

CLEARs - Legislative Bill List as of 8/15/2008

[AB 160\(Lieber\)](#) California Sentencing Commission.

Status: 02/13/2008-To inactive file on motion of Senator Ducheny.

Location: 02/13/2008-S INACTIVE FILE

[REDACTED]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law prescribes various penalties for criminal offenses. This bill would establish the California Sentencing Commission, with specified membership and terms, to devise sentencing guidelines. The bill would also create a Judicial Advisory Committee composed of judges, as specified, to assist the commission. This bill contains other related provisions.

Position: Watch

[AB 506\(Lieu\)](#) School employees: leave of absence.

Status: 08/07/2008-In committee: Set, first hearing. Held under submission.

Location: 08/05/2008-S APPR. SUSPENSE FILE

[REDACTED]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law specifies that various controlled substance and sex offenses are mandatory leave of absence offenses requiring that a certificated employee of a school district who is so charged be placed on compulsory leave of absence. Existing law requires the Commission on Teacher Credentialing to automatically suspend the teaching or service credential of an employee who is so charged until a time not more than 10 days after the date of entry of the judgment in the proceedings to which the charge is related. The bill would require that, if and when a governing board of a school district determines that it is appropriate for an employee who has been placed on paid administrative leave to be returned to classroom duties, the governing board, meeting in a closed session, would make that determination, record the reason or reasons for that determination in a written notice, and cause that notice to be delivered to the employee and to the Commission on Teacher Credentialing no later than 5 school days after the date of the determination. The bill would prohibit the employee from being returned to classroom duties, placed on leave of absence, or suspended prior to his or her receipt of the notice required by the bill. This bill contains other related provisions and other existing laws.

[AB 619\(Emmerson\)](#) Vehicle registration amnesty program: specially constructed vehicles.

Status: 08/13/2008-Read second time, amended, and to third reading.

Location: 08/13/2008-S THIRD READING

[REDACTED]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Calendar: 08/15/08 332 SEN THIRD READING FILE

Summary: Existing law generally requires all vehicles operating upon the highways of this state to be registered and all fees and taxes to have been paid. This bill would require the Department of Motor Vehicles to develop and administer a vehicle registration amnesty program for vehicles that were previously registered or classified incorrectly and that, pursuant to the program, become correctly registered, as defined. The department would be required to grant amnesty to a vehicle owner if all of the specified conditions are met by December 31, 2010, including, but not limited to, the owner filing a completed application, signed under penalty of perjury, with the department, and the Bureau of Automotive Repair inspecting the vehicle to determine whether it is specially constructed, as defined, and transmitting the results of the inspection to the department and vehicle owner. This bill would authorize the Bureau of Automotive Repair to charge the vehicle owner a fee sufficient to cover the actual costs of inspection. Because a violation of this provision would expand the scope of the crime of perjury, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[AB 1771\(Ma\)](#) Domestic violence: restraining orders.

Status: 07/10/2008-Chaptered by the Secretary of State, Chapter Number 86, Statutes of 2008

Location: 07/10/2008-A CHAPTERED

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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Summary: Existing law authorizes a court to issue a domestic violence restraining order upon a good cause belief that harm to a victim has occurred or is reasonably likely to occur. This bill would provide that, in determining whether good cause exists to issue an order under that provision, in any case in which a complaint, information, or indictment charging a crime of domestic violence has been filed, the court may consider the underlying nature of the offense charged, and information provided to the court pursuant to a criminal history search, as specified.

[AB 1826\(Beall\)](#) Seized property: fees.

Status: 08/01/2008-Chaptered by the Secretary of State, Chapter Number 214, Statutes of 2008

Location: 08/01/2008-A CHAPTERED

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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Summary: Existing law authorizes the seizure of property in connection with certain controlled substance offenses, and provides a procedure for persons claiming an interest in the seized property to seek return of the property. Existing law provides that no filing fee be charged where the subject property is valued at \$5,000 or less. This bill would authorize imposition of a \$320 filing fee, as specified, in those claim cases where the subject property is valued at more than \$5,000.

[AB 1855\(Portantino\)](#) Public safety officers: investigations and interrogations.

Status: 05/06/2008-Failed Deadline pursuant to Rule 61(b)(6). Last location was PUB. S.

