

Legislative Summary Report



2019 Legislative Year

**2019 Legislation Affecting the
Department of State Hospitals**

STATE OF CALIFORNIA

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November 2019

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INTRODUCTION

This report provides an overview of legislation affecting the Department of State Hospitals (DSH) in 2019.

During the first year of the 2019-20 Legislative Session, 3,033 measures were introduced. DSH's Office of Legislation monitored or tracked 134 bills affecting issues related to DSH's jurisdiction or expertise and provided final recommendations on nine bills that reached the Governor's desk.

DSH manages the nation's largest inpatient forensic mental health hospital system. Its mission is to provide evaluation and treatment in a safe and responsible manner, seeking innovation and excellence in state hospital operations, across a continuum of care and settings.

DSH is responsible for the daily care and provision of mental health treatment of its patients. In Fiscal Year 2017-2018, DSH served 11,961 patients. DSH oversees five state hospitals and employs nearly 11,000 staff. Additionally, DSH provides services in jail-based competency treatment programs and conditional release programs.

The following pages provide a summary of legislation introduced or enacted in the 2019 legislative year analyzed or tracked by DSH. For more information about the legislation summarized in this report, please contact DSH's Office of Legislation at (916) 654-2316. For more information about DSH, including the Department's values, vision, mission, or goals, please visit our Internet Web site at <http://www.dsh.ca.gov>.

ACRONYMS COMMONLY USED

| | |
|------------------|---|
| AB | Assembly Bill |
| ACR | Assembly Concurrent Resolution |
| CDCR | California Department of Corrections and Rehabilitation |
| DDS | Department of Developmental Services |
| 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 |
| FY | Fiscal Year |
| IST | Incompetent to Stand Trial |
| JBCT | Jail-Based Competency Treatment Program |
| OPS | Office of Protective Services |
| SB | Senate Bill |
| SCR | Senate Concurrent Resolution |
| SVP | Sexually Violent Predator |

ENACTED PRIORITY LEGISLATION

This section includes bills directly impacting DSH that were signed into law by the Governor. All bills take effect January 1, 2020 unless otherwise noted.

[AB 46 \(Carrillo, Chapter 9\) Individuals with mental illness: change of term](#)

Replaces language in law which could be perceived as stigmatizing with more culturally sensitive terms when referring to individuals with mental illness including changing “mentally disordered” to “persons with mental health disorders.”

[AB 303 \(Cervantes, Chapter 606\) Mental health: sexually violent predators: trial: continuances](#)

Establishes procedures for a court to use when determining whether to grant a continuance for Sexually Violent Predator (SVP) trials, with show of good cause.

[SB 20 \(Dodd, Chapter 240\) Surplus state property: Napa County Regional Park and Open Space District](#)

Authorizes, until January 1, 2026, Napa County and the Napa County Regional Park and Open Space District to purchase at fair market value approximately 850 acres of land in Napa County from the State. This land, known as Skyline Park, is adjacent to DSH-Napa and is currently leased to Napa County through 2030. Prior legislation allowing negotiations for this sale expired January 1, 2015.

[SB 78 \(Committee on Budget and Fiscal Review, Chapter 38\) Health](#)

This Health Omnibus budget trailer bill modifies labor and workers' compensation laws to allow DSH to implement a uniform wage structure that pays a standard wage rate of federal minimum wage to patients participating in vocational rehabilitation programs. The bill allows DSH to implement a statewide payroll program and comply with state and federal laws on the payment of payroll taxes and tax withholdings. The bill clarifies conditions when Workers' Compensation benefits apply to DSH patients. Finally, it prohibits DSH from using patient wages to pay for the cost of their care and housing.

Effective date: June 27, 2019

[SB 94 \(Committee on Budget and Fiscal Review, Chapter 25\) Public Safety: omnibus](#)

This Public Safety Omnibus budget trailer bill, as it relates to DSH, creates an exception allowing counties participating in specified state jail construction financing programs to enter into agreements for leasing of housing capacity to DSH or other state agencies. This bill aids the growth and continuing operation of DSH's Jail-Based Competency Treatment (JBCT) Program which utilizes contracted housing and competency restoration services delivered in available county correctional facilities to Incompetent to Stand Trial (IST) patients.

