion program in lieu of arrest and criminal prosecution, or informing a person suspected of theft of the criminal civil remedies available to the merchant.

**AB 2407 (Chávez)**

**Subject:** Workers' compensation.

**Status:** Died in committee

**Summary:** This bill would have, if the employee's injury had affected his or her back, required a physician or other medical provider to assess the employee's level of risk for chronic back pain utilizing the medical treatment utilization schedule and determine treatment based on that schedule.

**AB 2425 (Brown)**

**Subject:** Public health: unintentional injuries.

**Status:** Died in committee

**Summary:** This bill would have required the State Department of Public Health to develop, on or before June 1, 2018, a state data collection plan and uniform standards and protocols for purposes of collecting statewide information on unintentional injury incidents, as specified. The bill would have specified that its provisions not be construed to require data collection beyond that required by current law.

**AB 2440 (Gatto)**

**Subject:** County DNA Identification Fund.

**Status:** Died in committee

**Summary:** This bill would have appropriate \$15,000,000 from the General Fund to the Controller for apportionment to counties based on a county's proportionate contribution to the state's DNA Identification Fund in the most recent calendar year for which information is available on January 1, 2017, would require that money to be deposited into a county DNA Identification Fund, and would require the county treasurer to distinguish moneys collected pursuant to the bill's provisions from other moneys in the fund.

**AB 2467 (Gomez)**

**Subject:** Health facilities: executive compensation.

**Status:** Died in committee

**Summary:** This bill would have required covered hospitals and medical entities, as defined, to annually submit to the Office of Statewide Health Planning and

Development an executive compensation report for every executive whose annual compensation exceeds a specified threshold. The bill would also have required each covered hospital or medical entity with 100 or more employees to annually report compensation information by employee classification and by gender, ethnicity, race, sexual orientation, and gender identity, as self-reported by its employees.

**AB 2507 (Gordon)**

**Subject:** Telehealth: access.

**Status:** Died in committee

**Summary:** This bill would have added video communications and telephone communications to the definition of telehealth. The bill would also have provided that the required prior consent for telehealth services may be digital as well as oral or written.

**AB 2569 (Melendez)**

**Subject:** Registered sex offenders.

**Status:** Died in committee

**Summary:** Current law requires the Department of Justice to make available specified information about registered sex offenders via an Internet Web site. Current law also authorizes an offender who has been convicted of the commission or attempted commission of an offense for which the offender is on probation at the time of his or her application or has successfully completed probation to apply for exclusion from the Internet Web site if he or she submits a certified copy of an official court document, as specified, that clearly demonstrates that the offender was the victim's parent, stepparent, sibling, or grandparent, and the crime did not involve specified sexual offenses. This bill would have required a local assistance center for victims and witnesses, as specified, prior to the department granting an application for an exclusion pursuant to the above specified provision, to speak to the victim to determine if granting the exclusion would be in the best interest of the victim, as provided.

**AB 2578 (Bigelow)**

**Subject:** California Environmental Quality Act: exemptions: water service.

**Status:** Died in committee

**Summary:** This bill would have exempted from the requirements of CEQA a project within a public street or highway or other public right-of-way for the maintenance, repair, restoration, reconditioning, relocation, replacement, removal, or demolition of an existing water distribution pipeline to address water leakage.

**AB 2592 (Cooper)**

**Subject:** Controlled substances: medicine locking closure packages: grant program.

**Status:** Died in committee

**Summary:** This bill would have required the State Department of Public Health to award grants to individual pharmacies that choose to participate in the program.

**AB 2604 (Thurmond)**

**Subject:** Inmates: mental health treatment.

**Status:** Died in committee

**Summary:** This bill would have authorized a defendant who pled guilty or nolo contendere to, or was convicted of, a felony or misdemeanor and who currently is, or at any prior time was, eligible for public mental health services due to a serious mental illness or who is, or at any prior time was, eligible for Social Security Insurance due to a diagnosed mental illness, to petition the court for a sentence that includes mental health treatment.