Location: 05/06/2008-A DEAD

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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Summary: Existing law sets forth the conditions for interrogation of a public safety officer who is under investigation, when the interrogation could lead to punitive action, as specified. Existing law prohibits the admission of any statement made during interrogation by a public safety officer under duress, coercion, or threat of punitive action in any subsequent civil proceeding. Under existing law, that prohibition shall not limit the use of statements made by a public safety officer when the employing public safety department is seeking civil sanctions against any public safety officer. This bill would prohibit the admission of any statement made during interrogation by a public safety officer under duress, coercion, or threat of punitive action in any subsequent judicial proceeding. This bill would provide that this prohibition shall not limit the use of statements made by a public safety officer when the employing public safety department is seeking civil service sanctions against any public safety officer.

[AB 1975\(Solorio\)](#) Missing persons: DNA database.

Status: 08/05/2008-Read third time, passage refused. (Ayes 22. Noes 10. Page 4795.) Motion to reconsider made by Senator Cedillo. Reconsideration granted. (Ayes 36. Noes 0. Page 4796.)

Location: 08/05/2008-S THIRD READING

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered
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Calendar: 08/15/08 209 SEN THIRD READING FILE

Summary: Existing law requires the Department of Justice to develop a DNA database for all cases involving the report of an unidentified deceased person or a high-risk missing person, as defined, and provides for the collection of DNA samples from unidentified deceased persons and from potential sources for comparison, as specified. Existing law requires that, until January 1, 2010, the database be funded by a \$2 increase on death certificates issued by a local government agency or by the State of California. Existing law specifies the procedure for identifying the backlog of unidentified remains. Under existing law, a bill that makes changes in state taxes for the purpose of increasing revenue requires approval by 2/3 vote of each house of the Legislature. This bill would further detail the protocol for DNA sample collection and handling. It would delete the expiration date for the provision the collection of the \$2 increase on death certificates and, thus, would impose a state tax for purposes of increasing revenue. This bill would also make clarifying

changes to the procedure for identifying any backlog of unidentified remains or donated familial samples. By requiring the collection of the increase on death certificates issued by local officials, the bill would also impose a state-mandated local program. This bill contains other related provisions and other existing laws.

[AB 1978\(Solorio\)](#) Public records: computer mapping systems.

Status: 05/06/2008-Failed Deadline pursuant to Rule 61(b)(6). Last location was G.O.

Location: 05/06/2008-A DEAD

[REDACTED]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law, the California Public Records Act, requires state and local agencies to make their records available during regular business hours and, upon request, to provide a copy of a record upon payment of any applicable fee, unless an exemption from disclosure applies. The act provides that computer software developed by a state or local agency is not a public record, with "computer software" defined for this purpose as including computer mapping systems, computer programs, and computer graphics systems. This bill would further provide that, for this purpose, computer mapping systems include assembled model data, metadata, and listings of metadata, regardless of medium, and tools by which computer mapping system records are created, stored, and retrieved.

[AB 2007\(Horton\)](#) Sex offenders: Internet Web site.

Status: 06/02/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was APPR.

Location: 06/02/2008-A DEAD

[REDACTED]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law requires the Department of Justice to make available to the public specified information related to convicted sex offenders via an Internet Web site. This bill would, as of June 1, 2012, additionally require the Department of Justice to make available to the public on its Web site information about whether a person, while registered as a sex offender, was convicted of another sex offense. The bill would also require the department to make available the gender of the registrant's victims. The bill would also require a court, upon conviction of a person for an offense requiring registration as a sex offender, to submit information regarding the gender of any of the offender's victims to the Department of Justice for inclusion in the sex offender database and Internet Web site.

[AB 2028\(Solorio\)](#) Peace officers: hiring.

Status: 08/12/2008-Assembly Rule 77 suspended. Senate amendments concurred in. To enrollment.

Location: 08/12/2008-A ENROLLMENT

[REDACTED]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law requires peace officers to meet specified minimum standards, including being of good moral character, as determined by a thorough background investigation. This bill would provide that the collection of nonmedical and nonpsychological information, in accordance with a thorough background investigation required of all peace officers, may be deferred until after a conditional offer of employment is issued if the employer can demonstrate that the nonmedical and nonpsychological information could not reasonably have been collected prior to issuing the employment offer. This bill contains other existing laws.