Effective date: June 27, 2019

[SB 227 \(Leyva, Chapter 843\) Health and care facilities: inspections and penalties](#)

Requires periodic state inspections of certain health facilities, including DSH, to include reviews of compliance with nurse-to-patient ratios and the California Department of Public Health (CDPH) regulations. This bill requires CDPH to ensure that these inspections are not announced before the date of inspection and requires CDPH to assess specific administrative penalties to facilities for each nursing staff violation. These penalties are \$15,000 for the first violation and \$30,000 for each subsequent violation.

[SB 230 \(Caballero, Chapter 285\) Law enforcement: use of deadly force: training: policies](#)

This bill requires law enforcement agencies, including DSH's Office of Police Services (OPS), to maintain a policy that provides guidelines on the use of force, utilizing de-escalation techniques and other alternatives to use of force, specific guidelines for the application of deadly force, and factors for evaluating and reviewing all use of force incidents.

[SB 398 \(Durazo, Chapter 285\) Protection and advocacy agency](#)

This bill changes the Disability Rights California's (DRC) access to facilities and programs, including DSH, as well as records, employees and recipients of services. DRC is the state's federally designated protection and advocacy agency.

[SB 591 \(Galqiani, Chapter 649\) Incarcerated persons: mental health evaluations](#)

This bill requires that a psychiatrist or psychologist from CDCR, DSH, or the Board of Parole Hearings (BPH) be given access to CDCR prisoners being temporarily held at a county correctional facility, a county medical facility or a state-assigned mental health provider.

ADDITIONAL ENACTED LEGISLATION

This section includes bills relating to mental health, public safety, licensing, and other general government issues that were signed into law by the Governor and may impact DSH. These bills may require DSH compliance with their provisions. All bills take effect January 1, 2020 unless otherwise noted. Bills are organized by subject matter.

Hospitals and Clinical Staff

[SB 322 \(Bradford, Chapter 72\) Health facilities: inspections: employee reporting](#)

Grants a health facility employee or their representative, the right to privately discuss possible regulatory violations or patient safety concerns with an inspector during an investigation or inspection by CDPH.

[AB 241 \(Kamlager-Dove, Chapter 417\) Implicit bias: continuing education: requirements](#)

Requires continuing education courses for physicians and surgeons, nurses, and physician assistants to include curriculum on implicit bias.

[AB 1540 \(Holden, Chapter 167\) Music therapy](#)

Establishes the Music Therapy Act and prohibits a person who provides music therapy from using the title of "Board Certified Music Therapist" unless the person has completed specified education and clinical training requirements. Prohibits its provisions from being construed to authorize a person engaged in music therapy to state or imply that they provide mental health counseling, psychotherapy, or occupational therapy for which a license is required. Prohibits its provisions from being construed to require a music therapist currently employed by the State of California to obtain certification as a Board Certified Music Therapist.

[AB 528 \(Low, Chapter 677\) Controlled substances: CURES database](#)

Changes the required timeframe in which pharmacists are required to report dispensed prescriptions to the state's prescription drug monitoring program (PDMP), Controlled Substance Utilization Review and Evaluation System (CURES), from seven days to the following working day; authorizes physicians and surgeons who are licensed by the Medical Board of California (MBC) but do not possess a federal Drug Enforcement Agency (DEA) registration to register for access to CURES; requires pharmacists to report Schedule V drugs to CURES; expands the authority for a prescriber's licensed delegate to retrieve data from CURES on behalf of that prescriber; makes other technical and clarifying changes to laws governing the state's PDMP.

[AB 630 \(Arambula, Chapter 229\) Board of Behavioral Sciences: marriage and family therapists: clinical social workers: educational psychologists: professional clinical counselors: required notice: exemptions](#)

Clarifies exemptions from the Licensed Marriage and Family Therapist (LMFT) Act, the Educational Psychologist Practice Act, the Clinical Social Worker (CSW) Practice Act and the Licensed Professional Clinical Counselor (LPCC) Act for an unlicensed or unregistered employee or volunteer working in specified locations; requires the employee or volunteer to provide a notice to clients about complaint procedures; and requires LMFTs, licensed clinical social workers (LCSWs), licensed educational psychologists (LEPs), LPCCs, and their respective trainees to provide Board of Behavioral Sciences (BBS) contact information to their clients.

[AB 962 \(Burke, Chapter 815\) Hospitals: procurement contracts](#)

Requires hospitals with operating expenses of at least \$50 million, or, if they are part of a system of hospitals, at least \$25 million, to submit a report to the Office of Statewide Health Planning and Development (OSHPD) on its minority, women, LGBT, and disabled veteran-owned business enterprise procurement efforts.

