

Warner & Pank, LLC



Governmental Relations & Legislative Advocacy

Legislative Update

CLEARS

Submitted by Nick Warner, Legislative Representative

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Overview of CLEARS legislative program

- Review all introduced and amended bills for application to CLEARS interests
- Communicate directly with CLEARS leadership to coordinate positions
- Provide expert testimony and analysis to key legislators and their staff
- Liaison to state agencies & Build Coalitions with Allied Originations

Political Notes

- Low bi partisan spirit of cooperation
- Terms limit initiative pending
- Governor Schwarzenegger's role
- \$10 billion projected state deficit
- Election season upcoming
- Safe Neighborhood Act Pending
- All Bills are available at Leginfo.ca.gov

CLEARS Legislation of note

Bill ID	Topic	Status	Summary	Position
AB 104 (Solorio)	Criminal records: city attorneys.	Senate	Requires the Attorney General and local criminal justice agencies to provide criminal history information to city attorneys pursuing civil gang injunctions, or drug abatement actions.	Watch
AB 181 (Beall)	County penalties: automated fingerprint identification fund.	Signed by the Governor	Deletes the limitation on the period during which deposits may be made into the county treasury for an Automated Fingerprint Identification and Digital Image Photographic Suspect Booking Identification System Fund.	Co-Sponsor

AB 231 (Eng)	Emergency Telephone Users Surcharge Act.	Senate	Relates to the Emergency Telephone Users Surcharge Act. Specifies that a toll telephone service would include a telephonic quality communication for which there is a toll charge that varies in amount with the distance or elapsed transmission time of each	Watch
AB 475 (Emmerson)	Criminal procedure: motions.	Signed by the Governor	Amends existing law that requires a person seeking to have a court order the record of his or her arrest destroyed to serve a copy of the petition on the prosecuting attorney of the county or city having jurisdiction over the offense. Requires the petition	Co-Sponsor
AB 498 (Galgiani)	Law enforcement information: bail entities.	Senate	Relates to the request of a licensed bail agent or bail bond licensee from a local law enforcement agency for an individual's known aliases and booking photograph, information identifying whether the individual has been convicted of any violent felony. A	Watch
AB 565 (Berryhill)	Arson: registration.	Assembly	Provides that a person convicted of arson or attempted arson shall be required to register for the rest of his or her life. Makes failure to register under these provisions a felony.	Watch
AB 721 (Maze)	Public records: request from Legislature.	Assembly	Amends the Public Records Act. Provides that when a Member of the Legislature requests a public record from a state agency, the state agency shall make the determination and notification required by these provisions immediately and in no event later than	Watch
AB 920 (Brownley)	Crime information: disclosure: consideration.	Signed by the Governor	Makes any peace officer who exchanges information obtained by the peace officer in the course of the peace officer's duties for compensation or consideration guilty of a misdemeanor. Makes any person who solicits a peace officer to exchange information guilty of a crime.	Watch
AB 1168 (Jones)	Social security numbers.	Signed by the Governor.	(1) Existing law establishes the University of California, under the administration of the Regents of the University of California, the California State University, under the administration of the Trustees of the California State University, and the Calif	Watch

AB 1393 (Leno)	Public records.	Vetoed by the Governor	Requires any state agency that publishes an Internet Website to include on the homepage of that site specified information that is not exempt from disclosure under the act about how to contact the agency, how to request records under the act, and a form	Neutral As Amended
AB 1448 (Niello)	Peace officers: impersonation: uniforms.	Signed by the Governor	Requires law enforcement uniform vendors to verify that a person buying a uniform is an employee of the law enforcement agency identified on the uniform. Makes it a crime for the vendor to fail to verify that the person buying the uniform is an employee o	Watch
SB 110 (Romero)	Sentencing commission.	Assembly	Creates the state Sentencing Commission, chaired by the Chief Justice of the state Supreme Court to develop and implement a new sentencing system in California.	Watch
SB 340 (Ackermen)	Criminal history information.	Signed.	Expands the list of agencies entitled to receive criminal history reports to include an agency providing conservatorship investigations, a court investigator providing investigations or reviews in conservatorships, and a probation officer, domestic relati	Watch
SB 447 (Maldonado)	Junk dealers.	Assembly	Requires a junk dealer to include in records the thumbprint of the seller of junk. Requires the dealer to report specified information, using forms approved or provided an actual cost by the Department of Justice, to the sheriff of the county in which the	Watch
SB 511 (Alquist)	Interrogation: recording.	Vetoed by the Governor	Provides that any custodial interrogation of an individual who is in a fixed place of detention and who, at the time of the interrogation, is suspected of committing or accused of a homicide or a violent felony shall be electronically recorded. Provides t	Watch
SB 590 (Battin)	Child sexual exploitation: Internet.	Senate	Appropriates moneys to fund statewide Internet Crimes Against Children task forces to investigate and prosecute Internet-related child exploitation offenses for 5 years.	Watch
SB 609 (Romero)	Criminal procedure: informants.	Vetoed by the Governor	Provides that a court may not convict a defendant, find a special circumstance true, or use a fact in aggravation based on the uncorroborated testimony of an in-custody informant.	Vetoed by Governor

SB 629 (Correa)	Automobile insurance: peace officers.	Signed .	Repeals existing law which requires any peace officer or firefighter who has been involved in an accident to submit to his or her private automobile insurer a written declaration stating whether or not at the time of the accident he or she was operating a	Watch
SB 690 (Calderon)	Criminal history.	Signed.	Authorizes a local criminal justice agency, in response to a written public records request, to provide information from a local summary criminal history if the person declares that the request is made for a scholarly or journalistic purpose would enhance	Watch
SB 1019 (Romero)	Peace officer records: confidentiality.	Assembly	Provides that notwithstanding specified statutory provisions or the holding in a specified court action, any charter city may elect, through an ordinance duly enacted, to follow the practices it followed before the court decisions with respect to the rele	Watch
SB 1022 (Steinberg)	Child abuse: central index.	Senate	Requires the Department of Justice to remove all information relating to a person whose name was listed in the Child Abuse Central Index as a perpetrator of child abuse due to an incident that occurred when the person was younger than 18 years old if the	Watch