Position: Watch

[AB 2051\(Anderson\)](#) Elder abuse offender registry.

Status: 05/06/2008-Failed Deadline pursuant to Rule 61(b)(6). Last location was PRINT

Location: 05/06/2008-A DEAD

[REDACTED]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law proscribes various crimes committed against an elder or dependent adult when the person knows or reasonably should know that the victim is an elder or dependent adult. This bill would state the intent of the Legislature to enact legislation that would require the state to compile details on convictions for crimes committed against an elder or dependent adult in an elder abuse offender registry that is publicly accessible via an Internet Web site.

[AB 2062\(De Leon\)](#) Ammunition.

Status: 08/07/2008-In committee: Set, first hearing. Held under submission.

Location: 08/04/2008-S APPR. SUSPENSE FILE

[REDACTED]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law requires the Department of Justice to maintain records pertaining to firearms transactions. This bill would require the department to maintain additional information relating to ammunition transfers and licensed handgun ammunition vendors, as specified. This bill contains other related provisions and other existing laws.

[AB 2068\(Aghazarian\)](#) Domestic violence: elder abuse: harassment: workplace violence: orders and injunctions: service: notice to protected person.

Status: 07/21/2008-Chaptered by the Secretary of State, Chapter Number 153, Statutes of 2008

Location: 07/21/2008-A CHAPTERED

[REDACTED]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law excepts orders and injunctions relating to harassment, workplace violence, domestic violence, and elder abuse from a provision authorizing a sheriff or marshal to require the prepayment of fees prior to the performance of any official act. This bill would authorize a sheriff or marshal, for any order or injunction relating to harassment, workplace violence, domestic violence, or elder abuse, for which the sheriff or marshal provides service of process and is prohibited under existing law from requiring payment of a fee, to notify the protected person by electronic or telephonic means within 24 hours after service of process that the order or injunction has been served on the restrained person, including the date and time when the order or injunction was served, if the protected person has requested this notification and has registered a telephone number or e-mail address at which the protected person may be contacted for this purpose.

[AB 2099\(Hancock\)](#) Inmates: identification cards.

Status: 08/12/2008-Read second time, amended, and to third reading.

Location: 08/12/2008-S THIRD READING

[REDACTED]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Calendar: 08/15/08 305 SEN THIRD READING FILE

Summary: Existing law provides that after inmates are released from the Department of Corrections and Rehabilitation, they are placed on parole, as specified. This bill would require the Department of Corrections and Rehabilitation to establish a pilot program at Folsom State Prison and San Quentin State Prison for the purpose of providing each inmate at those facilities, prior to his release, a valid California identification card, as defined, issued by the Department of Motor Vehicles (DMV). This bill contains other related provisions.

[AB 2172\(Cook\)](#) Elder abuse: registry.

Status: 06/02/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was PUB. S.

Location: 06/02/2008-A DEAD

[REDACTED]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law proscribes various crimes committed against an elder or dependent adult related to physical and financial abuse when the person has knowledge that the victim is an elder or dependent adult, including causing or permitting an elder or dependent adult to suffer or inflicting thereon unjustifiable physical pain or mental suffering and violating any provision of law proscribing theft, embezzlement, forgery, fraud, or identity theft, with respect to the person or property of an elder or dependent adult. This bill would require the Department of Justice to develop an Internet Web site, to be updated regularly, which would make available to the public certain information concerning persons who have been convicted of violating at least one of specified crimes against elder or dependent adults. The bill would require a facility that release from incarceration any person from a commitment for an offense for which the person is required to be listed pursuant to these provisions to provide specified information to the department regarding the offense. By imposing new

duties on local government agencies, the bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.

[AB 2304\(Plescia\)](#) Name changes.

Status: 08/12/2008-Senate amendments concurred in. To enrollment.