**AB 2626 (Jones-Sawyer)**

**Subject:** Commission on Peace Officer Standards and Training: procedural justice training.

**Status:** Died in committee

**Summary:** This bill would have required the Commission on Peace Officer Standards and Training to develop and disseminate training for peace officers on principled policing, which would include the subjects of procedural justice and implicit bias, as defined. The bill would have required this training for specified peace officers. The bill would also have required the commission to certify and make training available to train peace officers to teach the course of training on principled policing to other officers in their agencies.

**AB 2665 (Rodriguez)**

**Subject:** Felons: incarceration in state prison.

**Status:** Died in committee

**Summary:** This bill would have required imprisonment in the state prison for a 3rd separate felony conviction where the defendant has 2 prior separate felony convictions, and all 3 of the convictions are suffered on or after January 1, 2017.

**AB 2688 (Gordon)**

**Subject:** Privacy: commercial health monitoring programs.

**Status:** Died in committee

**Summary:** This bill would have prohibited an operator of a commercial health monitoring program from intentionally sharing, selling, or disclosing individually identifiable health monitoring information in possession of or derived from a commercial health monitoring program to a 3rd party, as defined, without first providing clear and conspicuous notice and obtaining the consumer's affirmative consent, as provided, and would provide that individually identifiable information may be disclosed to specified entities without consent under specified circumstances, including to a government official if necessary to prevent an emergency involving the danger of death or serious physical injury to a person, if the disclosing entity provides notice of the disclosure as soon as practicable.

**AB 2695 (Oberholte)**

**Subject:** Juvenile proceedings: competency.

**Status:** Died in committee

**Summary:** Current law requires proceedings to be suspended if the court finds substantial evidence raises a doubt as to a minor's competency. Current law requires the court to appoint an expert, as specified, to evaluate whether the minor suffers from a mental disorder, developmental disability, developmental immaturity, or other condition and, if so, whether the condition or conditions impair the minor's competency. This bill would have revised and recast these provisions to, among other things, expand upon the duties imposed upon the expert during his or her evaluation of a minor whose competency is in doubt, as specified.

**AB 2703 (Linder)**

**Subject:** Medical confidentiality: authorizations.

**Status:** Died in committee

**Summary:** This bill would have allowed the authorization, for the release of medical information, to be an electronic equivalent of the required type face.

**AB 2743 (Eggman)**

**Subject:** Psychiatric bed registry.

**Status:** Died in committee

**Summary:** This bill would have required the Department of Public Health (DPH) to establish, as a pilot program, a web-based electronic bed registry with information regarding the availability of acute psychiatric beds in health facilities in specified counties. These beds are intended for the temporary detention and treatment of individuals who require that level of care, or who meet the criteria for temporary detention. This bill would have required each health facility in the specified counties to designate an employee to submit information for inclusion in the registry. This bill also would have required DPH to submit specified reports to the Legislature.

**AB 2753 (Grove)**

**Subject:** Public employment: employee bargaining representatives: financial information.

**Status:** Died in committee

**Summary:** This bill would have required an organization that provides representation to public employees in labor negotiations with a state or local public employer to place an itemized version of its budget on its Internet Web site and to provide each member of the organization easy access to it.

**AB 2754 (Grove)**

**Subject:** Public employment: employee bargaining representatives: elections.

**Status:** Died in committee

**Summary:** This bill would have required an organization that provides representation to public employees in labor negotiations with a state or local public

employer to hold an election every 2 years to determine if the current organization should continue to represent its members

**AB 2803 (Salas)**

**Subject:** Inmates: unlawful communications.

**Status:** Died in committee

**Summary:** This bill would have made it a felony to knowingly possess, manufacture, or distribute in any state prison facility or local jail, as specified, prescribed communications that contain an overt or disguised request or instructions to cause harm, great bodily injury, or death to another person.

**AB 2898 (Hernández, Roger)**

**Subject:** Private Attorneys General Act of 2004.

**Status:** Died in committee

**Summary:** Current law authorizes a plaintiff as a matter of right to amend an existing complaint to add a cause of action arising under the Labor Code Private Attorneys General Act at any time within 60 days of the specified time periods. This bill would have extended the time to add a cause of action to any time within 90 days of the specified time periods.

**Senate**

**SB 115 (Fuller)**

**Subject:** Valley fever.

**Status:** Died in committee

**Summary:** This bill would have appropriated \$1,000,000 from the General Fund to the department for the 2015-16 fiscal year, for purposes of extending the Valley Fever Vaccine Project.