Law Enforcement

[AB 392 \(Weber, Chapter 170\) Peace officers: deadly force](#)

Limits the use of deadly force by a peace officer, including Hospital Police Officers, to situations where it is necessary to defend against a threat of imminent serious bodily injury or death to the officer or to another person.

[AB 1215 \(Ting, Chapter 579\) Law enforcement: facial recognition and other biometric surveillance](#)

Prohibits a law enforcement officer or agency from installing, activating or using a biometric surveillance system in connection with a law enforcement agency's body-worn camera or any other camera worn or carried.

[AB 1600 \(Kalra, Chapter 585\) Discovery: personnel records: peace officers and custodial officers](#)

Shortens the notice requirement in criminal cases when a defendant files a motion to discover police officer misconduct from 16-days to 10-days. Additionally, creates a limited exception to the prohibition on the release of supervisory officer records.

[SB 338 \(Hueso, Chapter 641\) Senior and disability victimization: law enforcement policies](#)

Eliminates the duty imposed on long-term care ombudsman programs to revise or include in their policy manuals specified information regarding elder and dependent adult abuse. Authorizes local law enforcement agencies to adopt a policy regarding senior and disability victimization. If a local law enforcement agency adopts or revises a policy regarding elder or dependent adult abuse or senior and disability victimization on or after April 13, 2021, the bill requires that

the policy include specified provisions, including provisions related to enforcement and training. Would also make clarifying changes to provisions related to the entities that have jurisdiction to investigate elder and dependent adult abuse.

[SB 439 \(Umberg, Chapter 645\) Criminal procedure: wiretapping: authorization and disclosure](#)

Allows overheard communications to be disclosed if they involve a grand theft involving a firearm or maliciously exploding or igniting a destructive device or any explosive causing bodily injury, mayhem or death; and allows overheard communications involving any crime by a peace officer to be used in administrative or disciplinary hearings.

Employment

[AB 5 \(Gonzalez, Chapter 296\) Worker status: employees and independent contractors](#)

Codifies the recent *Dynamex Operations West, Inc. v. Superior Court of Los Angeles (2018) 4 Cal.5th 903 (Dynamex)* decision, requiring that employers prove that their workers can meet a three-part test in order to be lawfully classified as independent contractors.

[AB 51 \(Gonzalez, Chapter 711\) Employment discrimination: enforcement](#)

Prohibits requiring applicants for employment or employees to waive their right to a judicial forum for legal disputes over incidents of harassment, discrimination, civil rights-related retaliation, or Labor Code violations as a condition of employment or continued employment.

[AB 61 \(Ting, Chapter 725\) Gun violence restraining orders.](#)

Authorizes an employer, a coworker who has substantial and regular interactions with the person and approval of their employer, or an employee or teacher of a secondary or postsecondary school, with approval of a school administrator or a school administration staff member with a supervisory role, 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.

[AB 203 \(Salas, Chapter 712\) Occupational safety and health: Valley Fever](#)

Requires construction employers in counties where Valley Fever is highly endemic to provide all employees with training on the dangers of Valley Fever by May 1, 2020, and annually thereafter, and before an employee begins work that causes exposure to substantial dust disturbance. This bill requires the training to cover specified topics regarding Valley Fever and authorizes the training to be included in the employer's Injury and Illness Prevention Program (IIPP) training or as a standalone training program.

[AB 632 \(Cervantes, Chapter 98\) Public employees' retirement: disability retirement: reinstatement](#)

Clarifies that a person who retires from a public retirement system for disability cannot work in another public position that has the same duties or activities of the position from which the person received a disability retirement unless the person reinstates from retirement.

[AB 749 \(Stone, Chapter 808\) Settlements agreements: restraints in trade.](#)

Prohibits an agreement to settle an employment dispute from containing a provision that restricts an aggrieved person from working for the employer against which the aggrieved person has filed a claim. Clarifies that an employer and an aggrieved person are free to agree to end current employment if the employer determines that the person engaged in sexual harassment or sexual assault. Lastly, this bill clarifies that an employer is not required to continue to employ or rehire a person if there is a legitimate nondiscriminatory or nonretaliatory reason for terminating or refusing to rehire the person.