Location: 08/12/2008-A ENROLLMENT

[Redacted]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law establishes the procedure for a person to change his or her name, as specified. When a proceeding for a change of name is commenced by the filing of a petition, existing law requires the court to make an order reciting the filing of the petition, the name of the person by whom it is filed, and the name proposed, except as specified. Existing law also authorizes an address confidentiality program to which victims of domestic violence, sexual assault, or stalking may apply by completing an application in person at a community-based victims' assistance program to be approved by the Secretary of State for the purpose of enabling state and local agencies to respond to requests for public records without disclosing a program participant's residence address contained in any public record and otherwise provide for confidentiality of identity for that person, subject to specified conditions. Existing law provides that if a petition for a change of name alleges a specified reason or circumstance and the petitioner is a participant in the address confidentiality program, that action for a change of name is exempt from the requirement for publication. This bill would, in addition, require the court to keep confidential the current legal name of the petitioner and prohibit that name from being published in the court's calendars, indexes, or register of actions by any means or in any public forum, including a hardcopy or an electronic copy, or any other type of public media or display when the petition for a change of name of a participant in the address confidentiality program alleges a specified reason or circumstance. The bill would also authorize a petitioner to request that the records be sealed and would require the Judicial Council to develop, on or before January 1, 2010, rules of court and forms for that purpose.

[AB 2344\(Beall\)](#) California Cigarette and Tobacco Products Licensing Act of 2003: fees.

Status: 08/14/2008-In Assembly. To enrollment.

Location: 08/14/2008-A ENROLLMENT

[Redacted]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law, the California Cigarette and Tobacco Products Licensing Act of 2003, provides for, and requires licensure by, the State Board of Equalization of manufacturers, distributors, wholesalers, importers, and retailers of cigarette or tobacco products that are engaged in business in California. Existing law requires an application for licensure as a retailer of cigarettes or tobacco products to include a one-time license fee of \$100 per retail location, but does not apply this fee to an application for renewal of a license. Under existing law, if a license is reinstated after its expiration, the retailer is required to pay a reinstatement fee of \$100. This bill would increase the license fee for retailers of cigarettes or tobacco products to \$185, and would require those retailers renewing their license to pay an annual license fee of \$185 with the application for renewal. This bill would increase the fee for reinstatement to \$185, and would provide that a license is valid for a 12-month period unless surrendered, suspended, or revoked prior to that period. This bill would specify that the amendments made by this act become operative January 1, 2010. This bill contains other related provisions and other existing laws.

[AB 2409\(Nava\)](#) Juvenile case files: sexually violent predator proceedings.

Status: 06/02/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was APPR.

Location: 06/02/2008-A DEAD

[Redacted]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law provides for sentencing enhancements on the basis of prior felony convictions, which are defined to include certain offenses adjudicated before the juvenile court. However, existing law generally provides for the confidentiality of juvenile records, reports, and related information. Those records may be sealed and eventually destroyed, unless the subject of the record was found to be a ward of the court because of the commission of specified felony offenses committed when he or she was 14 years of age or older. Certain persons, including law enforcement personnel who are actively participating in criminal or juvenile proceedings involving a minor, may inspect those records and reports concerning that minor, but those persons may not disseminate the records or reports, or related information, without the prior approval of the presiding judge of the juvenile court, except as specified. This bill would prohibit the

destruction of records of a ward who was 14 years of age or older at the time he or she committed a sexually violent offense, as defined. The bill would provide that , in any investigation, action, or proceeding based on the sexually violent predator laws, a court, upon a showing of good cause, may permit the Department of Corrections and Rehabilitation, the State Department of Mental Health, and the attorney petitioning for commitment, or their agents, to obtain and use records relevant to the civil commitment proceeding as determined by the court, in camera, that have been sealed pertaining to sustained petitions for specified sexually violent offenses that were committed when the person had attained 14 years of age or older. The bill also would authorize, in any civil commitment proceeding based on the sexually violent predator laws, the court , counsel for the parties, any jury, and any other person authorized by the sexually violent predator laws, or by the court, to inspect records as authorized by the court, as specified . These records would otherwise remain confidential, and would be limited in use for the purpose of investigation, action, or proceedings under the sexually violent predator laws and for subsequent treatment by the State Department of Mental Health. The bill would require the court to order the records sealed upon the judgment in the action or proceeding becoming final . This bill contains other existing laws.

Position: Support

AB 2428(Strickland) Protective orders: victim notification.

Status: 06/02/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was JUD.