**SB 811 (Gaines)**

**Subject:** Unmanned aircraft systems: correctional facilities.

**Status:** Died in committee

**Summary:** This bill would have made a person who knowingly and intentionally operated an unmanned aircraft system on or above the grounds of a state prison or a jail guilty of a misdemeanor.

**SB 821 (Block)**

**Subject:** Crimes: criminal threats.

**Status:** Died in committee

**Summary:** This bill would have required that any person who willfully threatens to commit a crime against another person or at a location or event that will result in death or great bodily injury to another person, be punished by imprisonment in a county jail not to exceed one year, or by imprisonment in the state prison.

**SB 938 (Jackson)**

**Subject:** Conservatorships: psychotropic medications and secured perimeter facilities.

**Status:** Died in committee

**Summary:** Current law authorizes a conservator to place a conservatee in a secured perimeter residential care facility for the elderly, as specified, or to authorize the administration of certain prescribed medications upon a court's finding that among other things, the conservatee has dementia and a functional impairment. This bill would have replaced references to the term dementia in these provisions with major neurocognitive disorders (MNCDS), as defined.

**SB 994 (Hill)**

**Subject:** Health care districts: design-build.

**Status:** Died in committee

**Summary:** This bill would have authorized, until January 1, 2022, the Beach Cities Health District and the Peninsula Health Care District to use the design-build process for the construction of facilities or other buildings in those districts, as specified.

**SB 1021 (Runner)**

**Subject:** Sex offenders: residency restriction: petition for relief.

**Status:** Died in committee

**Summary:** Current law, as amended by Proposition 83, prohibits any person who is required to register pursuant to the Sex Offender Registration Act from residing within 2,000 feet of any public or private school, or park where children regularly gather. The bill would have limited the residency restriction to persons convicted of specified offenses.

**SB 1110 (Hancock)**

**Subject:** Law Enforcement Assisted Diversion.

**Status:** Died in committee

**Summary:** This bill would have required the Board of State and Community Corrections to award grants to up to 3 jurisdictions to establish LEAD programs and would require the board to establish minimum standards, funding schedules, and procedures for awarding grants.

**SB 1127 (Hancock)**

**Subject:** Commission on Correctional Peace Officer Standards and Training: Internet Web site.

**Status:** Died in committee

**Summary:** This bill would have required the Commission on Correctional Peace Officer Standards and Training to establish an Internet Web site to include meeting minutes, agendas, and supporting documents.

**SB 1131 (Galgiani)**

**Subject:** Department of Motor Vehicles: records: confidentiality.

**Status:** Died in committee

**Summary:** Existing law prohibits the disclosure of the home addresses of certain public employees and officials that appear in records of the Department of Motor Vehicles, except to a court, a law enforcement agency, an attorney in a civil or criminal action under certain circumstances, and certain other official entities.

This bill would have extended that prohibition, subject to those same exceptions, to investigators employed by the Department of Insurance, code enforcement officers, and parking control officers.

**SB 1173 (Hertzberg)**

**Subject:** Water-conserving plumbing fixtures: CalConserve Water Use Efficiency Revolving Fund.

**Status:** Died in committee

**Summary:** Existing law includes specified requirements to replace plumbing fixtures that are not water conserving, defined as "noncompliant plumbing fixtures," to residential and commercial real property built and available for use on or before January 1, 1994, as specified. Existing law defines "commercial real property," "multifamily residential real property," and "water-conserving plumbing fixture" for purposes of these provisions. This bill would have applied these requirements, as specified, to commercial real property regardless of when it was built.

**SB 1194 (Hill)**

**Subject:** Professions and vocations: board actions and regulations.

**Status:** Died in committee

**Summary:** This bill would have authorized the Director of Consumer Affairs, upon his or her own initiative, and require the director upon the request of the board making the decision or the Legislature, to review any nonministerial market-sensitive action, except as specified, of a board within the department to determine whether it furthers a clearly articulated and affirmatively expressed state policy and to approve, disapprove, or recommend modifications of the board action, as specified. The bill would have required the director to issue and post on the department's Internet Web site his or her final written decision and the reasons for the decision.