[AB 1804 \(Committee on Labor and Employment, Chapter 199\) Occupational injuries and illnesses: reporting](#)

Allows employers to report serious injury, illness or death through an online mechanism established by the Division of Occupational Safety and Health (Cal/OSHA) while retaining the option to report by telephone.

[AB 1805 \(Committee on Labor and Employment, Chapter 200\) Occupational safety and health](#)

Makes changes regarding the definition of "serious injury or illness" and "serious exposure" to bring the language in line with federal Occupational Safety and Health Administration (OSHA) standards and creates uniformity in law. These changes remove the 24-hour minimum time requirement for qualifying hospitalizations, excluding those for medical observation or diagnostic testing, explicitly includes the loss of an eye as a qualifying injury, and deletes loss of a body member from the definition of serious injury and, instead, includes amputation. The bill would recast the definition of "serious exposure" to include exposure of an employee to a hazardous substance in a degree that death or serious physical harm in the future could result from the hazardous exposure.

[SB 142 \(Wiener, Chapter 720\) Employees: lactation accommodation](#)

Expands worker protections for lactation accommodations to include specific amenities, items, and level of privacy. Requires employers to develop and implement a policy that educates employees on their rights, including the process by which employees can request lactation accommodation, employer obligations, and the right of employees to file complaints with the Labor Commissioner. Prohibits an employer from discharging, acting discriminatorily towards or retaliating against an employee for exercising or attempting to exercise any right to lactation accommodation and imposes a fine of \$100 for each day that an employee is denied reasonable break time or adequate space to express milk.

Miscellaneous

[AB 469 \(Petrie-Norris, Chapter 302\) State records management: records management coordinator](#)

Requires specified training and responsibilities for state employees who manage state records. Requires each state agency to appoint a Records Management Coordinator (RMC) to coordinate its management of records, oversee records retention schedules, and act as a liaison with the State Archives. Requires the RMC to complete initial and ongoing records management training and requires the California Secretary of State to obtain statutorily required reports from agencies at least every two years.

[AB 991 \(Gallagher, Chapter 497\) Maintenance of the codes](#)

Makes various technical, non-substantive changes to the codes suggested by the Office of Legislative Counsel to correct errors in existing law. Section 301 of the bill makes minor wording changes to statutes related to diversion.

[AB 1130 \(Levine, Chapter 750\) Personal information: data breaches](#)

Revises the definition of “personal information” to include unique biometric data and tax identification numbers, passport numbers, military identification numbers, and unique identification numbers issued on a government document in addition to those for driver’s licenses and California identification cards for the purposes of reporting a security breach.

[SB 40 \(Wiener, Chapter 467\) Conservatorship: serious mental illness and substance use disorders](#)

Amends a pilot program that, for participating counties (Los Angeles, San Francisco, and San Diego), establishes a conservatorship procedure applicable only to individuals who are incapable of caring for their own health and well-being due to a serious mental illness and substance use disorder. The bill compresses the timeframes for the conservatorship from one-year to six-months; makes a prerequisite of conservatorship a 28-day temporary conservatorship; initiates a temporary conservatorship upon the person’s eighth 72-hour involuntary detention in a 12-month period; and establishes additional protections to narrow the conservatorship scheme.

VETOED LEGISLATION

This section includes bills relating to mental health, public safety, and other general government issues that would have impacted DSH but were vetoed by the Governor.

[AB 531 \(Irwin\) Office of Information Security: information security technologies](#)

Would have required the Office of Information Security to review current information security technologies in state agencies to determine if there are sufficient policies, standards, and procedures in place to protect critical government information and prevent the unauthorized disclosure of sensitive digital content. The bill would have required the office to develop a statewide plan to protect critical government information and prevent any unauthorized disclosure of information.

The Governor vetoed this bill, stating that the “[A]dministration will finish information security assessments of every state department as required by AB 670... The Department [of Technology’s Office of Information Security] is also performing audits on departments that scrutinize how their information security practices measure up to the state’s information security policies... these efforts will fulfill many of this bill’s objectives...”

[SB 363 \(Pan\) Workplace safety](#)

Would have required DSH, DDS, and CDCR to report specified information regarding assaults on employees that occur in their facilities. The bill would have required each department to report this information quarterly, within 30 calendar days, to all bargaining units at the department and annually to the Legislature and the respective Chairs of the legislative budget committees.