Location: 06/02/2008-A DEAD

[Redacted]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law provides for the issuance of ex parte protective orders in cases of domestic violence. Existing law requires each county to electronically transmit data regarding protective orders through the California Law Enforcement Telecommunications System of the Department of Justice, as specified. Existing law requires the Department of Justice to maintain a Domestic Violence Restraining Order System that contains detailed information regarding protective and restraining orders and injunctions, as specified, and to make that information available to court clerks and law enforcement personnel. Existing law requires any law enforcement officer who served a protective order to submit the proof of service directly into the Domestic Violence Restraining Order System and transmit the original proof of service form to the issuing court within one business day of service. This bill would require any law enforcement officer who serves an ex parte protective order to submit the proof of service directly into the Domestic Violence Restraining Order System at the time of service, and to transmit the original proof of service form to the issuing court within one business day of service. By increasing the duties of local law enforcement officials, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

AB 2553(Solorio) Domestic violence: ex parte orders.

Status: 08/04/2008-Chaptered by the Secretary of State, Chapter Number 263, Statutes of 2008

Location: 08/04/2008-A CHAPTERED

[Green Bar]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law, the Domestic Violence Prevention Act, authorizes the court to issue ex parte orders for the prevention, or the prevention of the recurrence of, domestic violence. Existing law authorizes the court to issue an ex parte order enjoining a party from molesting, attacking, striking, stalking, threatening, sexually assaulting, battering, harassing, telephoning, including, but not limited to, annoying telephone calls, destroying personal property, contacting, either directly or indirectly, by mail or otherwise, coming within a specified distance of, or disturbing the peace of the other party, and, in the discretion of the court, on a showing of good cause, of other named family or household members. This bill would require the court to include in any order denying a petition for that ex parte order the reasons for denying the petition. This bill would also require any order denying a jurisdictionally adequate petition for that ex parte order to provide the petitioner the right to a noticed hearing on the earliest date that the business of the court will permit, within specified limits. The bill would also provide that nothing in those provisions shall preclude a petitioner who waives his or her right to a noticed hearing from refiling a new petition, without prejudice, at a later time, and would require the Judicial Council to develop a form to implement these provisions.

[AB 2593\(Adams\)](#) Sex offenders.

Status: 08/07/2008-In committee: Placed on Appropriations suspense file. In committee: Set, first hearing. Held under submission.

Location: 08/07/2008-S APPR. SUSPENSE FILE

[REDACTED]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law requires the Department of Justice to maintain an Internet Web site containing address information of registered sex offenders, as specified. This bill would require the State Department of Social Services to conduct a check of that Internet Web site prior to licensing, certifying, or conducting visits to, any community care facility, residential care facility for persons with chronic life-threatening illnesses, residential care facility for the elderly, or child day care facility. The bill would require the department to develop and implement an automated cross-referencing records system, as specified, in order to conduct quarterly electronic comparisons of the addresses of listed registered sex offenders with the addresses of all licensed community care facilities, residential care facilities for persons with chronic life-threatening illnesses, residential care facilities for the elderly, child day care facilities, and homes in which a county or placement agency has placed a child or children, as specified. The bill would require the department to develop a secure Internet Web site that would be protected against unauthorized access, and that would contain the addresses of all licensed community care facilities, residential care facilities for persons with chronic life-threatening illnesses, residential care facilities for the elderly, child day care facilities, and homes in which a county has placed a child or children. The bill would impose a fee on applicants for licensure in connection with certain community care facilities, residential care facilities, and child care facilities, as specified, to provide funding for the costs of these provisions. The bill would establish a special account within the Technical Assistance Fund, as specified, for deposit of the fees, as specified, upon appropriation by the Legislature. It would provide for loans to this special account, not to exceed an unspecified sum, from an unspecified fund, in the event fees sufficient to fund the program are not timely collected. This bill contains other related provisions and other existing laws.

[AB 2618\(Solorio\)](#) Child abuse reporting: Department of Justice: index.

Status: 07/01/2008-Read second time, amended, and to third reading.

Location: 07/01/2008-S THIRD READING

[REDACTED]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Calendar: 08/15/08 204 SEN THIRD READING FILE

Summary: Existing law requires the Department of Justice to maintain an index of all reports of child abuse and severe neglect submitted by agencies mandated to make those reports. Existing law requires the Department of Justice to make relevant information contained in the index available to specified law enforcement agencies, county welfare departments, and other specified agencies that are conducting a child abuse investigation or an employee or volunteer background investigation. This bill would require the Department of Justice to make available to a county child welfare agency or delegated county adoption agency that is conducting a background investigation of an applicant seeking employment or volunteer status with the agency who, in the course of his or her employment or volunteer work, will have direct contact with children who are alleged to have been, are at risk of, or have suffered, abuse or neglect, information regarding a known or suspected child abuser maintained in the index concerning the applicant.