**SB 1204 (Hernandez)**

**Subject:** Health professions development: loan repayment.

**Status:** Died in committee

**Summary:** Physicians and osteopathic physicians are eligible for the Steven M. Thompson Physician Corps Loan Repayment Program, and the Medical Board of California assesses an additional \$25 license charge at the time of the initial application for licensure and license renewal for purposes of funding the loan repayment program. This bill would have increased the license application and renewal charge to \$50. The bill would have increased the monetary limits for loan

repayment, as specified, and would expand the eligibility for loan repayment funds to include those physicians providing psychiatric services.

**SB 1217 (Stone)**

**Subject:** Healing arts: reporting requirements: professional liability resulting in death or personal injury.

**Status:** Died in committee

**Summary:** Current law requires each healing arts licensing board to create and maintain a central file containing an individual historical record on each person who holds a license from that board. Current law requires that the individual historical record contain any reported judgment or settlement requiring the licensee or the licensee's insurer to pay over \$3,000 in damages for any claim that injury or death was proximately caused by the licensee's negligence, error or omission in practice, or rendering unauthorized professional service. This bill would have, notwithstanding the above provision, instead required the record to contain reported judgments or settlements with damages over \$10,000 for persons licensed under the Pharmacy Act.

**SB 1245 (Anderson)**

**Subject:** Industrial Welfare Commission: wage orders: hours worked.

**Status:** Died in committee

**Summary:** This bill would have declared that the definition of "hours worked" as it pertains to the health care industry, in that existing wage order, was valid and enforceable on and after October 1, 2000, and continues to be valid and enforceable. The bill would have stated that the bill is declarative of, and clarifies, existing law.

**SB 1286 (Leno)**

**Subject:** Peace officers: records of misconduct.

**Status:** Died in committee

**Summary:** Current law requires a department or agency that employs peace officers to establish a procedure to investigate complaints by members of the public against those officers. Current law authorizes a department or agency that employs custodial officers to establish a similar procedure for its officers. Existing law requires the department or agency to provide written notification to the complaining party of the disposition of a complaint made pursuant to those provisions within 30 days of the disposition. This bill would have required that notification to include, at a minimum, the charges framed in response to the complaint, the agency's disposition with respect to each of those charges, any factual findings on which the agency based its dispositions, and any discipline imposed or corrective action taken.

**SB 1318 (Wolk)**

**Subject:** Local government: drinking water infrastructure or services: wastewater infrastructure or services.

**Status:** Died in committee

**Summary:** The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the procedures for the formation and change of organization of cities and special districts. This bill would have additionally authorized a local agency formation commission to initiate a proposal by resolution of application for the annexation of a disadvantaged unincorporated community, as specified.

**SB 1321 (Stone)**

**Subject:** Felonies: crimes committed while on mandatory supervision.

**Status:** Died in committee

**Summary:** This bill would have required an executed sentence for a felony to be punished in state prison if the defendant committed the felony while he or she was under mandatory supervision.

**SB 1334 (Stone)**

**Subject:** Crime reporting: health practitioners: reports.

**Status:** Died in committee

**Summary:** This bill would have required a health care practitioner, who provides medical services to a patient seeking treatment due to being the victim of assaultive or abusive conduct, to additionally make a report to a law enforcement agency.

**SB 1355 (Glazer)**

**Subject:** Criminal law: DNA evidence.

**Status:** Died in committee

**Summary:** Current law requires a person who has been convicted of a felony offense to provide buccal swab samples, right thumbprints, and a full palm print impression of each hand, and any blood specimens or other biological samples required for law enforcement identification analysis. This bill would have expanded these provisions to require persons convicted of specified misdemeanors to provide the same forensic profile.

**SB 1444 (Hertzberg)**

**Subject:** State government: computerized personal information security plans.

**Status:** Died in committee

**Summary:** This bill would have required an agency that owns or licenses computerized data that includes personal information to prepare a computerized personal information security plan that details the agency's strategy to respond to a security breach of computerized personal information and associated consequences caused by the disclosed personal information.