The Governor vetoed this bill, stating that the “[bill’s] goal of ensuring safety for employees is an important one. However, mandating these reporting requirements in state law is unnecessary, as the departments can undertake this reporting administratively.”

TWO-YEAR LEGISLATION

Tracked by the Department of State Hospitals

This section includes bills currently being tracked by DSH that are still eligible for consideration in 2020 as two-year legislation.

[AB 529 \(Ramos D\) Psychiatric technicians and psychiatric technician assistants: overtime](#)

Would prohibit a Psychiatric Technician (PT) or Psychiatric Technician Assistant (PTA) employed by the State of California, including DSH, from being required to work in excess of the regularly scheduled workweek or work shift, except under certain circumstances. This bill authorizes a PT or PTA to volunteer or agree to work additional hours, but the refusal to accept additional hours would not constitute patient abandonment, neglect, or be grounds for penalty or adverse action against the employee. This bill also requires management to consider employees in a specified order of priority in order to fulfill additional staffing needs. **(Cleared House of Origin - Senate Floor)**

[SB 179 \(Nielsen R\) Excluded employees: arbitration](#)

Would enact the Excluded Employee Arbitration Act to permit an employee organization that represents an excluded employee who has filed certain grievances with the Department of Human Resources to request arbitration of the grievance if specific conditions are met. Arbitrators are chosen using the striking method and the excluded employees shall not bear the cost of the arbitration. **(Cleared House of Origin – Assembly Floor)**

[AB 165 \(Gabriel D\) Peace officer training: gun violence restraining orders](#)

Would require the Commission on Peace Officer Standards and Training (POST) to develop and implement, on or before January 1, 2021, a course of training regarding gun violence restraining orders. The bill would require the course to be incorporated into the course or courses of basic training for law enforcement officers on or before January 1, 2021, and would require the course or courses to include specified topics, including the process of filing a petition for gun violence restraining orders and situational training to assist officers in identifying when a gun violence restraining order is appropriate. **(Cleared House of Origin - Senate Appropriations Suspense)**

[AB 387 \(Gabriel D\) Task force: adverse drug events: prescriptions](#)

Would create the Prescription Labeling and Adverse Drug Event Prevention Advisory Task Force to develop information, make recommendations, and report findings to the State Board of Pharmacy, the Medical Board of California, and the Legislature on matters relating to the inclusion of the condition or purpose for which a drug is prescribed on prescription labels and adverse drug events. **(Cleared House of Origin - Senate Appropriations Suspense)**

[AB 243 \(Kamlager-Dove D\) Implicit bias training: peace officers](#)

Would require that Peace Officer refresher training regarding implicit bias be completed more frequently, specifically, every 2 years instead of every 5 years. This bill also requires the training include a self-assessment before and after the training. This bill lists peace officer employers to whom the bill's requirements apply, including DSH's OPS. **(Cleared House of Origin - Senate Appropriations Suspense)**

[AB 1052 \(Chu D\) Peace officer training: hate crimes](#)

Current law requires POST to develop and implement a course of instruction and training for specified peace officers on the topic of hate crimes. Existing law requires that training to be implemented into the basic course and requires, all state and local law enforcement agencies to provide the training to all peace officers they employ. This bill would require the basic course curriculum on the topic of hate crimes to include the viewing of a specified video course developed by POST. **(Cleared House of Origin- Senate Appropriations Suspense)**

[AB 1435 \(Nazarian D\) The State Department of State Hospitals: investigations](#)

Would require DSH, when conducting an investigation into an institution or staff providing treatment or care to patients, prior to interviewing a person, to inform them as to the nature of the interview and that information from the interview can be used in criminal or administrative actions. The bill would also encourage the department to consult a panel of peers of the person being investigated if a subject matter expert is used to assist in evaluating those allegations. **(Cleared House of Origin - Senate Health)**

[AB 802 \(Stone, Mark D\) Reports to the Legislature: Statewide Open Data Portal](#)

Would require state and local agencies to submit all reports to the Secretary of the Senate, the Chief Clerk of the Assembly, and the Legislative Counsel electronically, rather than submitting a printed copy, and would eliminate the requirement that state agencies separately submit the summary of the report directly to Members of the Legislature. **(Cleared House of Origin - Senate Appropriations Suspense)**

[SB 416 \(Hueso D\) Employment: workers' compensation](#)