[AB 2671\(Salas\)](#) Prisoners: veterans.

Status: 08/14/2008-In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 16 pursuant to Assembly Rule 77.

Location: 08/14/2008-A CONCURRENCE

[REDACTED]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Calendar: 08/15/08 89 ASM CONCURRENCE IN AMENDMENTS

Summary: Existing law requires the Department of Corrections and Rehabilitation to develop a plan that would ensure that prisoners who are substance abusers receive appropriate treatment, as specified. This bill would require the department to create a prerelease program for incarcerated honorably discharged veterans to apply for state and federal benefits for veterans, as specified. This bill contains other related provisions and other existing laws.

[AB 2696\(Krekorian\)](#) Firearms.

Status: 08/14/2008-From THIRD READING: To SECOND READING.

Location: 08/14/2008-S SECOND READING

[REDACTED]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Calendar: 08/15/08 41 SEN SECOND READING FILE

Summary: Existing law requires the Department of Justice to conduct background checks in connection with firearms purchases. Existing law provides that, to the extent funding is available, the department may participate in the National Instant Criminal Background Check System, as specified. This bill would require the department to participate in the National Instant Criminal Background Check System, as specified, pursuant to the terms of a Memorandum of Understanding between the department and the Federal Bureau of Investigation. This bill contains other related provisions and other existing laws.

Position: Watch

[AB 2799\(Saldana\)](#) Hate crimes.

Status: 06/12/2008-Referred to Com. on RLS.

Location: 06/12/2008-S RLS.

[REDACTED]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law requires the Attorney General to direct local law enforcement agencies to report to the Department of Justice information that may be required relative to hate crimes, as specified. This bill would allow each county to either establish a hate crimes commission, or direct an existing board or committee to fulfill the duties of such a commission, for the purpose of reviewing the incidents of hate crime within the county and ensuring that local law enforcement agencies are responding to hate crimes and reporting these crimes to the Attorney General. The bill would also set forth related findings and declarations.

[AB 2884\(Portantino\)](#) Court reporters: rough draft transcript.

Status: 06/26/2008-To inactive file on motion of Senator Perata.

Location: 06/26/2008-S INACTIVE FILE

[REDACTED]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law provides that the report of the official reporter or official reporter pro tempore of any court, as specified, when transcribed and certified as being a correct transcript of the testimony and proceedings in a case, is prima facie evidence of that testimony and proceedings. Existing law specifically provides that the report, when prepared as a rough draft transcript, shall not be certified and cannot be used, cited, or transcribed as the official certified transcript of the proceedings. Existing law also provides that the rough draft transcript may not be cited or used to rebut or contradict the official certified transcript and that the production of a rough draft transcript shall not be required. This bill would provide , until January 1, 2016, that the instant visual display of the testimony or proceedings, or both, shall not be certified and cannot be used, cited, or transcribed as the official certified transcript of the proceedings. The bill also would prohibit the citation or use of the instant visual display of the testimony or proceedings, or both, to rebut or contradict the official certified transcript of the proceedings.

[AB 3032\(Lieber\)](#) Innocence Protection Program.

Status: 05/30/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was APPR. SUSPENSE FILE

Location: 06/09/2008-A DEAD

[REDACTED]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law establishes various law enforcement programs. This bill would establish within the office of the State Public Defender, the Innocence Protection Grants Program. The purpose of the program would be to investigate criminal convictions of defendants who may be factually innocent and to bring appropriate legal actions to overturn wrongful convictions. The State Public Defender would assist local programs to review assistance requests submitted by

persons claiming to be factually innocent of criminal convictions in a state court , evaluate the claims , and advocate on behalf of those persons whose claims of factual innocence are likely to be established by DNA or other probative evidence. This bill would make program grants available to qualifying local programs, as specified. The bill would also provide that the program shall be implemented to the extent funding is made available .

[SB 110\(Romero\)](#) Sentencing commission.

Status: 08/05/2008-Motion to reconsider continued to August 4.