**SB 1452 (Wieckowski)**

**Subject:** Conservators.

**Status:** Died in committee

**Summary:** Current law authorizes the court to issue an order that specifically grants the conservator the power to enforce the conservatee's rights to receive visitors, telephone calls, and personal mail or that directs the conservator to allow those visitors, calls, and mail. This bill would have added the right to receive electronic mail to a conservatee's personal rights for purposes of these provisions.

**TWO-YEAR LEGISLATION**  
**Tracked by the Department of State Hospitals**

The following bills did not advance in 2015, but were eligible for consideration in 2016 as two-year legislation. Two-year legislation must clear its house of origin by January 31, 2016 to remain active.

**Assembly**

**AB 86 (McCarthy)**

**Subject:** Peace officers: Department of Justice: independent investigation.

**Status:** Failed deadline

**Summary:** This bill would have required the Attorney General to appoint a special prosecutor to direct an independent investigation if a peace officer, in the performance of his or her duties, uses deadly physical force upon another person and that person dies as a result of the use of that deadly physical force. The bill would have granted the special prosecutor the sole authority to determine whether criminal charges should be filed. The bill would have made the special prosecutor responsible for prosecuting any charges filed.

**AB 201 (Brough)**

**Subject:** Registered sex offenders: local ordinance.

**Status:** Died in Committee

**Summary:** This bill would have stated that a local agency is not preempted by state law from enacting and enforcing an ordinance that restricts a registered sex offender from residing or being present at certain locations within the local agency's jurisdiction. The bill would have authorized a local agency to adopt ordinances, rules, or regulations that are more restrictive than state law relating to a registered sex offender's ability to reside or be present at certain locations within the local agency's jurisdiction.

**AB 222 (Achadjian)**

**Subject:** Vehicle records: confidential home address.

**Status:** Failed deadline

**Summary:** Current law prohibits the disclosure of the home addresses of certain public employees and officials that appear in records of the Department of Motor Vehicles, except to a court, a law enforcement agency, an attorney in a civil or criminal action under certain circumstances, and certain other official entities. This bill would have extended that prohibition, subject to those same exceptions, to the disclosure of the home addresses of an employee of the Department of State Hospitals, as specified.

**AB 262 (Lackey)****Subject:** Sex offenders.**Status:** Failed deadline**Summary:** This bill would have required that Sexually Violent Predators (SVP) only reside in a location that is within 10 miles of a permanent physical police or sheriff station that has jurisdiction over the location and has 24-hour-a-day peace officer staffing on duty and available to respond to calls for service. The bill would have prohibited SVPs from residing in a location owned by a person who has been convicted of a serious or violent felony.**AB 373 (Medina)****Subject:** Peace officers: training.**Status:** Failed deadline**Summary:** This bill would have required each police chief, county sheriff, or other head of a law enforcement agency to assess his or her jurisdiction to determine if any Indian tribal lands, as defined, lie within the jurisdiction. The bill would have required, if the police chief, county sheriff, or other head of a law enforcement agency determines that Indian tribal lands exist within his or her jurisdiction, to ensure that those peace officers employed by the agency who work in, or adjacent to, Indian tribal lands, or who may be responsible for responding to calls for service on, or adjacent to, Indian tribal lands, complete a course that includes, but is not limited to, a review of Public Law 280.**AB 511 (Gipson)****Subject:** Worker's compensation.**Status:** Failed deadline**Summary:** Current law designates illnesses and conditions that constitute a compensable injury for various public safety employees. These injuries include, but are not limited to, hernia, pneumonia, heart trouble, cancer, meningitis, and exposure to a biochemical substance when the illness or condition develops or manifests itself during a period when the officer or employee is in service of his or her employer. This bill would have expanded the coverage of the above provisions relating to compensable injury, to include other, full-time peace officers, including those employed by DSH.**AB 618 (Maienschein)****Subject:** Parole: primary mental health clinicians.**Status:** Failed deadline**Summary:** This bill would have required that, upon request of a prisoner, independent evaluators appointed by the Board of Parole Hearings (BPH) consult with the prisoner's primary mental health clinician before making a recommendation to the board regarding the individuals' suitability for parole. Mentally Disordered Offenders (MDOs) within state hospitals and considered "prisoners" under this bill and would be eligible to request that BPH evaluators consult with their primary mental health clinician.