Would expand existing coverage of specific categories of injuries to peace officers, including those at DSH, that are presumed to be work-related, including hernia, cancer including leukemia, heart trouble, pneumonia, tuberculosis, bio-chemical illness, meningitis, and lower back impairments. **(Cleared House of Origin – Assembly Desk)**

[AB 1764 \(Carrillo D\) Forced or Involuntary Sterilization Compensation Program](#)

Would establish the Forced or Involuntary Sterilization Compensation Program to compensate survivors of state-sponsored involuntarily sterilizations conducted pursuant to eugenics laws that existed in California between 1909 and 1979, and survivors of coerced sterilizations of people in prison after 1979. This program

would be administered by the Victims Compensation Board (CalVCB) and would require DSH, DDS, and CDCR to make reasonable effort to locate and share records that will help CalVCB verify claims. The bill would only become operative upon an appropriation to DSH, DDS, and CDCR for program implementation. **(Assembly Appropriations Suspense)**

[AB 890 \(Wood D\) Nurse practitioners: scope of practice: unsupervised practice](#)

Would establish the Advanced Practice Registered Nursing Board within the Department of Consumer Affairs, which would consist of 9 members. The bill would authorize a nurse practitioner who holds a certification as a nurse practitioner from a national certifying body recognized by the board who practices in certain settings or organizations to perform specified functions without supervision by a physician and surgeon, including ordering and interpreting diagnostic procedures, certifying disability, and prescribing, administering, and dispensing controlled substances. **(Assembly Appropriations Suspense)**

[SB 567 \(Caballero D\) Workers' compensation: hospital employees](#)

Would define "injury" for a hospital employee who provides direct patient care in an acute care hospital including DSH, to include infectious diseases, cancer, musculoskeletal injuries, post-traumatic stress disorder, and respiratory diseases. This bill would create rebuttable presumptions that these injuries arose out of or during their employment and would extend these presumptions for specified time periods after the hospital employee's termination of employment. **(Senate Public Employment and Retirement)**

[AB 732 \(Bonta D\) County jails: prisons: incarcerated pregnant persons](#)

Would require an inmate of a county jail or state prison who is identified as possibly pregnant during an intake health examination to be scheduled for laboratory work to verify pregnancy within 3 business days of arrival at the facility. Would require an incarcerated person who is confirmed to be pregnant to be scheduled for an obstetrics examination within 7 days and require incarcerated pregnant persons to be scheduled for prenatal care visits. **(Assembly Appropriations Suspense)**

[AB 1121 \(Bauer-Kahan D\) Firearms: prohibited persons](#)

Current law authorizes a court to grant pretrial diversion to a defendant suffering from a mental disorder, as specified. Under current law, if the defendant performs satisfactorily in diversion, the court may dismiss the defendant's criminal charges. This bill would prohibit a person who is granted this pretrial diversion based on a mental health disorder from owning or possessing a firearm, or other dangerous or deadly weapon. **(Assembly Appropriations Suspense)**

[AB 1241 \(Quirk-Silva D\) Contracts between public agencies and private entities for hiring and training individuals: electronic databases](#)

Would require an agency, as defined, that contracts with a person or private entity that owns or licenses an electronic database that contains the personal information of individuals for the purpose of hiring and training specified individuals, to do so only if the contract requires the person or private entity to comply with the requirements for disclosure and maintenance of personal information that are applicable to an agency pursuant to the Information Practices Act of 1977. **(Assembly Privacy and Consumer Protection)**

[SB 640 \(Moorlach R\) Mental health services: gravely disabled](#)

The Lanterman-Petris-Short Act provides for the involuntary commitment and treatment of a person who is a danger to themselves or others or who is gravely disabled. This bill would change the definition of “gravely disabled” for these purposes to read, in part, a condition in which a person, as a result of a mental health disorder, is incapable of making informed decisions about, or providing for, the person’s own basic personal needs for food, clothing, or shelter without significant supervision and assistance from another person and, as a result of being incapable of making these informed decisions, the person is at risk of substantial bodily harm, dangerous worsening of a concomitant serious physical illness, significant psychiatric deterioration, or mismanagement of the person’s essential needs that could result in bodily harm. **(Senate Health)**

[SB 666 \(Stone, Jeff R\) Mental health diversion](#)

Would make IST defendants ineligible for the pretrial diversion program, established in 2018, for charges of robbery (if the defendant was armed with a weapon at the time of the offense), assault with a deadly weapon, elder abuse, and child abuse. **Member Resigned**