Location: 09/07/2007-A UNFINISHED BUSINESS

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Calendar: 08/15/08 122 ASM RECONSIDERATION

Summary: Existing law prescribes various penalties for criminal offenses. This bill would state legislative findings and declarations regarding criminal sentencing laws and policies. This bill would create the California Sentencing Commission, chaired by the Chief Justice of the California Supreme Court, and comprised as specified, to develop and implement a new sentencing system, that would develop rules for sentences imposed for infractions, misdemeanors, alternate felonies or misdemeanors, and felonies, and rules for parole. The commission also would be required to make recommendations to the Legislature regarding criminal laws established by voter initiative, prepare correctional population projections for the sentencing system, serve as a resource for sentencing policy, develop information systems to track criminal cases entering the courts, assemble information on the effectiveness of sentences imposed, and investigate the existence of discrimination or inequities in the sentencing and corrections systems, as specified. This bill contains other related provisions and other existing laws.

Position: Watch

[SB 129\(Kuehl\)](#) Criminal communications.

Status: 07/10/2008-Chaptered by the Secretary of State, Chapter Number 109, Statutes of 2008

Location: 07/10/2008-S CHAPTERED

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law makes it a misdemeanor punishable by a maximum of 6 months in the county jail or a \$1,000 fine or both for a person to make telephone calls or contact with an electronic communication device with the intent to annoy another person at his or her residence. Existing law additionally makes it a misdemeanor punishable by a maximum of one year in the county jail or a \$1,000 fine or both for a person to make telephone calls or contact with an electronic communication device with the intent to annoy another person at his or her place of work if one of 2 specified circumstances exist. This bill would, instead, make it a misdemeanor punishable by a maximum of 6 months in the county jail or a \$1,000 fine or both for a person to make telephone calls or contact with an electronic communication device, as defined, with the intent to annoy another person at any place. This bill contains other related provisions and other existing laws.

Position: Watch

[SB 327\(Migden\)](#) Firearms.

Status: 08/07/2008-Set, second hearing. Held in committee and under submission.

Location: 08/08/2008-A APPR. SUSPENSE FILE

Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law requires the Attorney General to maintain certain information reported to the Department of Justice in connection with handgun transactions. This bill would require the Attorney General to maintain certain information related to the dated delivery of handguns. This bill contains other related provisions and other existing laws.

[SB 447\(Maldonado\)](#) Junk dealers.

Status: 08/13/2008-In Senate. To enrollment.

Location: 08/13/2008-S ENROLLMENT

[Redacted]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law requires junk dealers and recyclers, as defined, to keep specified written records of all sales and purchases made in the course of business. This bill would require a junk dealer or recycler to report that information to the chief of police of the city or the sheriff of the county in which the junk dealer or recycler sold or purchased the junk.

[SB 1019\(Romero\)](#) Peace officer records: confidentiality.

Status: 06/24/2008-Set, second hearing. Failed passage in committee. Reconsideration granted.

Location: 06/24/2008-A PUB. S.

[Redacted]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law generally regulates the confidentiality of various personnel records relating to peace and custodial officers. This bill would state the intent of the Legislature to abrogate the California Supreme Court decision in Copley Press, Inc. v. Superior Court and to restore public access to meetings and hearings regarding peace officer discipline that were open prior to the Copley Press decision. This bill contains other related provisions.

Position: Oppose

[SB 1022\(Steinberg\)](#) Child abuse: central index.

Status: 08/12/2008-From Inactive File to Unfinished Business. Returned to Assembly for further action.

Location: 08/12/2008-A ASSEMBLY

[Redacted]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law requires the Department of Justice to maintain the Child Abuse Central Index as a repository for reports regarding suspected child abuse or severe neglect. Existing law further requires the Department of Justice to make relevant information contained in the index available to specified law enforcement agencies, county welfare departments, and other agencies that are conducting a child abuse investigation. This bill would require the Department of Justice to make available to a Court Appointed Special Advocate program that is conducting a background investigation of an applicant seeking employment with the program, or a volunteer position as a Court Appointed Special Advocate, information contained in the index regarding known or suspected child abuse by the applicant. This bill would also require the department to remove information relating to a person whose name is listed in the Child Abuse Central Index as a suspect in a child abuse or neglect investigation due to an incident that occurred when the person was under 18 years of age if the incident did not result in a delinquency adjudication or criminal conviction, and he or she makes a notarized written request to the department to have his or her name removed as a suspect with respect to that incident, as specified. This bill contains other related provisions and other existing laws.