**AB 909 (Quirk)**

**Subject:** Sexual assault crimes.

**Status:** Failed deadline

**Summary:** This bill would have required a law enforcement agency responsible for taking or processing rape kit evidence to annually report, by July 1 of each year, to the Department of Justice information pertaining to the processing of rape kits, including the number of rape kits the law enforcement agency collects, the number of those rape kits that are tested, and the number of those rape kits that are not tested. For those rape kits that are not tested, the bill would have required the law enforcement agency to also report the reason the rape kit was not tested.

**AB 962 (Maienschein)**

**Subject:** Sex offenses: disabled victims.

**Status:** Failed deadline

**Summary:** Proposition 83 provides that the Legislature may amend the provisions of the Sexual Predator Punishment and Control Act to expand the scope of their application or increase the punishment or penalties by a statute passed by a majority vote of each house of the Legislature. This bill would have added the crimes of rape, sexual penetration, sodomy, and oral copulation, perpetrated against a person who is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, to specified provisions, if the victim is developmentally disabled, as defined.

**AB 1003 (Nazarian)**

**Subject:** Mental Health: sexually violent predators.

**Status:** Failed deadline

**Summary:** This bill would have modified the DSH process for evaluating Sexually Violent Predators (SVPs), by: (1) Requiring DSH to consult, on or before January 30, 2016, with a committee comprised of the California District Attorneys Association, the California Public Defenders Association, and the Los Angeles District Attorney's Office to make recommendations regarding possible changes to the standardized SVP assessment protocol; (2) Requiring DSH, on or before March 1, 2016, to initiate the regulatory process to update the standardized SVP assessment protocol, including a plan for formal supervisory review of evaluations and a checklist for reviewing evaluations, as recommended by the March 2015 report of the California State Auditor; (3) Requiring that the regulations also include requirements and procedures for training evaluators; (4) Creating an oversight board that shall "advise the Legislature and the Governor regarding" SVPs, comprised of the same representatives as the advisory group listed above; (5) Requiring the new oversight board to meet six times per year, and to issue an annual report to the Governor and the Legislature making recommendations relating to implementation of the SVP Act; and (6) Requiring all annual evaluations of SVPs in state hospitals to be signed by the DSH Director.

**AB 1006 (Levine)****Subject:** Prisoners: mental health treatment.**Status:** Failed deadline**Summary:** This bill would have applied to cases in which a defendant pleads guilty or no contest to a crime that will result in a sentence to state prison. This bill would have authorized either the defendant or a prosecutor to petition the court for a hearing, or for the court to order a hearing on its own motion, to determine whether the defendant suffers from a diagnosable mental condition. If after the hearing, the court finds that the defendant does suffer from a diagnosable mental illness, then the court shall order one or more of the following: (1) that the defendant serve all or part of his/her sentence in a residential mental health facility instead of the state prison; (2) that the Department of Corrections and Rehabilitation (CDCR) place the defendant in a mental health program within the state prison, at a level of care determined by CDCR's mental health staff, within 30 days of placement in the state prison or sooner upon order of the court; (3) that CDCR prepare a post-release mental health treatment plan six months prior to the defendant's release from custody.**AB 1227 (Cooper)****Subject:** Peace officer training: mental health training.**Status:** Failed deadline**Summary:** Current law requires the Commission on Peace Officer Standards and Training to establish and keep updated a continuing education classroom training course for peace officer interactions with persons with mental illnesses or developmental disabilities. Under current law, this course consists of classroom instruction and utilizes interactive training methods to ensure that training is as realistic as possible. This bill would have required the commission, in collaboration with relevant stakeholders, to study and submit a report to the Legislature, on or before December 31, 2017, that assesses the statuses of the training courses described above, assesses whether the courses cover all appropriate topics, and identifies areas where additional training may be needed.**AB 1237 (Brown)****Subject:** State hospitals: placement evaluations.**Status:** Died in Committee**Summary:** Under current law, a court makes an Incompetent to Stand Trial (IST) or Not Guilty by Reason of Insanity (NGRI) determination after appointing a psychiatrist or psychologist to evaluate the defendant's mental state and make a recommendation to the court. This bill would have amended that process by requiring DSH to establish a pool of psychiatrists and psychologists with forensic skills, and by requiring courts in IST or NGRI cases to select a panel of three to five DSH-employed evaluators to replace the current evaluation process.

**AB 1300 (Ridley-Thomas)**

**Subject:** Mental Health: involuntary commitment.

**Status:** Died in Committee

**Summary:** Would authorize counties to designate one or more persons to act as a local or regional liaison to assist a person who is a patient in an emergency department of a defined non-designated hospital and who has been detained, or who may require detention, for evaluation and treatment, as specified. The bill would reorganize and make changes to the provisions relating to the detention for evaluation and treatment of a person who may be subject to the above provisions, including specifying procedures for delivery of those individuals to various facilities.

**AB 1469 (Achadjian)**

**Subject:** Peace officers: basic training requirements.

**Status:** Failed deadline

**Summary:** Current law requires every peace officer to complete an introductory course of training prescribed by the Commission on Peace Officer Standards and Training, except as specified, and provides that persons described as peace officers who have not satisfactorily completed the course shall not have the powers of a peace officer until they satisfactorily complete the course. This bill would have made technical, non-substantive changes to that provision.

**Senate**

**SB 267 (Leyva)**

**Subject:** Registered sex offenders: local ordinances.

**Status:** Failed deadline

**Summary:** The bill would have authorized cities and counties to adopt ordinances, rules, or regulations that are more restrictive than state law relating to a registered sex offender's ability to reside or be present at certain locations within the local agency's jurisdiction.

**SB 312 (Pan)**

**Subject:** Public assistance: personal interviews.

**Status:** Failed deadline

**Summary:** Current law provides for protection, care, and assistance for people of the state by providing appropriate aid and services to the needy and distressed including the California Work Opportunity and Responsibility to Kids program (CaWORKs). Current law prohibits an applicant from being granted public assistance under CaWORKs until he or she is personally interviewed by the county human services agency or state hospital staff. This bill would have authorized the county human services agency or state hospital staff to conduct this personal interview telephonically or through electronic means. The bill would have required a face-to-face interview to be conducted if requested by an applicant or recipient.

**SB 428 (Hall)**

**Subject:** Juries: peace officer exemption.

**Status:** Failed deadline

**Summary:** This bill would have excluded additional peace officers, including DSH peace officers classified as MTAs, from *voir dire* jury duty in criminal matters.

**SB 742 (Hertzberg)**

**Subject:** Soil waste: diversion.

**Status:** Failed deadline

**Summary:** This bill would have required each state agency and each large state facility, on and after January 1, 2018, to divert at least 60% of all solid waste from landfill disposal or transformation facilities through source reduction, recycling, and composting activities. The bill would have also deleted an obsolete provision.

**SB 752 (Nielsen)**

**Subject:** Crimes.

**Status:** Died in committee

**Summary:** This bill would have revised crimes against peace officers to make all of the misdemeanors or wobblers instead punishable as felonies in county jail and make all of the felonies punishable in county jail instead punishable in state prison.

**SB 779 (Hall)**

**Subject:** Skilled nursing facilities: certified nurse assistant staffing.

**Status:** Failed deadline

**Summary:** Current law provides for the licensure and regulation by the State Department of Public Health of health facilities, including skilled nursing facilities. This bill would have required the department to develop regulations that become effective July 1, 2016, and include a minimum overall staff-to-patient ratio that includes specific staff-to-patient ratios for certified nurse assistants and for licensed nurses that comply with specified requirements. This bill contains other related provisions and other existing laws.

## LEGISLATION BY AUTHOR

### Assembly

#### **Achadjian, Katcho**

AB 222: Registered sex offenders: local ordinance.  
AB 1469: Peace officers: basic training requirements.  
AB 1912: Sex offenders.  
AB 1999: Prohibited Armed Persons File: initial review.  
AB 2333: Theft of merchandise.

#### **Bigelow, Franklin**

AB 2578: California Environmental Quality Act: exemptions: water service.

#### **Bonilla, Susan**

AB 1774: Clinical laboratories: licensure.

#### **Bonta, Rob**

AB 2165: Firearms: prohibitions: exemptions.

#### **Brough, William**

AB 201: Registered sex offenders: local ordinance.