[SB 1130\(Battin\)](#) Arson: registration: Internet availability.

Status: 06/02/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was PUB. S.

Location: 06/02/2008-S DEAD

[Redacted]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law requires a convicted arsonist, as specified, to register with certain local officials in the area in which he or she resides, and makes it a misdemeanor to fail to register. Existing law also requires the registering law enforcement agency to forward certain information about the person to the Department of Justice, including a signed statement, and the person's fingerprints and photograph. Under existing law, those statements, photographs, and fingerprints are not open to inspection by the public or by any person other than a regularly employed peace officer or other law enforcement officer. This bill would delete the provision prohibiting public inspection of the statements, photographs, and fingerprints, and would require the Department of Justice, by July 1, 2014, to make specified personal identifying information in the arson registry available to the public on its Internet Web site.

[SB 1163\(Maldonado\)](#) Sex offenders: vehicle license plates.

Status: 06/02/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was T. & H.

Location: 06/02/2008-S DEAD

[Redacted]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law requires persons convicted of specified sex offenses to register with local law enforcement authorities, as specified. A willful violation of these registration requirements is punishable as a misdemeanor or as a felony, as specified. Existing law requires that persons who are subject to registration be informed of their duty to register upon release from incarceration or confinement in a hospital, as specified, and requires the official responsible for place of confinement or hospital to obtain and report to the Department of Justice the person's expected address upon release. This bill would require that, for crimes committed on or after January 1, 2009, the sentencing court shall order that any person required to register pursuant to Section 290 not operate a motor vehicle unless it is displaying a license plate or a sticker, as specified, that indicates that the driver is a registered sex offender. Failure to comply with this provision would be a misdemeanor. This bill would provide that any person who knowingly disguises or alters a license or sticker plate that indicates that the driver is a registered sex offender to make it appear that the license or sticker does not indicate that the driver is a registered sex offender would be guilty of a misdemeanor. This bill would provide that any person who harasses, annoys, or otherwise threatens a person required to operate a motor vehicle displaying a license or sticker plate that indicates that the driver is a registered sex offender is punishable by imprisonment in the state prison, or by up to one year in the county jail. This bill would provide various exemptions, as specified, from the requirement to display a license plate that indicates that the driver is a registered sex offender. This bill contains other related provisions and other existing laws.

[SB 1589\(Romero\)](#) Criminal procedure: informants.

Status: 08/13/2008-In Senate. To enrollment.

Location: 08/13/2008-S ENROLLMENT

[Redacted]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law generally regulates the admissibility and use of evidence. This bill would provide 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.

Position: Watch

[SB 1590\(Alquist\)](#) Interrogation: recording.

Status: 05/30/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was APPR. SUSPENSE FILE

Location: 06/09/2008-S DEAD

[Redacted]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing law provides that, under specified conditions, the statements of witnesses, victims, or perpetrators of specified crimes may be recorded and preserved by means of videotape. This bill would require the electronic recordation of the entire proceedings of 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, except as specified. The bill would also prohibit the interrogating entity from destroying or altering any electronic recording made of the interrogation until the final conclusion of the proceedings, as specified. The bill would require law enforcement officers and their employing agencies to comply with the bill's provisions commencing on various dates depending on the number of sworn law enforcement officers employed by the law enforcement agency . By imposing these new requirements on local law enforcement, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch

[SB 1591 \(Ridley-Thomas\)](#) Criminal investigations: eyewitness identifications.

Status: 05/30/2008-Failed Deadline pursuant to Rule 61(b)(11). Last location was APPR. SUSPENSE FILE

Location: 06/09/2008-S DEAD

[Redacted]												
Dead/2YR	1st Desk	1st Policy	1st Fiscal	1st Floor	2nd Desk	2nd Policy	2nd Fiscal	2nd Floor	Conf./Conc.	Enrolled	Vetoed	Chaptered

Summary: Existing case law regulates suspect identification procedures to ensure that they are not unduly suggestive. This bill would provide that it is the intent of the Legislature that law enforcement officials study and consider the adoption of new policies and procedures, as specified, to ensure that eyewitness identification procedures in California minimize the chance of misidentification of a suspect. This bill contains other related provisions.

Position: Watch