#### **Brown, Cheryl**

AB 1237: State hospitals: placement evaluations.  
AB 2181: Public contracts: contract specifications.  
AB 2425: Public health: unintentional injuries.

#### **Calderon, Ian**

AB 2320: Unmanned aircraft systems.

#### **Committee on Health**

AB 2889: State government.

#### **Committee on Veterans Affairs**

AB 2563: Veterans: service advocate: correctional facilities.

#### **Cooley, Ken**

AB 2086: Workers' compensation: neuropsychologists.  
AB 2327: Contacting or communicating with a minor.

#### **Cooper, Jim**

AB 1681: Smartphones  
AB 1940: Peace officers: body-worn cameras: policies and procedures.  
AB 2592: Controlled substances: medicine locking closure packages: grant program.

**Chau, Ed**

AB 2828: Personal information: privacy: breach.

AB 2843: Public records: employee contact information.

**Chávez, Rocky**

AB 2407: Workers' compensation.

**Chiu, David**

AB 1848: DNA evidence.

**Chu, Kansen**

AB 2119: Medical information: disclosure: medical examiners and forensic pathologists.

AB 2577: Workers' Compensation: respiratory illness: presumption.

**Cooper, Jim**

AB 1227: Peace officer training: mental health training.

**Dahle, Brian**

AB 2109: Greenhouse gas emissions reduction: state agencies.

**Dodd, Bill**

AB 1962: Criminal proceedings: mental competence.

AB 2205: Supervised persons: credits.

**Eggman, Susan**

AB 2743: Psychiatric bed registry.

**Gaines, Beth**

AB 1967: Local planning: prohibition: mental health facility.

**Garcia, Eduardo**

AB 2114: Prisoners: support services.

**Gatto, Mike**

AB 2440: County DNA Identification Fund.

AB 2724: Unmanned aircraft.

AB 2853: Public records.

**Gipson, Mike**

AB 511: Worker's compensation

**Gomez, Jimmy**

AB 1671: Confidential communications: disclosure.

AB 2467: Health facilities: executive compensation.

**Gordon, Richard**

AB 2507: Telehealth: access.

AB 2688: Privacy: commercial health monitoring programs.

AB 2812: Solid waste: recycling: state agencies and large state facilities.

**Gray, Adam**

AB 2048: National Health Service Corps State Loan Repayment Program.

**Grove, Shannon**

AB 2188: Criminal procedure: arrests.

AB 2229: Firearms.

AB 2606: Crimes against children, elders, dependent adults, and persons with disabilities.

AB 2753: Public employment: employee bargaining representatives: financial information.

AB 2754: Public employment: employee bargaining representatives: elections.

**Harper, Matthew**

AB 2046: Division of Labor Standards Enforcement.

**Hernández, Roger**

AB 2898: Private Attorneys General Act of 2004.

**Holden, Chris**

AB 2148: Unmanned aircraft systems: operation or use within or over state-managed lands or waters.

**Jones, Brian**

AB 1990: The Financial Information System for California (FISCal).

**Jones-Sawyer, Reginald**

AB 2626: Commission on Peace Officer Standards and Training: procedural justice training.

**Lackey, Tom**

AB 262: Sex offenders

AB 1852: State contracts: contract requirements.

AB 1983: Excluded employees: shift seniority.

**Levine, Marc**

AB 1006: Prisoners: mental health treatment.

AB 2262: Prisoners: mental health treatment.

**Linder, Eric**

AB 1707: Public records: response to request.

AB 2703: Medical confidentiality: authorizations.

**Low, Evan**

AB 2225: State employment: State Bargaining Unit 19: memorandum of understanding.

**McCarty, Kevin**

AB 86: Peace officers: Department of Justice: independent investigation.  
AB 2396: Solid waste: annual reports.

**Maienschein, Brian**

AB 618: Parole: primary mental health clinicians.  
AB 962: Sex offenses: disabled victims.  
AB 1821: Sex offenses: disabled victims.  
AB 1836: Mental health: referral of conservatees.  
AB 2499: Sexual assault evidence kits.

**Medina, Jose**

AB 373: Peace officers: training

**Melendez, Melissa**

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AB 2569: Registered sex offenders.

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